



Title: Code of Conduct Policy

Purpose

This Code of Conduct Policy aims to provide CREATE Foundation (CREATE) Board members, employees, contractors and volunteers (together, Personnel) with guidance regarding the standards of conduct expected of them in the performance of their duties. Personnel will be supported by the organisation to comply with these standards. This policy applies to conduct in both in-person and online settings. Whilst it is acknowledged that not every situation can be covered by this code, there is an expectation that Personnel work within the spirit and intent of the policy.

Statement

CREATE is an organisation that advocates for children and young people with an out of home care experience. It has a responsibility to ensure that the conduct of Personnel demonstrates strong ethical behaviour.

Authority

Australian Institute of Company Directors.

Principles

- Personnel are expected to conduct themselves in a manner which is consistent with the vision, mission, and core principles of CREATE.
- CREATE respects all children, young people, employees, contractors and volunteers.
- The safety and wellbeing of children and young people is paramount.
- All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

Personnel at CREATE are required to abide by this Code of Conduct Policy.

Under the CEO, management will:

1. Be responsible for the overall welfare and wellbeing of staff, contractors and volunteers;
2. Be accountable for managing and maintaining a duty of care towards staff, children and young people, and volunteers; and
3. Nominate a Child Protection Officer to provide information through established communication strategies to all staff, volunteers, children, young people and their carers regarding child protection matters.

All people involved in the support of children on behalf of CREATE will:

1. Work towards the achievement of the aims and purposes of the organisation;
2. Be responsible for relevant services, programs, and activities in their area of responsibility;
3. Maintain a duty of care outlined in Risk Assessments, towards others involved in these programs and activities;

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4. Refrain from sharing confidential information of CREATE, or personal information of any CREATE board member, employee, contractor, volunteer or participant, except in accordance with CREATE's Privacy Management Policy and Information Security and Data Management Policy;
5. Establish and maintain a child-safe environment in the course of their work;
6. Be fair, considerate, and honest with others;
7. Treat children and young people with respect and value their ideas and opinions;
8. Act as positive role models in their conduct with children and young people;
9. Be professional in their actions;
10. Maintain impartiality;
11. Comply with specific organisational policies and guidelines on physical contact with children;
12. Respect the privacy of children and young people, and their families, and only disclose information to people who have a need to know and at all times act in accordance with CREATE's Privacy Management Policy and Information Security and Data Management Policy;
13. Operate within the policies and guidelines of CREATE; and
14. Adhere to CREATE's Child Protection Policy.

Personnel shall not:

1. Shame, humiliate, oppress, belittle, or degrade children or young people;
2. Unlawfully discriminate against any child or young person;
3. Manipulate or unduly influence any person (including participants), for any reason;
4. Engage in any activity with a child or young person that is likely to physically or emotionally harm them;
5. Initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves;
6. Be alone with a child or young person unnecessarily and for more than a very short time;
7. Develop a "special" relationship with a specific child or young person for their own needs;
8. Show favouritism through the provision of gifts or inappropriate attention;
9. Arrange contact, including online contact, with children or young people outside of the organisation's programs and activities;
10. Photograph or video a child or young person without the consent of the statutory body, child and his/her parents or guardians;
11. Work with children or young people while under the influence of alcohol or illegal drugs;
12. Engage in open discussions of a mature or adult nature in the presence of children;
13. Use inappropriate language in the presence of children; or
14. Do anything in contravention of the organisation's policies, procedures or this Code of Conduct Policy.

What happens if you breach this Code of Conduct Policy?

If you breach this Code of Conduct Policy you will face disciplinary action, including termination of position or employment, or cessation of engagement with the organisation.

Expectations

Personnel are required to behave in a manner that shows respect for children and young people and promotes the good name of CREATE. They must deal courteously and respectfully with all individuals and organisations who engage with CREATE. Managers and supervisors are required to ensure that employees are fully supported in their role, receive regular supervision, learning and development opportunities, and are offered assistance and support when necessary in order to meet their obligations under this Code of Conduct Policy.

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It is an expectation for CREATE employees to demonstrate commitment and loyalty to the organisation. They should not claim to have skills, qualifications, or knowledge they do not possess.

Personnel will perform their duties free from the influence of alcohol and non-prescribed or illicit drugs, excluding over the counter medication.

Personnel are expected to work cooperatively with colleagues, showing courtesy, respect for each other's skills and strengths, and supporting fellow employees, particularly those who might need assistance to address challenges in their work.

Personnel are expected to maintain professional relationships with children and young people participating in CREATE programs and/ or events. Interactions between staff and children and young people should be positive, respectful, and friendly. All interactions should be guided by clear boundaries and not be allowed to become overtly personal or intimate. This aspect of the Code of Conduct Policy is necessary for the protection of children and young people, as well as the protection of CREATE staff from allegations of misconduct.

Personnel should be particularly mindful that many children and young people involved with CREATE will have experienced child abuse and neglect. They may have different levels of development and maturity needed to set appropriate boundaries in terms of personal and sexual behaviour.

In relation to CREATE participants who are under 18 years of age, particular care should be taken because of their minor legal status. CREATE staff have a duty of care to all children and young people who participate in CREATE programs (*refer to Risk Management Policy*).

