



ARTISTIC SWIMMING AUSTRALIA

Code of Conduct for dealing with Children or Young People

Board Approved:

Policy Effective:

Introduction to the Codes of Conduct

Our Codes of Conduct outline the expected behavioural standards for interactions with each other in the Artistic Australian swimming community as well as providing guidelines specific to safeguard Children or Young People.

There are two key elements to the Codes of Conduct:

1. The General Code of Conduct, which relates to interactions between Members, Participants and Persons in Positions of Authority ([ASAI Codes of Conduct](#)); and
2. The Code of Conduct for interactions with Children or Young People who take part in our programs, activities, services, or events. We have developed this Code of Conduct to help to safeguard those Children or Young People.

As part of your commitment to observing the General Code of Conduct and the Code of Conduct for engagement with Children or Young People (“Codes of Conduct”), you will be required to formally acknowledge your commitment to the Codes of Conduct, wherever practicable.

THE CODE OF CONDUCT FOR INTERACTIONS WITH CHILDREN OR YOUNG PEOPLE

Purpose

Artistic Swimming Inc. and Clubs seek to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our sport.

This includes providing everyone involved in our organisation and in our sport including children and young people with a positive and enriching sporting environment that promotes their participation and development in the sport.

We are committed to safeguarding everyone involved in our organisation and in our sport including children and young people in our care and ensuring that they feel and are safe. Accordingly, we wish to ensure that our personnel strive for the highest possible standards with respect to safeguarding children and young people from abuse. To that end we have developed these Codes of conduct to identify and prevent behaviour that may be harmful to the children and young people in our sport.

Part of this commitment to children and young people in our sport means that we are inclusive of those from a range of different backgrounds. This includes but is not limited to Aboriginal and Torres Strait Islander children and young people, children and young people with a disability LGBTI children and young people and children and young people from culturally and linguistically diverse backgrounds.

Developed to protect children and young people engaged in Artistic Swimming, these guidelines have been formally approved and endorsed by our ASAI Board.

Key Requirements

We require certain standards of behaviour **all persons involved** in our organisation and in our sport.

Our codes of conduct are underpinned by the following core values:

- To act within the rules and spirit of our sport.
- To display respect and courtesy towards everyone involved in our sport and prevent **discrimination** and harassment.
- To prioritise the safety and well-being of children and young people involved in our sport.
- To report any behaviour which is breach of this code to help prevent the **abuse** of children and young people in our sport.
- To encourage and support opportunities for participation in all aspects of our sport.

PART A - applicable to all persons

Part A of this Code of Conduct applies to all persons to which this Safe Sport Framework applies.

Use of language and tone of voice

Language and tone of voice used in the presence of Children or Young People should:

- provide clear direction, boost their confidence, encourage or affirm them;
- not be Harmful – therefore, avoid language that is intended to be, or is received or likely to be received by the individual it is directed at or any other person as:
 - discriminatory, racist or sexist;
 - derogatory, belittling or negative, for example, by calling a Child or Young Person a ‘loser’ or telling them they are ‘too fat’;
 - threatening or frightening; and /or
 - profane or sexual.

Use of electronic or online communications

Wherever possible, social media messages (such as text, email, Facebook or Instagram) sent to a Child or Young Person by a Person in a Position of Authority and/or adults in our Sport should be copied to their parent or carer.

Where a parent is not included in the communication:

- Restrict such communication to issues directly associated with delivering our sport, such as advising that a scheduled event is cancelled.
- Limit the personal or social content in such communications to what is required to convey the service-related message in a polite, friendly manner. In particular, do not

communicate anything that a reasonable observer could view as being of a sexual nature.

- Do not use such communication to promote unauthorised 'social' activity or to arrange unauthorised contact.
- Do not request a child or young person to keep a communication a secret from their parents.
- Do not communicate with children or young people using Internet chat rooms or similar forums such as social networking sites, game sites or instant messaging.

Physical contact with Children or Young People

Any physical contact with Children or Young People must be appropriate to the delivery of Artistic Swimming Australia and its Clubs' services, events, programs or activities, such as when fitting sporting equipment like goggles, and appropriately correcting technique and based on the needs of the Child or Young Person (such as to assist or comfort a distressed young person) and should never be initiated by the desire to meet the needs of Persons in Positions of Authority.

