



YMCA WA CODE OF CONDUCT

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YMCA WA is officially accredited as a Child Safe Organisation

DOCUMENT CONTROL

| Version | Description of Revision | Date Effective | Owner |
|---------|--|----------------|-------|
| 1.0 | First release | | CEO |
| 1.1 | | 07/07/2014 | CEO |
| 2.0 | Inclusion of Safeguarding Children and Young People section | 18/04/2017 | CEO |
| 2.1 | Correction of reference in 3.4.1 | 03/10/2017 | CEO |
| 2.2 | Minor changes including removal of Council of Governors and references to the Whistleblower Policy and Privacy Act | 04/03/2020 | CEO |
| 3.0 | Embedded the National Safe Behaviours into the Code of Conduct under 3.2 Safeguarding Children and Young People | 14/08/2020 | CEO |
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1.0 PURPOSE

The Code of Conduct (the Code) outlines the standard of behaviour and appropriate conduct expected of all YMCA Staff when representing YMCA WA.

The Code is not intended to be exhaustive, however sets appropriate base line behaviour standards required by staff.

2.0 SCOPE

The Code applies to YMCA Staff when representing YMCA WA in all workplace interactions and at work related events.

YMCA Staff includes:

- YMCA WA Board Members and any person serving the YMCA WA on a committee or advisory capacity
- YMCA Staff, contractors or sub-contractors, labour hire employees, apprentices or trainees and volunteers involved with the activities of YMCA WA.

YMCA Staff are required to act in accordance with this Code, adhere to all relevant policies and procedures, their contract of employment, relevant legislation and consider the YMCA Values in determining what constitutes appropriate conduct in the workplace at all times.

3.0 POLICY STATEMENT

YMCA WA recognises that a positive work environment internally and strong relationships with our external contacts and communities cannot be achieved without appropriate conduct being displayed, encouraged and enforced amongst YMCA Staff.

3.1 VISION, MISSION, BELIEFS AND VALUES

YMCA WA believes in the power of inspired young people, and our Values underpin our behaviour and help guide our conduct, actions and decisions in the workplace.

3.1.1 VISION

Communities across Western Australia are connected, inclusive and vibrant and children and young people are developing and participating. We will achieve this through the passion, commitment and innovation of our people and partners to deliver services and programs.

3.1.2 MISSION

To provide opportunities for children and young people to grow in body, mind and spirit.

3.1.3 VALUES

- Honesty
- Respect
- Responsibility
- Caring

3.2 SAFEGUARDING CHILDREN AND YOUNG PEOPLE

YMCA WA is an accredited Child Safe organization and therefore we behave in a way that;

- reduces the likelihood of harm occurring to a child or young person
- increases the likelihood of any harm to a child or young person being discovered
- responds appropriately to any disclosures, allegations and or suspicions of harm.

YMCA staff must be aware and abide by their responsibilities in respect to Safeguarding Children and Young People, particularly in relation to **Protection, Supervision and Safety**. At the Y we expect all Y People to:

- **Listen** and **respond** to the views of children, young people and their families. Hear what they have to say, no matter how big or small and always take them seriously
- **Protect** children and young people, put their safety first and do not cause harm in any environment – this includes online
- **Respect** and **support** all children and young people regardless of their backgrounds, everyone should be made to feel welcome and included
- **Speak** using clear language that is appropriate to children and young people
- **Act** within the laws, regulations, policies and procedures and set a positive example for others
- **Be aware** of signs that may indicate abuse or harm to children and young people and notice if they aren't themselves or things don't seem right
- **Respond** appropriately to any suspected or disclosed abuse or harm to children and young people
- **Empower** children and young people - this includes allowing them to do personal things for themselves
- **Encourage** children and young people to be the best they can be without showing any favouritism
- **Be professional** and **respect the boundaries** of your role at the Y – Y People should not be left alone with a child or young person (this includes transportation) or have any contact outside the Y's programs or facility unless approved by their local Y Association.

