

Child-Related Professional Conduct Policy

We acknowledge that content in this policy may be confronting for some readers. We encourage you to prioritise your wellbeing while engaging with this content and to seek support and care if required. If you need support, a range of free and confidential support services are available by phone and/or face-to-face:

Statewide Sexual Assault Support Line

24/7 support from local specialist counsellors provided by the [Sexual Assault Support Service](#) and [Laurel House](#): 1800 697 877.

Lifeline

- Lifeline - 24/7 crisis support: 13 11 14.
- [Lifeline Tasmania](#) - 8am-8pm, 365 days a year: 1800 98 44 34 for support and referral.
- 13 YARN - 24/7 crisis support for Aboriginal and Torres Strait Islander people: 13 92 76.

Relationships Australia Tasmania

Specialist complex trauma counselling, trauma-informed counselling, wellbeing information and referral 9am-5pm, Monday to Friday: 1300 364 277.

Kids Helpline

24/7 support for children and young people provided by specialist counsellors: 1800 55 1800

A comprehensive list of additional supports is available on the Keeping Children Safe [Get Support page](#).

Purpose

The Child and Youth Safe Organisations Framework (the Framework) was established through the *Child and Youth Safe Organisations Act 2023* (the Act) to keep children safe in organisations. The purpose of a *Child-Related Professional Conduct Policy* is to establish a clear set of expectations for behaviour that is aligned with the *State Service Principles* and *State Service Code of Conduct*.

Included in the Framework are ten Child and Youth Safe Standards. This policy seeks to align with the department's commitment to implementing these standards, particularly:

- Standard 1: Child safety and wellbeing is embedded in organisational leadership, governance and culture.
- Standard 10: Policies and procedures document how the entity is safe for children and young people.

This policy:

- Outlines expected behaviours of workers, and the behaviours that are unacceptable.

- Provides guidance on recognising unacceptable or concerning behaviour.
- Details how to report concerns and conflicts of interest.
- Details the action that may be taken if there is a breach of this policy.

Scope

This policy applies to all workers engaged by the Department of State Growth. It outlines what is considered unacceptable behaviour towards children and young people, by workers interacting with children in connection with their employment.

Policy statements

State Growth is committed to ensuring that children and young people feel safe and are safe.

Appropriate child-safe conduct by workers is an important aspect of the department's commitment to child safety. Having clear expectations of how workers interact with children helps to prevent child abuse and encourages reporting.

All department employees and officers employed under the *State Service Act 2000* must comply with:

- The State Service Principles.
- *Employment Direction Number 2 - State Service Principles* which sets out the minimum requirements that must be met in upholding, promoting and ensuring adherence to the principles.
- The State Service Code of Conduct which requires employees to act appropriately in the course of their duties and to maintain the confidence of the community in the activities of the State Service.

The department's *Child and Youth Safety and Wellbeing Policy* and *Reporting and Investigating Reportable Conduct Policy and Procedure* outlines our commitment to the *Child and Youth Safe Organisations Act 2023* and Framework.

The department's *Respectful Workplace Behaviour Policy* outlines our commitment to creating and maintaining a positive, productive and respectful workplace, where workers, children and young people feel safe, valued, engaged and supported to be their best, and where they are free from harm, bullying, harassment and discrimination. Respectful workplace behaviour is the foundation to this, and all workers have a role to play by demonstrating positive, respectful, and values-based behaviours.

Requirements

Responsibilities

Workers are responsible for supporting and promoting the safety and wellbeing of children and young people. In order to do this, workers will:

- Report any concerns about conduct related to a child or young person involving another worker whether observed, reasonably suspected or disclosed.

- Treat all children and young people with respect and dignity.
- Comply with all relevant Australian and Tasmanian legislation including the *Child and Youth Safe Organisations Act 2023* and *Registration to Work with Vulnerable People Act 2013*.
- Actively promote cultural safety and inclusion.
- Report any conflicts of interest (such as an outside relationship with a child or young person).
- Raise identified or potential risks to child or youth safety, including cultural, environmental and operational risks, with their manager, Deputy Secretary and/or People and Culture.
- Take all reasonable steps to protect children and young people from abuse.
- Respect the privacy of children, young people and their families by keeping all information about child protection concerns confidential, only discussing information in accordance with the reporting procedure.
- Take a child or young person seriously if they disclose harm or abuse.