Personnel should not:

- visit CREATE participants' homes in a social context;
- invite CREATE participants to their homes;
- share private residential accommodation;
- loan money to or borrow money from CREATE children and young people/participants;
- enter into personal friendships or sexual relationships with CREATE children and young people;
- drink alcohol, consume drugs or smoke/vape with CREATE children and young people, irrespective of their age;
- provide alcohol, drugs, or cigarettes/tobacco to CREATE children and young people, irrespective of their age;
- socialise with CREATE children and young people outside of work hours and/or CREATE-sanctioned social functions;
- spend long amounts of time alone with children and young people;
- connect with children and young people via personal social media;
- use personal phones/ cameras to take or store photos/ videos/ audio recordings/ identifiable information of children and young people;
- possess, download, store, copy, or view material of a pornographic nature or *child exploitation material* on any CREATE computer or mobile phone or on personal devices on CREATE premises.

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Professional boundaries

During CREATE events or other work-related functions, staff are expected to adhere to the CREATE Drug and Alcohol “Illusion Free” Policy, which requires that no alcohol, tobacco, or drugs be consumed in front of children or young people.

Personnel should avoid spending significant time alone with one participant or young consultant and, if time alone is necessary and unavoidable for a work purpose, the staff member should make the planned activity and its purpose, location, and expected duration known to their supervisor, both for their own and the CREATE participant’s protection.

A person whose engagement with CREATE has ended, whether as an employee, Board member, contractor or volunteer, must not use, retain or disclose any confidential or personal information accessed or obtained in the course of their engagement with CREATE. That person must promptly return to CREATE or destroy any such confidential or personal information they hold once their engagement with CREATE has ended.

It is not permissible to transport children and young people under the age of 18 in personal or CREATE vehicles unless written permission from the Guardian is provided. (Refer to the Motor Vehicle Policy.)

If a participant makes personal or sexual advances towards a staff member, the staff member should discourage the advances, make the boundaries clear to the child or young person, and discuss the matter with their supervisor as soon as possible. Similarly, if a staff member is concerned that they are becoming too closely involved with a child or young person, they are encouraged to discuss the matter with their supervisor.

This Code of Conduct does not mean that interactions cannot be warm and, at times, allow for physical contact, in the form of a positive, affirming hug, or providing comfort in times of distress.

CREATE Management encourages staff to be honest, open, and to seek support in matters of personal relationships with CREATE participants. Deliberate and unresolved breaches of this aspect of the code will be regarded seriously and will be the subject of disciplinary processes.

Reporting concerns

Personnel are required to report any suspected or actual breaches of the Code of Conduct Policy to their Line Manager.

Concerns regarding the conduct of CREATE Board, Employees, Contractors, or Volunteers, should be kept confidential within the organisation and be expressed only to relevant staff. Staff are encouraged to raise their concerns as soon as practicable after they arise. Concerns may be raised through formal processes such as Grievance or Complaints processes, or through identifying issues with Line Managers in supervision.

Conflict of interest

Personnel are requested to be open and to disclose and discuss any potential conflict of interest.

A conflict of interest may exist when a Board member or employee in the course of his or her work is able to gain financial and/or personal benefit by using information, resources, or networks made available to them through their appointment or employment with CREATE. (Refer to the Board Code of Conduct

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Policy.)

It is not unusual for a Board member or employee to have a perceived, potential, or actual conflict of interest and it is important to note a conflict of interest does not necessarily mean an employee has breached the Code of Conduct Policy. However, it is important for Board members or employees to disclose any potential or actual conflict of interest to their line manager or National Manager and manage it appropriately to ensure that issues are identified and risks to both the employee and CREATE are mitigated.

CREATE expects that employees will declare additional employment, i.e., for staff with part-time roles. Employees are also expected to declare Board appointments and seek approval from Line Managers.

Employees with a care experience

CREATE employees who have a care experience will not be utilised as “Young Consultants” while in CREATE’s employment; however, they are encouraged to bring the wisdom of their experiences to their work, as much as they feel comfortable with and as appropriate to the circumstances.

Personal use of office resources

CREATE acknowledges that on occasion there may be a need for employees to attend to personal matters within work hours and use CREATE resources. An employee is to ensure that the use of work time and resources (e.g., photocopier, printer, phone, internet, email, and stationery) for personal matters is infrequent and brief and does not impact their ability to undertake their work in an efficient and effective manner.

Personnel are not permitted to use office resources for secondary employment, personal business dealings, or profit.

Personnel wishing to take CREATE resources and office equipment offsite require the express written permission of their Line Manager.

Workplace bullying and harassment

As an organisation, CREATE recognises and respects cultural diversity and has a zero tolerance for discriminatory behaviour. The principles of equity are supported in organisational policies and employees are encouraged to support these principles and demonstrate cultural sensitivity and awareness in the performance of their duties. (Refer to the Workplace Bullying Policy.)

Personnel should demonstrate appropriate and respectable behaviour towards colleagues, CREATE participants, and other stakeholders. Abusive language and any conduct of a discriminatory nature will not be tolerated (see the Workplace Bullying Policy). Particular care should be taken to avoid the circulation of any material which could potentially cause offence to others.

Links

- Board Code of Conduct Policy
- Code of Ethics Policy
- Child Protection Policy
- Complaints and Feedback Policy
- Confidentiality Agreement
- Drug and Alcohol “Illusion Free” Policy

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- Financial Procedure (General) Policy
- Grievance Policy
- Incident Reporting Policy
- Motor Vehicle Policy
- Privacy Management Policy
- Professional Boundaries – Training
- Risk Management Policy
- Workplace Bullying Policy

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