3.3 CODE OF CONDUCT

YMCA Staff must abide by the Code and understand that breaches may result in disciplinary action up to, and including, dismissal as per *Section 3.4*.

3.3.1 FAIR, SAFE AND ETHICAL ENVIRONMENT

YMCA WA has a responsibility to provide a safe, encouraging and supportive work environment that recognises and values the diversity, abilities and contributions of YMCA Staff.

YMCA Staff are entitled to be treated with respect and work in a safe environment free from discrimination, harassment, bullying or vilification.

Equally, YMCA Staff have a responsibility to act with integrity, honesty, transparency and

impartiality in their dealings with colleagues, external contacts and members of the wider community. YMCA Staff have a shared responsibility for the Safeguarding of Children and Young People.

YMCA Staff, at all times, must:

- perform their duties in a safe and competent manner in accordance with relevant Occupational Safety and Health (OSH) legislation and YMCA WA policies and procedures
- commit to and promote the principles of a Child Safe Organisation
- take care not to put themselves or other YMCA Staff at risk or reduce their ability to carry out their duties through unsafe practices and inappropriate behavior
- act in the interests of YMCA WA as a whole, honestly and in good faith
- use care and diligence in fulfilling their role and in exercising the responsibilities attached to that role
- act with honesty and integrity at all times during the course of employment or engagement with YMCA WA
- comply with all applicable legislation and the reasonable and lawful directions of YMCA WA
- report any known or suspected instances of inappropriate, dishonest or fraudulent conduct to appropriate YMCA WA Management
- report unlawful or unethical behavior.

YMCA Staff must not:

- victimise those who report unethical behavior in line with YMCA WA's Whistleblower Policy
- act in a manner which contravenes Safeguarding protocols, including Protection, Supervision and Safety of children and young people
- engage in improper and dishonest activity designed to benefit themselves to the financial or other detriment of YMCA WA, such as theft, corruption and falsification of documentation or other fraudulent activity
- engage in any other dishonest activity that damages their relationship with YMCA WA.

3.3.2 COMPLIANCE WITH THE LAW

YMCA Staff must:

- comply with the laws, regulations and Codes relevant to their duties and those which safeguard children and young people
- advise their manager if charged with a criminal offence (regardless of court outcomes) which is punishable by imprisonment or, if found guilty, could reasonably be seen to affect their ability to meet the inherent requirements of the work they are engaged to perform and or breaches individual and organisational obligations to provide a child safe environment.

YMCA Staff must not engage in criminal activity that is in direct breach of the Code or any other legislative instrument:

- in the workplace, during working hours or when using work equipment or dealing with external contacts
- outside of working hours in circumstances including, but not limited to, where the crime:
 - impacts on their ability to fulfill the inherent requirements of their role
 - Is detrimental or causes harm to a child or young person
 - damages the reputation of YMCA WA
 - represents a conflict of interest
 - is a breach of a YMCA WA policy.

3.3.3 INTERACTING WITH OTHERS, THE PUBLIC AND THE MEDIA

When interacting with others in the workplace or at any time when representing YMCA WA, YMCA Staff must:

- treat others with courtesy and respect during all interactions (including online / electronic interactions) and during all interactions related to work (which may include social activities)
- protect the privacy of individuals, children and young persons
- consider how their conduct might reinforce inappropriate stereotypes based on gender, race, sexual orientation or any other discriminatory ground, and refrain from such conduct
- comply with the YMCA WA SGA-004-POL Media Relations Policy when planning to speak to the media or if approached to speak to the media
- ensure that confidential information remains confidential unless it is determined by law or otherwise that the release of the information is appropriate
- communicate decisions, processes and any information that affects an individual or members of the public in an accurate and timely manner.

YMCA Staff must not:

- make written or oral comments which infer to represent the views of YMCA WA and which might reasonably be expected to become public, without the appropriate authority to do so
- discriminate against, harass, bully or victimise YMCA Staff, external contacts or anyone else that they deal with in the course of their employment or engagement with YMCA WA.

