

Safeguarding Children and Young People Code of Conduct Policy

1. Purpose

Starlight Children's Foundation exists to brighten the lives of seriously ill and hospitalised children, young people and their families by providing positive and enriching experiences that support their wellbeing and resilience.

Our most important responsibility is to ensure our programs are provided in an environment that is caring, nurturing and safe for all children and young people. To achieve this, we support, encourage and expect our team to strive for the highest possible standards with respect to safeguarding children and young people from abuse. We have developed this *Safeguarding Children and Young People (SCYP) Code of Conduct* to identify clear expectations for behaviour towards, and in the presence of children and young people, and so prevent behaviour that may be harmful to them.

The *SCYP Code of Conduct* has been formally approved and endorsed by our National Board of Directors. It should be read in conjunction with related policies and procedures, and general community expectations in relation to appropriate behaviour between adults and children.

2. Related Policies

- *Safeguarding Children and Young People Policy*
- *Safeguarding Children and Young People Code of Conduct Procedures*
- *Reporting and Responding Policy*
- *Reporting and Responding Procedures*
- *Social Media Policy*
- *IT Policy*

3. Related Legislation

In upholding this Policy, the following legislation must be considered by the Starlight team:

- [Children and Young People Act 2008 \(ACT\)](#)
- [Working with Vulnerable People \(Background Checking\) Act 2011 \(ACT\)](#)
- [Children and Young Persons \(Care and Protection\) Act 1998 \(NSW\)](#)
- [Child Protection \(Working with Children\) Act 2012 \(NSW\)](#)
- [Care and Protection of Children Act 2007 \(NT\)](#)
- [Child Protection Act 1999 \(QLD\)](#)
- [Working with Children \(Risk Management and Screening\) Act 2000 \(QLD\)](#)
- [Children's Protection Act 1993 \(SA\)](#)
- [Children, Young Person's and their Families Act 1997 \(Tas\)](#)
- [Registration to Work with Vulnerable People Act 2013 \(Tas\)](#)
- [Working with Children's Act 2005 \(Vic\)](#)
- [Crimes Act 1958 \(Vic\)](#)
- [Children and Community Services Act 2004 \(WA\)](#)
- [Working with Children \(Criminal Record Checking\) Act 2004 \(WA\)](#)

4. Scope

All Starlight team members are required to commit to and abide by this *SCYP Code of Conduct*. Team members include our Board Directors, Executive team, People Managers, all paid team members and all programs volunteers, including interns (i.e. all volunteers interacting with children and young people).

5. Definitions

See appendix 2

6. Responsibilities

All Starlight team members must understand and comply with the *SCYP Code of Conduct*. As part of this commitment to observing the *SCYP Code of Conduct*, all team members are required to sign *Starlight's Team Member Commitment Statement* and *Starlight's Confidentiality Declaration* (see appendix 1).

All team members should also do everything they can to ensure anyone who interacts with Starlight does so in a way that reflects our *SCYP Policy* and *Code of Conduct*.

Some Starlight team members have additional responsibilities, as outlined in the table below.

Position	Responsibility
Starlight Executive Team	<ul style="list-style-type: none"> Promote commitment to this Policy and its expectations. Ensure all People Managers have access to support and advice to understand and implement this Policy.
SCYP Representatives	<ul style="list-style-type: none"> Review and update this Policy and supporting resources in consultation with relevant stakeholders. Support the implementation of this Policy, including providing training and advice in the application of procedures.
People Managers	<ul style="list-style-type: none"> Understand the SCYP Code of Conduct Policy and related procedures and ensure it is followed by your teams. Ensure any SCYP Code of Conduct breaches are logged. Ensure your team have access to this policy and related procedures.

7. Key Requirements

The *SCYP Code of Conduct* outlines the behaviour and conduct all Starlight team members must adhere to when interacting with children, young people and their families. The *SCYP Code of Conduct* plays a vital role in helping you safeguard children and young people from abuse or neglect.