Child-safe conduct

Unacceptable behaviours

Workers will not:

- Commit a sexual offence with or in the presence of a child
- Engage in sexual misconduct with or in the presence of a child
- Engage in grooming
- Engage in physical violence
- Neglect a child
- Cause emotional or psychological harm to a child or young person
- Breach professional boundaries when interacting with children and young people in connection with their employment
- Engage in the inappropriate use of electronic communication and social media
- Engage in a romantic or sexual relationship with a young person, within the parameters defined in Appendix One

A comprehensive list of unacceptable behaviours and explanatory details is provided in Appendix One. Readers are encouraged to engage in this Appendix carefully as the content may be confronting for some.

Concerning behaviours

Concerning behaviours are behaviours that on their own may not necessarily constitute a breach of the State Service Code of Conduct, but which when considered together with other similar behaviours may indicate a pattern of behaviour that indicates a potential risk to the safety of children. Examples include:

- Having conversations about hurting a child with other adults.

- Being alone with a child when there is no professional reason for doing so.
- Showing favour to one child over others.
- Asking children to stay at the home of the adult or visiting the child at their home (where there is no professional reason for these activities to occur).
- Asking a child to keep a secret, including a relationship with an adult - for example, a worker encouraging a child to spend time alone with them and instructing the child not to tell others about this time.

Behavioural indicators of child abuse perpetrators

In many cases the signs that an adult is abusing or grooming a child with the intent of abusing them may not be obvious. Behaviour indicators for perpetrators of child abuse include, but are not limited to:

- Obvious or inappropriate preferential treatment of the child, making them feel special.
- Inappropriately befriending the parents and making visits to their home and offering to drive a child to or from the service.
- Giving gifts to the child.
- Undermining the child's reputation, so that the child won't be believed.
- Bringing up sexual material or personal disclosures into conversations.
- Inappropriate contact, such as calls, emails, texts, or social media.
- Having inappropriate social boundaries, such as telling the potential victims about their own personal problems.

Conflicts of interest and professional boundaries

To keep children safe from harm and abuse, workers must maintain professional boundaries at all times when interacting with children in connection with their employment. It is acknowledged that this can be challenging, particularly in small communities where conflicts of interest regarding relationships with children can often arise.

Conflicts of interest in relation to relationships with children must be disclosed and managed in accordance with the department's *Conflicts of Interest Policy*. Where there is any uncertainty as to whether a conflict exists, it should be disclosed and managed if necessary.

Reporting concerns

Workers must report any concerns about conduct related to a child or young person involving another worker whether observed, reasonably suspected or disclosed, in accordance with the department's *Reporting and Investigating Reportable Conduct Policy and Procedure*. This includes:

- Calling 000 immediately if the child or young person is in immediate danger.
- Completing the online *reporting concerns or complaints about child or youth safety and wellbeing form* available on iconnect, or

- Completing the paper-based *reporting concerns or complaints about child and youth safety and wellbeing form* and sending it to keepingchildrensafe@stategrowth.tas.gov.au.
- If a worker is uncomfortable about reporting this through the department's process, they can report directly to the Independent Regulator through the [Strong Families Safe Kids](#) site.

Notifying the Independent Regulator

The Head of Agency (or delegate) is required by law to notify the Independent Regulator of concerns about conduct related to a child or young person involving a worker within three (3) business days after becoming aware of the concern.

Where there is doubt about whether the conduct is reportable conduct, the Independent Regulator will still be notified.

Support

We recognise the subject of child and youth safety may be confronting and may evoke memories or emotions for some people. We encourage anyone affected by, or with concerns about child sexual abuse or other types of child abuse to [access advice and support](#). These services include:

- Strong Families, Safe Kids (24/7) 1800 000 123 or strongfamiliesafekids.tas.gov.au
- Suicide Call Back Service (24/7) 1300 659 467 or suicidecallbackservice.org.au
- Tasmania Police (non-emergency 24/7 assistance line) 131 444 or police.tas.gov.au
- Tell Someone (for children and adults, links to 24/7 services) tellsomeone.tas.gov.au

Employee Assistance Program (EAP)

The department is committed to supporting the health and wellbeing of employees through the provision of a confidential and impartial EAP. The department's EAP service offers initial support and assistance if employees and their immediate family members have personal and/or work-related issues that may impact on their well-being, performance, safety, morale and psychological health.

Further information and how to access is available on the Employee Assistance Program [iconnect](#) page.