3.3.4 PERSONAL CONDUCT

YMCA Staff are expected to conduct themselves in an appropriate professional manner and behave to a standard which reflect favourably on the organisation throughout the course of their employment or engagement with YMCA WA.

3.3.4.1 Personal Presentation

YMCA Staff are required to present themselves in a tidy and professional manner relevant to the nature of their employment, working environment and level of interaction with stakeholders. YMCA Staff should refer to their relevant departmental uniform policy where applicable.

3.3.4.2 Work Related Events

An appropriate standard of behaviour is expected from YMCA Staff when attending all work related events. Whether the event occurs on or off site and inside or outside of working hours, all YMCA WA policy and procedures apply.

3.3.4.3 Behaviour Outside of Work

YMCA Staff are encouraged to conduct themselves in a manner that is compatible with their duty of good faith with YMCA WA and not:

- bring YMCA WA into disrepute or damage the interests or reputation of YMCA WA
- damage the relationship of YMCA WA and /or external contacts
- impact their ability to perform duties safely whilst at work.

3.3.5 CONFLICT OF INTEREST

YMCA Staff must:

- devote all time and attention during working hours to their duties as an employee of YMCA WA
- actively prevent all conflicts of interest between their duties as an employee of YMCA WA and their other/private interests, whether the conflict is actual, potential or perceived
- report any actual, potential or perceived conflicts of interest to their manager at the earliest opportunity
- ensure that they comply with the above conflict of interest obligations in all relevant circumstances including, but not limited to:
 - personal relationships (including those with children, young people and or their families)
 - employment outside YMCA WA
 - recruitment and selection processes
 - supplier negotiations and agreements.

3.3.6 ACCEPTANCE OF GIFTS, BENEFITS AND HOSPITALITY

YMCA Staff have the responsibility to behave with integrity and impartiality. This includes, but is not limited to, responding appropriately to offers of gifts, benefits and hospitality from internal or external contacts.

YMCA Staff must not solicit, or accept money, gifts or entertainment which may:

- influence their business judgment
- contain any obligation on the recipient or donor
- be considered extravagant or excessive
- be considered a secret commission or questionable payment
- be influenced by any consideration of personal gain.

YMCA Staff must notify their direct manager in the event that gifts, benefits or hospitality are offered or have the potential to breach the conditions detailed.

3.3.7 USE OF YMCA WA PROPERTY

All YMCA WA property, including IT resources, vehicles and electrical devices, must be used in accordance with YMCA WA policies and procedures.

3.3.8 CONFIDENTIALITY

YMCA WA is compliant with the Privacy Act 1988, and YMCA staff must not disclose any confidential information to any person relating to YMCA WA or any organisation or person they have come into contact with as a result of their employment or engagement with YMCA WA.

3.3.8.1 Internal Contacts

YMCA WA recognises that relationships with internal contacts will lead to the sharing of business and personal information. Staff must ensure that all information gained or shared in this way is respected and treated with confidentiality. This applies during employment and after any employment contract comes to an end.

3.3.8.2 External Contacts

YMCA Staff must ensure that any personal or confidential information held relating to external contacts, in any form, shall always remain the confidential property of YMCA WA and will not

be disclosed to other parties without the permission of YMCA WA and the relevant external contact.

3.3.8.3 Intellectual Property

Information concerning the activities or proposed activities of YMCA WA is considered intellectual property and confidential. Staff may not use this information for any other reason than it was intended unless with the express permission of the YMCA WA.

3.3.8.4 Information and Systems Integrity

YMCA Staff must ensure that corporate documents and/or sensitive and confidential information is stored and disposed of appropriately. YMCA Staff must use YMCA WA IT resources in a manner that does not compromise confidentiality or security considerations.