Under no circumstances should any person have contact with Children or Young People in our Sport that involves touching of genitals or of the breast area (of female Children or Young People).

Contact is expressly prohibited by Persons in Positions of Authority if:

- 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 (for example, wrestling, horseplay, tickling or other roughhousing);
- is unnecessary (for example, assisting with toileting when a child does not require assistance);
- 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; and
 - the incident must be reported to management as soon as possible.

Persons in Positions of Authority are required to report to a Senior Person any physical contact initiated by a Child or Young Person that is sexual and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the Child or Young Person, Persons in Positions of Authority and any other Participants.

Sexual misconduct

Except to the extent permitted by law, 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 artistic Artistic Swimming Australia or Club environment.

'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 or Young Person through prostitution; and/or
- 'non-contact behaviour', such as flirting between adults and Children or Young People, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

PART B - applicable to all Persons in Positions of Authority

Part B of this Code of Conduct applies to all Persons in Positions of Authority in our Sport.

Positive guidance

We strive to ensure that Children or Young People participating in Artistic Artistic Swimming Australia and Club events, services, programs and activities receive positive guidance to create a positive environment.

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

However, there are times when personnel 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 personnel participating in sport.

Under no circumstances are Persons in Positions of Authority to take disciplinary action involving physical punishment. Nor is any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating to be tolerated.

Adhering to professional role boundaries

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

Except where expressly and specifically authorised by the relevant parents/carers of a Child or Young Person to act otherwise, Persons in Positions of Authority must not:

- provide unauthorised transportation;
- engage in activities with, or seek contact with, Children or Young, People in our Sport; or
- accept an invitation to attend any private social function at the request of a Child or Young Person in our Sport.

For the purposes of this provision, express consent will only be construed as specific consent for particular activities that are stated verbally or in writing.

If any Persons in Positions of Authority become aware of a situation in which a Child or Young Person requires assistance that is beyond the confines of that person's role, or beyond the scope of Artistic Artistic Swimming Australia or its Club's usual service, they should at the earliest opportunity seek advice from a ASAI Board Person, and, if necessary:

- contact the Child or Young Person's parent or guardian as appropriate
- refer the matter to an appropriate support agency, as well as to Artistic Artistic Swimming Australia Inc.
- refer the Child or Young Person to an appropriate support agency

Uniform or identity card/pass/badge/WWCC

Persons in Positions of Authority should wear their uniform or identification tag/badge/pass (where available) only while involved in delivering services, programs, events or activities or as required by their role, such as when representing Artistic Artistic Swimming Australia and/or its Clubs at designated events and functions, or to and from that work.

Supervision of Children or Young People

Persons in Positions of Authority responsible for supervising Children or Young People in relation to whom Artistic Artistic Swimming Australia and its Clubs have a direct role in providing activities, events, programs and services must strive to ensure that those Participants:

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

Persons in Positions of Authority are required to avoid unsupervised situations with Children or Young People in our Sport. Where possible, all activities and/or discussions with such Participants should be conducted in view of other Persons in Positions of Authority or adult Participants.

Use of electronic communications

All Persons in Positions of Authority who deliver services, programs, events and activities are required to follow our 'acceptable use' policy in relation to browsing websites on Artistic Swimming Australia and its Clubs' computers.

Persons in Positions of Authority are required to ensure appropriate monitoring of Children or Young People when they use Artistic Swimming Australia and its Clubs' electronic communication equipment to ensure that they do not inadvertently place themselves at risk of committing Abuse or Sexual Exploitation via social networking sites, gaming sites or web searches, or through inappropriate email communication.

Giving gifts of Children or Young People

The giving of gifts by Persons in Positions of Authority to Children or Young People to whom we provide service is subject to:

- obtaining prior authorisation from a Senior Person permitted to authorise gift-giving from Artistic Swimming Australia or its Clubs; and
- parents/carers or other responsible adults being made aware of any gift given.

Photographs/Videos of Children or Young People

Note that the general rule is that where a sport or sporting activity is taking place on public place it is legal for anyone (including parents) to take pictures of sporting activities without permission. There are some exceptions to this rule depending on the state or territory law where the photo is deemed indecent or offensive and it may constitute an offence. For private property the general rule is permission is required and restrictions on photography can be imposed (for sporting grounds for example). Please refer to the appropriate state, territory and national legislation for specifics and incorporate as necessary into your sport's policy.