Risk and compliance

Behaviour that is inconsistent with the requirements of this policy may result in action being taken by the department. This action may include investigating the alleged behaviour to determine whether the State Service Code of Conduct has been breached, in accordance with Employment Direction No. 5 *Procedures for the Investigation and Determination of whether an employee has breached the Code of Conduct* (ED5).

Clause 7 of ED5 provides that the safety and protection of children is a paramount consideration in ED5 processes. Where there are allegations involving a child in relation to child sexual abuse or related conduct, these matters are to be taken seriously and investigated. A breach of the State Service Code of Conduct may result in the imposition of one or more of the following sanctions:

- Counselling

- A reprimand
- Deductions from salary by way of fine
- Reduction in salary
- Reassignment of duties
- Reduction in classification
- Termination of employment.

Where the Independent Regulator under the *Act* requests the department to commence an investigation in relation to a reportable conduct, an ED5 investigation may be commenced and combined with, or constitute, the investigation under the *Act*, removing the need to carry out duplicate investigations.

All processes will be undertaken with a trauma informed approach and information shared as much as possible within the law and as quickly as possible. This includes that ED5 processes will be approached to be sensitive to the needs of children and ensuring witnesses only have to be reinterviewed where absolutely necessary.

Alternatively, if the alleged conduct potentially impacts on an employee's ability to undertake their duties, an investigation may be commenced in accordance with Employment Direction No. 6 *Procedures for Investigation and Determination of whether an employee is able to efficiently and effectively perform their duties*.

Other organisations the department may need to report to include:

- Tasmania Police
- The Strong Families, Safe Kids Advice and Referral Line
- The Registrar of the Registration to Work with Vulnerable People Act
- The Integrity Commission
- The head of any other organisation the employee may be engaged with.

Individuals who are found to have engaged in unacceptable behaviour may not receive indemnification should legal proceedings commence.

Failure to report the abuse of a child is a crime under the *Tasmanian Criminal Code Act 1924* (s105A).

A failure to report a breach or suspected breach of this policy may result in action being taken by the department.

Definitions

Child and young person	A person who is aged under 18 years.
Child abuse	Sexual offences, sexual misconduct, physical violence, emotional or psychological harm, grooming, and/or neglect.
Employee	A permanent, fixed-term or casual employee appointed under section 37 of the State Service Act 2000.
Officer	A person appointed as a Head of Agency, holder of a prescribed office or senior executive under section 31 of the <i>State Service Act 2000</i> .
Professional boundaries	The limits to a relationship between someone in a professional role and a person in their care.
Worker	A person who is aged 18 years or older, who carries out work in any capacity for the department. This includes as an employee, volunteer, trainee or work experience student, contractor, subcontractor, consultant, director, member of a management committee, office holder or officer. A worker must be a natural person who the department has engaged to provide services. It does not apply to corporate entities and doesn't extend to workers of those corporate entities.

Related legislation

Legislation includes, but is not limited to:

- [*Child and Youth Safe Organisations Act 2023*](#)
- [*State Service Act 2000*](#)
- [*Registration to Work with Vulnerable People Act 2013*](#)

Related policy documents and supporting resources

- *Child and Youth Safety and Wellbeing Policy*
- *Reporting and Investigating Reportable Conduct Policy and Procedure*
- *Respectful Workplace Behaviour Policy*
- *Resolving Workplace Behaviour Issues Policy and Procedure*

Administration of this policy

Owner	People and Culture
Creator	Director People and Culture
Approver	Executive Committee
Date effective	
Review date	
CM reference	107709
iconnect reference	Hyperlink of policy sub-page or page where policy, procedures and supporting documents are located

Revision log

Version	Date	Approved by	Amendment notes
0.a	24 June 2024	N/A	New draft
0.b	1 October 2024		Updated draft following Executive feedback
0.c	31 March 2025		Updated draft following consultation period

Appendix One: Unacceptable Behaviours

This appendix contains descriptions of child abuse and harm that may be confronting for some people. If at any time you feel that you need to pause and step away, please do so. We encourage anyone affected by, or with concerns about child abuse, to access advice and support (detailed in the Support section of this document).

Sexual offences

Sexual offences are criminal offences of a sexual nature committed against, with or in the presence of a child, whether or not criminal proceedings have been commenced or concluded.

Unacceptable behaviour includes, but is not limited to:

- sexual abuse of a child or young person
- procuring a child or young person for sexual abuse
- rape
- distributing, possessing, making and/or accessing child or youth exploitation material
- incest.