Sexual misconduct

Under no circumstances is any form of sexual behaviour to occur between, with, or in the presence of children or young people participating in any of our programs. Engaging in sexual behaviour while participating in our programs is prohibited even if the



young person/s 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; and
- Non-contact behaviour, such as flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

Positive guidance

Wherever possible, children and young people are encouraged to have a say, especially on issues that are important to them. Children and young people are given information about their safe participation in Starlight activities including access to information about safeguarding children and young people.

We strive to ensure that children and young people interacting with Starlight are aware of the acceptable limits of their behaviour so that we can provide a positive experience for all participants. Children and young people are encouraged to feel safe and be safe, and to have positive relationships and friendships with their peers.

However, there are times when team members may be required to use appropriate techniques and behaviour management strategies to ensure:

- An effective and positive environment.
- The safety and/or wellbeing of children, young people or Starlight team members participating in our programs.

We require our team to use strategies that are fair, respectful and appropriate to the developmental stage of the children or young people involved. The child or young person needs to be provided with clear directions and given an opportunity to redirect their misbehaviour in a positive manner.

Under no circumstances are our team to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

Professional role boundaries

Our team should not, of their own volition or at the request of a child, young person or family member, act outside the confines of their role (as specified in their position description) when helping to deliver our programs.

To maintain professional relationships, Starlight team members must not:

- Provide unauthorised transportation; for example, providing transport in a private motor vehicle, including Starlight vehicles.
- Engage in activities with a Starlight child, young person or their family outside authorised Starlight program delivery; including, for example, private tuition or babysitting.
- Provide any form of support to a child, young person or their family, unrelated to our normal delivery of a Starlight program; including, for example, emotional or financial support.



- Seek contact with children or young people (or former participants) outside our program delivery.
- Accept an invitation to attend any private social function at the request of a child or young person who has participated, or is participating, in our programs or at the request of their family, including, for example, birthday parties.
- Develop any special relationships with children that could be seen as favouritism, for example, special treatment for specific children and young people.
- Engage in open discussions of a mature or adult nature in the presence of children and young people; for example, personal social activities.

If any of our team become aware of a situation in which a child or young person requires assistance beyond the confines of that person's role, or beyond the scope of our organisation's usual service, they should discuss this with their manager

Use of language and tone of voice

Language and tone of voice used in all interactions with children, young people and their families should:

- Provide clear direction, boost their confidence, encourage or affirm them.
- Not be harmful to children, and must not be:
 - Discriminatory, racist or sexist.
 - Derogatory, belittling or negative; for example, by calling a child a loser or telling them they are fat.
 - Intended to threaten or frighten.
 - Profane or sexual.

Promoting equity and diversity

All team members must ensure their approach and interactions with children and young people are sensitive, respectful and inclusive of all backgrounds and abilities.

When interacting with children and young people who are Aboriginal or Torres Strait Islander, from culturally and/or linguistically diverse backgrounds, or who have a disability, our team will promote their safety (including cultural safety), participation and empowerment.

Working in pairs

Starlight team members will always work in pairs when interacting with children and young people.

Exceptions are listed below and are subject to always following the procedures outlined in the *SCYP Code of Conduct Procedures*.

Exceptions to working in pairs:

- Visits by a Family Relationship Coordinator or Programs Volunteer to children and young people to help develop and present their wish.
- Livewire.org community moderation with one chat host.



- A request by a hospital or clinic for a Starlight team member to work alone, for example visiting a child in isolation who has a restricted visitor list or providing procedural support
- Media opportunities or research activities; for example filming a Wish story or conducting an evaluation interview.

Supervision

All team members are responsible for supervising the children and young people to which Starlight provides programs to ensure those participants:

- Engage positively with our programs.
- Behave appropriately toward one another.
- Are in a safe environment and are protected from external threats.