3.3.9 FINANCIAL REPORTING AND RISK

YMCA Staff involved in financial reporting processes on behalf of YMCA WA must exercise diligence and act in a manner of good faith in preparation of information, ensuring:

- financial reporting is accurate, timely and that it represents a true and accurate view of the performance of YMCA WA
- maintenance of accurate, reliable records and reports in relation to all financial, accounting and internal controls
- understanding and managing risk, including fraud risk, is fundamental to the business of YMCA WA
- business risks are identified, assessed and managed in order to minimise the impact on YMCA WA and Stakeholders.

3.3.10 COMPLIANCE WITH THE CODE

YMCA WA will monitor compliance with this Code through processes including, but not limited to:

- analysis of feedback from YMCA Staff, external contacts and other stakeholders
- Staff performance and the achievement of related objectives
- Internal and external reviews and reports in relation to safeguarding children and young people
- internal audit programme results.

3.4 BREACHES OF THE CODE

YMCA Staff must abide by the Code and understand that breaches may result in disciplinary action in accordance with YMCA WA's disciplinary & termination protocols.

3.4.1 REPORTING OF BREACHES

Any breaches in relation to the Code shall be dealt with in accordance with YMCA WA internal protocols. This may include reporting to relevant agencies. In the case where actions are or are potentially criminal, YMCA WA reserve the right to involve the appropriate authorities.

- YMCA Staff are obligated under this Code to report any breaches or suspected breaches of the Code to their direct manager.
- If the alleged breach relates to their direct manager, then the breach must be reported to the next level of management.
- YMCA WA will address any matter raised as per *Section 3.4.3*.

- If the situation involves a breach of legislation, the matter may also be referred to the appropriate agency for enforcement of the legislation.
- YMCA Staff will not be disadvantaged or prejudiced if a breach is reported in good faith in line with YMCA WA's Whistleblower Policy.
- Relevant confidentiality will be maintained where possible, respecting the rights of individuals involved.

3.4.2 REPORTING CONCERNS RELATING TO EMPLOYMENT

If YMCA Staff have any concerns relating to their employment with YMCA WA they are encouraged to raise these concerns directly with their Line Manager. Should this not be possible then the matter should be raised with the relevant Executive Manager and or Human Resources. Staff should be aware that a formal grievance may be lodged in accordance with the YMCA WA Grievance Policy.

3.4.3 ADDRESSING A POSSIBLE BREACH OF THE CODE

To promote and maintain the expected YMCA WA standards of conduct including conduct that places or has the potential to place a child or young person at harm, it is important that any YMCA Staff member who has a concern about the conduct of another employee is able to raise their concern freely and without fear of intimidation or repercussion.

To encourage YMCA Staff to come forward with any concern, YMCA WA will:

- consider all complaints seriously
- investigate formal complaints as a matter of priority
- take all reasonable steps to ensure any YMCA Staff member who makes a complaint in good faith is protected against any disadvantage, victimisation or discrimination due to reporting a breach
- adhere to the YMCA WA's relevant policies and process.

3.4.3.1 False Reports of Breaches

A false report of a breach exists if, upon investigation, those responsible for conducting the investigation form the opinion that the report is deliberately:

- untrue – on the basis that the report is made up and or embellished inappropriately
- vexatious – information in relation to the report is petty, vindictive and or made with the intent to cause harm
- made maliciously or with intent to harm the YMCA Staff member to whom the report was made against
- was not made in good faith

YMCA WA may initiate disciplinary action against any YMCA Staff member responsible for making a false report. A false report may give rise to a breach of the Code by the YMCA Staff member who made the report.