Sexual misconduct

Sexual misconduct is inappropriate conduct when performed in a sexual manner or with a sexual intention, with, towards or in the presence of a child.

Unacceptable behaviour includes, but is not limited to:

- physical touching which may be considered unnecessary and/or indecent
- having inappropriate conversations or communications of a sexual nature with a child or young person
- making comments to a child or young person that sexualises their appearance
- making comments of a sexual nature (including sexual innuendos, jokes, comments or suggestions) in the presence of a child or young person
- voyeurism
- encouraging any sexual advances by a child or young person.

Grooming

Conduct intended to establish trust with the aim of normalising sexually harmful behaviours towards, or engaging in an unlawful act, criminal offence or sexual misconduct against a child. Grooming forms a pattern of manipulative or controlling behaviour in relation to the child (and/or the child's guardian, family, friend or a worker).

Unacceptable behaviour includes, but is not limited to:

- befriending a child or young person in person and continuing to communicate with them on social media
- bribing, complimenting, or rewarding the child or young person to build a 'special' relationship with them
- building trust by giving the child or young person special attention or gifts
- establishing trust with a child's caregivers to gain unsupervised access to the child
- inappropriate touching of a child or young person, including tickling and play fighting
- asking a child or young person not to tell anyone about the groomer's behaviour

Physical violence

The intentional or reckless application of physical force to the child without lawful justification or excuse. This includes any act which intentionally or recklessly causes the child to apprehend immediate and unlawful violence (believing they are about to be physically harmed).

Unacceptable behaviour includes, but is not limited to:

- hitting
- striking
- punching
- pushing
- kicking
- spitting
- dragging
- using an object to hit or strike
- using restraint or excessive force that is inappropriate to the situation
- behaving in an intentionally intimidating way that causes the child to fear they will be hurt
- verbally threatening to physically harm a child or young person

Neglect

Significant neglect is the intentional or reckless failure to meet the basic needs of a child which is more than trivial or insignificant. The conduct does not need to be deemed serious or deemed to have a lasting permanent effect to be considered significant.

Unacceptable behaviour includes, but is not limited to:

- failure to provide life or health sustaining necessities: food, clothing and shelter
- failure to provide adequate health care
- leaving a child alone or unsupervised for an extended period of time
- failure to provide adequately for child's emotional and psychological developmental needs
- preventing school attendance or not providing adequate learning opportunities

Emotional or psychological harm

Significant emotional or psychological harm is conduct that causes harm to a child or young person's wellbeing or development, or both and is more than trivial or insignificant. Conduct does not need to be deemed serious or deemed to have a lasting permanent effect.

Unacceptable behaviour includes, but is not limited to:

- continually ignoring or rejecting a child or young person
- forcing a child or young person to do things by scaring them
- constantly humiliating or blaming a child or young person
- constantly swearing, yelling, or screaming at a child or young person
- making excessive or unreasonable demands on a child or young person
- telling a child or young person that they're worthless, unloved or not enough
- withholding support, praise, or attention from a child or young person
- bullying, teasing, insulting, belittling, shaming or demeaning a child or young person
- treating a child or young person badly because of personal attributes they can't change (e.g. disability, gender, sexuality)
- threatening abuse or threats to harm loved ones or pets of a child or young person.

Breach professional boundaries

Professional boundaries are the limits to a relationship or interactions between a worker acting in connection with their role, and a child or young person.

A breach of professional boundaries includes, but is not limited to:

- socialising with child or young person, other than in the provision of department services
- inviting or having a child or young person in their home or attend the child or young person's home other than in the provision of department services.

Inappropriate use of electronic communication

Electronic communication is any form of communication broadcast, transmitted, stored or viewed using electronic media, such as computers, phones, email and video.

Workers must not engage in the inappropriate use of electronic communication and social media. Unacceptable behaviours include, but are not limited to:

- exchanging telephone number(s), email address(es) or social media details with a child they have engaged with in a professional capacity, without a professional reason
- using personal or private social media to:
 - show, send or post sexual or pornographic messages or content to a child or young person
 - post pictures or videos of a child or young person, without a professional reason
 - befriend or follow a child on social media

Romantic or sexual relationship

It is prohibited to engage in a romantic or sexual relationship with a young person where the worker has been in a position of authority, care, or protection of the person when they were a child, for two years after the person turns 18 years of age, or two years after the worker's position of authority, care, or protection has ended, whichever is later.