Use of electronic and online communications

Under 12 years old

We prohibit all direct electronic communication between our team and children under the age of 12 years without the express and written prior permission of our Head of Programs or CEO.

Over 12 years old

Where appropriate to a positive program experience, and if supported by the young person's parents, a Starlight team member may engage in direct electronic communication with a young person.

Wherever possible, email and text messages sent to a young person aged under the age of 18 years should be copied to their parent or guardian.

Where a parent is not included in the communication:

- Restrict such communication to issues directly associated with delivering our programs, such as advising that a scheduled event is cancelled or organising logistics for a Starlight Wish.
- Limit the personal or social content in such communications to that required to convey the program-related message in a polite, friendly manner. In particular, do not communicate anything a reasonable observer could view as being a sexual nature or grooming behaviour.
- Do not use such communication to promote unauthorised social activity or to arrange unauthorised contact.
- Do not request a young person keep a communication a secret from their parents or guardians.
- Do not communicate with young people using Internet chat rooms or similar forums, such as social networking sites, game sites or instant messaging, except for the livewire.org site.

All Starlight team members are required to follow both Starlight's *Social Media Policy* and *IT Policy*.

Our team are required to ensure appropriate monitoring of children and young people when they use Starlight's electronic communication equipment to ensure they do not inadvertently place themselves at risk of abuse or exploitation via social networking sites, gaming sites, through web searches or inappropriate email communication.



Giving gifts

Starlight team members must only give gifts in specific circumstances, including:

- Embellishments or wish sparkles as part of a wish experience.
- Prizes awarded for competitions, including online competitions.
- Prizes awarded as part of the live TV show in the Starlight Express Room (SER).
- When requested by medical staff, e.g. following a difficult procedure or to celebrate when a child is leaving hospital after long-term stay.
- For special occasions, including Christmas and Easter.
- Gifts from celebrities and corporates when visiting the hospital, e.g. Liverpool FC giving out merchandise in the SER.

If any of our team become aware of a situation where they see gifts being given to children or young people outside these circumstances, they must call the SCYP Hotline or submit an online SCYP log.

Giving of gifts by our team members to children and young people to whom we deliver our programs is subject to:

- Parents or other responsible adults being made aware of any gift given.
- Being done only to enhance the program experience, i.e., team members should not give gifts in a way that could be perceived as grooming.

Photographs of children and young people

Under these guidelines:

- Children and young people are to be photographed by a Starlight team member while involved in our programs only if:
 - *A program manager has granted prior and specific approval.*
 - *The context is directly related to participation in our programs.*
 - *The child is appropriately dressed.*
 - *The image is taken in the presence of other team members.*
 - *The image is taken on a Starlight device or device of a professional photographer/film crew, i.e. not on a personal camera including a mobile phone.*
- Images (digital or hard copy) are to be stored on Sharing Impact Hub to prevent unauthorised access by others. They are not to be stored on local computers or kept on the camera or phone.
- If images are to be shared externally, our Consent Policy must be followed.
- Images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required.

Physical contact with children and young people

Any physical contact with children and young people must be appropriate to the delivery of our programs and based on the needs of the child or young person (such as to assist a child to participate), rather than the needs of our team member.



Permission should always be sought from the child or young person, except where it is not possible in order to prevent harm to the child, e.g. they are falling.

Under no circumstances should any of our team have contact with children or young people participating in our programs that:

- Involves touching of:
 - genitals.
 - buttocks.
 - the breast area
- Would appear, to a reasonable observer, to have a sexual connotation.
- Is intended to cause pain or distress to the child or young person, 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 child does not require assistance and is not part of program delivery.
- Is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child/young person 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 child or young person to prevent harm to themselves or others.
 - An online SCYP log or call to the SCYP Hotline must be made as soon as possible.

Our team are required to make an SCYP log of any physical contact initiated by a child or young person that is sexual and/or inappropriate; for example, acts of physical aggression, to enable the situation to be managed in the interests of and for the safety of the child or young person, our team and any other participants.