4.0 RESPONSIBILITIES

This document allocates responsibilities for:

- Board
- CEO
- Executive Leadership Team
- YMCA WA Management
- YMCA Staff

| Role Title | Responsibilities |
|----------------------|--|
| Board | <ul style="list-style-type: none"> • The oversight of appropriate policies and practices which affect the governance, legal status and accreditation of the organisation. • The Members of the Board as a whole and individual Directors to abide by the Code of Conduct and promote its intent. |
| CEO | <ul style="list-style-type: none"> • Ensure staff are provided a safe and healthy working environment • Maintain standards around protection, supervision and safety that are conducive to a child safe organisation, including maintaining Accreditation. • Ensure promotional opportunities through learning and development are available for all YMCA Staff • Ensure the provision of remuneration that is fair and reviewed in relation to the responsibilities of each role and position • Ensure the promotion of equal opportunity for all YMCA Staff • Ensure adopted workplace practices support the varying individual needs of YMCA Staff, external contacts and the operational needs of the business • Encourage a workplace that is free from discrimination, harassment and violence. |
| Executive Management | <ul style="list-style-type: none"> • Ensuring Leadership and Management practices reflect the Code and its intent • Modelling and encouraging others to model the behaviours set down by the Code • Ensuring mechanisms are in place to educate staff in relation to the Code • Supporting disciplinary processes in relation to breaches of the Code • Ensuring action is taken where systematic failure in relation to the Code is identified • Supporting and enabling learning and development for staff in relation to the behaviours identified by the Code. |
| Management | <ul style="list-style-type: none"> • Ensure staff are aware of their obligations under the Code through regular discussion and reference • Support and reward positive behaviour which reflects the standards set by the Code • Role model and demonstrate the behavioural expectations outlined in the Code • Act on any reports or observations in relation to non-compliance or behaviour which is not in line with the intent of the Code • Seek support and guidance from peers and senior management to ensure relevant behaviours are fully adopted and appropriate sanctions are applied. |

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| Staff | <ul style="list-style-type: none"> • Read and understand the obligations related to behaviour contained within the Code and any other relevant policy and process • Ask questions in relation to understanding, should there be areas of the Code which are unclear • Model the behaviours required by the Code to other staff and encourage other staff to do the same • Report to Line Management any breaches or perceived breaches of the Code, or in the case where the Line Manager cannot be approached, report to their Line Manager of Human Resources. |
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5.0 RELATED DOCUMENTS

The following related legislation and standards can be accessed from YConnect.

| Legislation/Standard |
|--|
| Age Discrimination Act 1992 |
| Australian Securities and Investment Commission Act 2001 |
| Corporations Act 2001 |
| Disability Discrimination Act 1992 |
| Human Rights and Equal Opportunity Commission Act 1986 |
| Occupational Health & Safety Act 1984 |
| Privacy Act 1988 |
| Racial Discrimination Act 1975 |
| Sex Discrimination Act 1984 |

6.0 SUPPORTING PROCEDURES, POLICIES & OTHER DOCUMENTS

Refer to the YConnect for the current link to related documents listed below.

| Document ID | Document Title |
|----------------|---|
| PC-015-POL | Drugs and Alcohol Policy |
| PC-006-POL | Health and Safety Policy |
| YMCA Australia | Safeguarding Children and Young People Policy |

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|-------------|--|
| PC-002-POL | Workplace Bullying, Harassment & Discrimination Policy |
| SGA-003-POL | Social Media Policy |
| SGA-004-POL | Media Relations Policy |
| SGA-002-POL | Privacy Policy |
| SGA-001-POL | Risk Management Policy |
| | Employee Contract of Employment |
| PC-013-POL | Recruitment and Selection Policy |
| SGA-012-POL | Fleet Management Policy |
| FIN-003-POL | IT Acceptable Use Policy |
| FIN-004-POL | Hardware and Software Acquisition Policy |
| PC-003-POL | Grievance Policy |
| PC-009-POL | Disciplinary & Termination Policy |
| PC-007-POL | Whistleblower Policy |
| SGA-013-POL | Board Conflict of Interest Policy |

7.0 FEEDBACK

Feedback on this policy must be directed to the Document Owner outlined in the cover of this policy.