Under these guidelines:

- Children or Young People in our Sport are to be photographed/videoed by Persons of Positions of Authority while involved in Artistic Swimming Australia or its Clubs' service, activity, event or facility only if:
 - prior approval has been granted by the relevant Child or Young Person or the parents/guardian of the relevant Child or Young Person; or
 - the relevant Child or Young Person or their parent/guardian has provided their verbal consent to the person proposing to take the relevant photograph/video, and:
 - the context is directly related to participation in our Sport;
 - the Child or Young Person is appropriately dressed and posed; and
 - the image/video is taken in the presence of other Persons in Positions of Authority.
- Images/videos are not to be distributed (including as an attachment to an email) to anyone outside Persons in Positions of Authority other than the Child or Young Person photographed or their parent/carer, without knowledge and approval of a Senior

Person.

- Images/videos (digital or hard copy) are to be stored by Artistic Swimming Australia and its Clubs in a manner that prevents unauthorised access by others, for example:
 - if in hard copy form, in a locked drawer or cabinet; or
 - if in electronic form, in a 'password protected' folder.
- Images/videos (digital or hard copy) are to be destroyed or deleted by Artistic Swimming Australia and its Clubs as soon as they are no longer required.
- Images/videos are not to be exhibited on Artistic Swimming Australia or its Clubs' websites or other digital mediums without parental/carer approval, or such images/videos must be presented in a manner that de-identifies the Child or Young Person. Any caption or accompanying text may need to be checked so that it does not identify a Child or Young Person if such identification is potentially detrimental.

Overnight stays and sleeping arrangements

Overnight stays are to occur only with the authorisation of of appropriate Artistic Swimming Australia or Club Senior Persons and of the parents/carers of the Children or Young People involved. Such approval needs to be prior written approval.

Examples of prior written approval could include electronic messaging formats such as email or SMS

Practices and behaviour by our Persons in Positions of Authority during an overnight stay must be consistent with the practices and behaviour expected during delivery of Artistic Swimming Australia and Club services, programs, events and activities at other times.

Standards of conduct that must be observed by Persons in Positions of Authority during an overnight stay include, but are not limited to:

- providing children and young people with privacy when bathing and dressing;
- observing appropriate dress standards when children and young people are present – such as no exposure to adult nudity;
- not allowing children or young people to be exposed to pornographic material, for example, through movies, television, the Internet or magazines;
- not leaving children under the supervision or protection of unauthorised persons such as hotel staff or friends;
- not involving sleeping arrangements that may compromise the safety of children and young people such as unsupervised sleeping arrangements, or an adult sleeping in the same bed as a child or young person;
- the right of children to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay;
- allowing parents to contact their Children or Young People if they wish.

Change room arrangements

Persons in Positions of Authority are required to supervise Children or Young People in

change rooms while balancing that requirement with a Child or Young Person's right to privacy. In addition, Persons in Positions of Authority:

- should avoid one-to-one situations with Children or Young People in a change room area;
- are not permitted to use the change room area to, for example, undress, while Children or Young People are present unless they are also competing in a Artistic Swimming Australia or Club event or are participating in a Artistic Swimming Australia or Club training environment;
- need to ensure adequate supervision in 'public' change rooms when they are used;
- need to provide the level of supervision required for preventing abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child's privacy;
- need to ensure that female personnel do not enter male change rooms and male personnel do not enter female change rooms.

Use of, possession or supply of alcohol or drugs

While on duty, Persons in Positions of Authority must not:

- use, possess or be under the influence of an illegal 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
- smoke cigarettes or any other tobacco-related product.

Use of legal drugs other than alcohol is permitted, provided such use does not interfere with the ability of Persons in Positions of Authority to care for Children or Young People in our Sport.

Transporting children

Children or Young People are to be transported by Persons in Positions of Authority only with prior authorisation from the Child or Young Person's parent/carer. In circumstances where you have prior authorisation, you must inform another Person in a Position of Authority or a Senior Person that you will be providing transport for that Child or Young Person in each particular instance. Gaining approval involves providing information about the proposed journey, including:

Examples of prior written approval could include electronic messaging formats such as email or SMS.

Gaining approval involves providing information about the proposed journey, including:

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