Overnight stays and sleeping arrangements

Overnight stays (where a Starlight team member is staying overnight with a Starlight family) are not part of Starlight program delivery.

During activities such as Wish Week, a parent or guardian will always be staying with the child and will be their primary carer throughout the stay. Starlight team members stay at separate accommodation.

Overnight stays at a Starlight team member's home or the home of a child, young person or their family are not permitted under any circumstances.

Change room arrangements

Starlight team members must never be in the presence of a child, young person or their family when either the Starlight team member or the child, young person or family member is getting dressed or undressed.

Captain Starlight costumes, Starlight and Livewire uniforms and ID badge

Starlight team members should wear their costume, uniforms and ID badge only while delivering programs or as required by Starlight; such as when representing Starlight at functions, events, or specific activities as sanctioned by Starlight.



Costumes, uniforms and ID badges must only be used by the Starlight team member they are issued to and returned when employment or volunteering ceases.

Use, possession or supply of alcohol or drugs

While working with children and young people team members must not:

- Use, possess or be under the influence of an illegal/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 children and young people participating in our programs.

This standard of behaviour is expected to be followed beyond direct program delivery when there is a reasonable likelihood of encountering children or young people, for example an overnight stay in a remote community during a Starlight Healthier Futures visit.

Use of legal drugs other than alcohol is permitted, provided such use does not interfere with your ability to care for children involved in our programs.

Transporting children, young people and their families

The transport of children, young people or their families is not part of any other Starlight program delivery (except for Wishgranting) and is prohibited.

When transporting children, young people and their families as part of their Starlight Wish:

- A parent or guardian must always be with the child or young person during any transportation.
- Transport should never be in a Starlight team member's personal vehicle or a Starlight car; it should always be through a recognised third party provider such as a taxi, chauffeured hire car service, public transport etc.

8. Reporting obligations

All team members are expected to make a SCYP log or call the SCYP Hotline immediately (i.e. as soon as possible, or before the end of the day) if:

- They notice practice or behaviour that is contrary to the expectations of behaviour set out in this SCYP Code of Conduct.
- They become aware of any allegations of child abuse.
- They have a concern for the safety of a child or young person in our programs.

There may be exceptional situations where the *SCYP Code of Conduct* cannot be followed; for example, in an emergency. It is crucial that, wherever possible, you seek your manager's approval prior to taking action that contravenes these guidelines, or that you advise your manager as soon as possible after any incident in which these guidelines are breached. A SCYP log of the incident must be made.



A failure to report inappropriate behaviour, breaches of Starlight's *SCYP Code of Conduct*, or concerns regarding the safety, welfare or wellbeing of children and young people will result in disciplinary action and possible termination of the employment or volunteer agreement. In addition to any internal disciplinary proceedings, we will report to the police all instances in which a breach of the law has or may have occurred.

9. Communication

At Starlight we:

- Communicate our *SCYP Code of Conduct Policy* to all Starlight team members.
- Involve our team in reviews of our *SCYP Code of Conduct Policy*.
- Advise all team members of any significant alterations to our *SCYP Code of Conduct Policy*.

10. Monitoring and Review

We review this policy in year two of our triennial strategy cycle. A review may also be undertaken due to circumstances such as legislative change, organisational change including program changes, and insights gained from incidents. Reviews will incorporate feedback from the Starlight team and a record of changes will be kept.

Approvals & Revisions:

Approver Name: Felicity McMahon
Approver Title: Head of Programs
Approval Date: 01st September 2020
Effective Date: 01st September 2020

Endorsed By:



For and on behalf of the Board
Murray Coleman OAM
Chair
Starlight Children's Foundation

Date: 29th September 2020



Louise Baxter
Chief Executive Officer
Starlight Children's Foundation

Date: 29th September 2020



Appendix 1: Starlight's Team Member Commitment Statement and Confidentiality Declaration

CONFIDENTIALITY DECLARATION

I (full name) _____ recognise that as an employee of the Starlight Children's Foundation, I may learn certain facts and have access to records that are of a highly personal and confidential nature.