8.0 DEFINITIONS

| Term | Definition |
|-----------------------------------|--|
| Code of Conduct (the Code) | A Code of Conduct outlines the standards of behavior expected of people belonging to an organisation or group. |
| Colleagues | Refers to all YMCA Staff / Internal contacts as defined in these definitions. |
| Conduct | Behavior – revealing itself in actions, responses, words, gestures or choices. |

| Term | Definition |
|--|--|
| Confidential Information | Information, knowledge or communication that is intended to be private including, but not limited to, intellectual property and trade secrets, IT systems, business plans, finance information, software, manuals and client information. |
| Conflict of Interest | A situation in which a YMCA 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. |
| Direct Manager | Manager that a YMCA Staff member directly reports to |
| Electronic Devices | Resources provided by YMCA WA including, but not limited to: <ul style="list-style-type: none"> • communication facilities such as email • Internet and network access • data storage including CDs, USB thumb drives and similar devices • computers, mobile devices and peripherals • software, network tools and databases • telephones (fixed and mobile) and voicemail • any IT equipment that has access to YMCA IT resources |
| Executive Leadership Team (ELT) | Team comprised of the CEO and those who are direct reports to the CEO of YMCA WA |
| Executives | Executive Manager Service Delivery Chief Financial Officer Executive Manager People and Culture Executive Manager Strategy Governance and Administration |
| External Contacts | Includes stakeholders, competitors, visitors, patrons, guests, customers, members, patrons or partners of YMCA WA. |
| Fraudulent activity | Wrongful or criminal deception intended to result in financial or personal gain. |
| Intellectual Property (IP) | Refers to the ownership of YMCA WA's intangible and nonphysical goods that have commercial value |
| Internal Contacts | Refers to all YMCA Staff as defined in these definitions. |
| Mobile Device | Laptops, iPads, mobile phones, tablets and broadband devices that are used to conduct YMCA WA business whether owned by YMCA WA or not. |
| OSH | Occupational Safety and Health |
| Policy Document | General term for referring to YMCA WA policies, procedures, guidelines, work instruction and forms. |

| Term | Definition |
|---|---|
| Reasonably / Reasonable | In determining whether conduct or a conduct expectation is reasonable, all of the circumstances of the situation will be taken into account, including the YMCA WA Values. Determining reasonableness requires consideration of how a reasonable person would act in the same or similar situation. |
| Safeguarding Children and Young People | The Term Safeguarding includes Protection, Supervision and Safety of children and young people, including: <ul style="list-style-type: none"> • Reduces the likelihood of harm occurring to a child or young person • Increases the likelihood of any harm to a child or young person being discovered • Respond appropriately to any disclosures, allegations and or suspicions of harm |
| Stakeholder | A person, group or organisation that has an interest or concern in an organisation. |
| Work Associates | People you have a relationship or connection with, or interact with, through work. A work associate may include, but is not limited to, a colleague, external contact or anyone associated with YMCA WA. |
| Workplace Interactions | Work related interactions with fellow YMCA Staff and external contacts whilst in the workplace or off site. |
| Work Related Events | Are events where the person is representing YMCA WA, including but not limited to: <ul style="list-style-type: none"> • attendance at social functions and celebrations • work-related travel • attendance to conferences and external events. |
| YMCA IT Resources | YMCA WA network and electronic devices. |
| YMCA WA Management | Operational and Centre specific Managers, Supervisors, Directors and Program Managers. |
| YMCA WA Property | Property owned or managed by YMCA WA, including all intellectual property, IT resources, facilities, assets, vehicles, office equipment, documents, manuals, programs, reports, processes and improvements made by YMCA Staff whilst they are employed by YMCA WA. |
| YMCA Staff | Includes YMCA Staff, contractors or sub-contractors, labour hire employees, apprentices or trainees and volunteers involved with the activities of YMCA WA. It also includes YMCA WA Board Members and any person serving the YMCA WA on a committee or advisory capacity. |