I acknowledge that all matters relating to Starlight's operations, volunteers, children and families are to be kept confidential at all times. Further, I understand that such information, which includes medical condition and treatment, relations with family members, names and addresses of individuals and their friends and family, and other records pertaining to volunteer workers, staff, clients, is Confidential Information.

I agree that I will not disclose any confidential information to any person who is not employed by or a volunteer for the Starlight Children's Foundation except as required by the duties of my role.

Signature

Date

Safeguarding Children and Young People Team Member Commitment

Starlight Children's Foundation exists to brighten the lives of seriously ill and hospitalised children, young people and their families. In every state and territory of Australia we provide positive and enriching experiences that support their wellbeing and resilience.

Our most important responsibility is to ensure Starlight programs are provided in an environment that is caring, nurturing and safe for all children and young people. Starlight's National Board of Directors and Executive approves, endorses and actively ensures our commitment to safeguarding children and young people from abuse and neglect.

Commitment

I, _____

Name of team member or volunteer

- Have been provided with a copy of Starlight's Code of Conduct during my online prior-to-commencement onboarding, and have read and understand the Code of Conduct.
- Understand my responsibilities in relation to ensuring and promoting the safety of children and young people.
- Will participate in all required learning and development in relation to safeguarding children and young people including online Safeguarding Children and Young People onboarding within four weeks of commencing; annual training and additional role specific training where required.
- Will observe the Code of Conduct during my employment/time with Starlight to ensure and promote the safety of children and young people participating in Starlight's programs.
- Will identify and act on any doubts or concerns by reporting these to my direct manager or designated point of contact immediately, and supporting and encouraging any other team members to do the same.
- Understand I must report any criminal conviction or charge subsequent to my employment that indicates I may present a potential risk to the children or young people or may impact my ability to fulfil my role.

All team members have a responsibility to abide by the Code of Conduct and must act to preserve its integrity. Failure to observe the Code of Conduct will result in disciplinary action and possible termination of the employment or volunteer agreement.

Signature of team member or volunteer Date

Witness/Manager (please print name and position/title)

Signature

Date



Appendix 2: Definitions

Term	Definition
Child or young person	<p>Starlight children and young people include:</p> <ul style="list-style-type: none"> • Those children and young people interacting with a Starlight program. The target age range for most children and young people is four to eighteen years; however, we do reach children as young as newborns through to their twenty-second birthday. • Those who have interacted with a Starlight program in the past and are still below the upper age limit of our program delivery (i.e. their twenty-second birthday). • Siblings and those living with the Starlight family, e.g. foster children and cousins. • Volunteers under the age of eighteen years.
Gift	<p>A gift is anything that is given to or left for a child, young person or their family to keep by a Starlight team member. Gifts may include:</p> <ul style="list-style-type: none"> • Presents of any value; and • Prizes. <p>Gifts exclude:</p> <ul style="list-style-type: none"> • Arts and crafts that a child may make as part of a Starlight program; • Information brochures; and • Activity packs given out as part of program delivery.
Grooming	<p>Grooming is a term used to describe what happens when a perpetrator of abuse builds a relationship with a child with a view to abusing them at some stage. There is no set pattern in relation to the grooming of children. For some perpetrators, there will be a lengthy period of time before the abuse begins. The child may be given special attention and what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Other perpetrators may draw a child in and abuse them relatively quickly. Some abusers do not groom children but abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, on social media or by other technological channels.</p>
Starlight Team member	<p>Board Directors, Executive team, People Managers, all paid team members and all programs volunteers, including interns (i.e. all volunteers interacting with children and young people).</p>
SCYP Log	<p>A written report of a breach of the Code of Conduct completed online, or via the SCYP Hotline. All reports are to be made as soon as possible and within 24 hours of a behaviour or incident being observed.</p>