

	POLICY TITLE	CATEGORY
	Code of Conduct for Child Protection	Programs
	APPROVING BODY OR POSITION	APPROVAL DATE
	Associate Director, Programs	March 2018
	PRIMARY LEGISLATION / REGULATION REFERENCE(S)	
	Canadian Criminal Code	

POLICY

As an agency that serves children, Family Day has developed a Code of Conduct for Child Protection to guide our employees, volunteers and students. While every employee, volunteer and student is valued and unique, we come together as an agency in the best interests of children and their families. The safety, rights and well-being of the children we serve are at the core of our daily operations. We nurture supportive relationships with children while balancing and encouraging appropriate boundaries.

PURPOSE

At the core of our operations is a deep commitment to ensuring all children are protected and safe. A Code of Conduct for Child Protection is an important component of creating safe environments for children. At Family Day the safety, rights and well-being of children served by our programs and services are paramount to our daily operations and our continued public support. It is imperative we have transparency and accountability in all of our dealings involving children.

We believe each employee, volunteer and student plays a key role in the protection of children, regardless of their contact with the public. Employees, volunteers and students are the ambassadors of the organization and, in all dealings involving children, our employees, volunteers and students must display and appear to display, behaviour that is consistent with our mission.

Maintaining personal boundaries is integral to developing healthy relationships with children and families. Behaviour that presents risk often begins by breaking boundaries with children and teens. To help employees, volunteers and students understand what is expected, this Code includes information about the type of behaviour expected, and provides clear direction to those who observe concerning behaviour or who learn concerning behaviour from others.

The intent of the Code of Conduct for Child Protection is to assist our employees, volunteers and students in developing healthy relationships with the children involved in activities or programs delivered by our agency. By providing employees, volunteers and students with the guideposts against which they can measure their own behaviour and the behaviour of those around them, employees, volunteers and students will be able to identify and address behaviour of concern at an early stage.

SCOPE

This policy and its procedures apply to all Family Day employees, students and volunteers.

Treating Children with Dignity and Maintaining Boundaries

All employees, volunteers and students are responsible for treating all children with respect and dignity, and for maintaining appropriate boundaries. They must monitor their own behaviour towards children, and be aware of the behaviours of their colleagues, to ensure those behaviours are appropriate and respectful.

If you are ever in doubt about the appropriateness of your own behaviour or the behaviour of others, you should discuss it with your Supervisor/Manager. Refer to the *Reporting Requirements* section for further guidance.

Things to Consider

Before engaging in any behaviour or activity with a child, and when considering how your behaviour or the activity may be perceived by the child and by others, you should consider whether:

- the activity or behaviours known to, and approved by, your Supervisor/Manager and/or the parents of the child. All interactions with a child should be transparent;
- the activity or behaviour would raise concerns about its appropriateness in the mind of a reasonable observer;
- the activity or behaviour is directly and objectively tied to your job function;
- the agency may be detrimentally affected by the activity or behaviour;
- the activity or behaviour may be reasonably regarded as posing a risk to the child;
- the activity or behaviour may contribute to a child's discomfort;
- the activity or behaviour may appear inappropriate to the agency, the child's family, or the public.

Always consider the child's reaction to any activities, conversations, behaviours, or other interactions. Avoid criticizing, embarrassing, teasing, shaming, blaming, or humiliating a child, and do not place inappropriate expectations on a child. Use your instincts as a guide.

Ask yourself: "Whose needs are being met by the activity or behaviour?" The purpose of an activity or behaviour should always be to meet the child's – not the adult's – needs.

Tip: If the child seems uncomfortable with the activity or behaviour, it is a good indication the activity and/or behaviour is unwelcome and should stop. You need to reassess the activity or behaviour and consult with your Supervisor/Manager before continuing.

General Rules of Behaviour: Employees/Volunteers/Students of Family Day must:

- Treat all children with respect and dignity.
- Establish, respect and maintain appropriate boundaries with all children involved in activities or programs delivered by the organization.
- Always adhere to the organization's policies and procedures in dealing with children.
- Treat all disclosures, allegations or suspicions of sexual or other unlawful or inappropriate behaviour involving a child seriously
- Report all disclosures, allegations or suspicions of inappropriate or unlawful behaviour as set forth in this Code of Conduct for Child Protection.

Employees/Volunteers/Students of Family Day must not:

- Engage in any sort of physical contact with a child that may make the child or a reasonable observer feel uncomfortable, or that may be seen by a reasonable observer to be violating reasonable boundaries.
- Engage in any communication with a child within or outside of work that may make the child uncomfortable or that may be seen by a reasonable observer to be violating reasonable boundaries.

- Engage in any behaviour that goes against (or appears to go against) the agency's mandate, policies or Code of Conduct for Child Protection, regardless of whether they are serving the agency at that moment
- Conduct their own investigation into allegations or suspicions of inappropriate behaviour. It is an employee/volunteer's/student's duty to report the matter to his/her Supervisor/Manager or College of ECE or child welfare agencies, not to investigate.

Ranges of Inappropriate Behaviours

It is important for all employees, volunteers, and student to understand that behaviours, as they relate to the safety and protection of children, are on a continuum.

On one end of the continuum are behaviours that are **unlawful**. Unlawful behaviours are those that are criminal or that breach child welfare or related legislation and include such things as: child abuse, sexual assault, sexual interference, invitation to sexual touching, sexual exploitation, procurement, luring, child pornography offences, corrupting morals, indecent acts, and voyeurism, etc.

Unlawful behaviours must be reported to the child welfare agency and/or law enforcement for investigation.

At the other end of the continuum are behaviours that are inappropriate but are of such a nature that it is believed they can be addressed and corrected through additional training, supervision and monitoring. Inappropriate behaviour could range from a one-time behaviour to multiple instances and could include behaviour that is repeated even after it has been brought to the attention of the employee, volunteer, and student. It includes such things as: telling inappropriate jokes to, or within earshot of a child, confiding in a child with personal stories, or having unauthorized contact with a child outside of work duties.

Inappropriate behaviour must be brought to the attention of management so it can be followed up formally and internally. Family Day will determine if the behaviour is inappropriate and how it will be addressed.

In the middle of the continuum are those behaviours that may either be unlawful or inappropriate, depending on the circumstances. Also in the middle, are behaviours that are initially seen as correctable through additional training, supervision and monitoring, but are later determined to be more serious and in need of formal investigation.

For example, one instance of grooming behaviour may initially be seen as inappropriate, but of such a nature that it can be dealt with internally. However, upon following up and learning more about the overall circumstances and any prior inappropriate behaviour, it may warrant a report to the child welfare agencies and College of ECE. Consider the following example:

A report is submitted internally about an employee/volunteer/student exchanging unauthorized emails with a child outside of his/her work duties. The initial information indicates the emails are of a general nature. After the agency follows up, it learns some of the emails were sexual in nature and the employee/volunteer/student has exhibited other inappropriate behaviour that had not been reported previously. Each instance of inappropriate behaviour, if considered separately and without context of the other behaviours, might be characterized as something in the nature of "poor judgment" that is capable of correction. However, once all behaviours are considered in context, a report to the child welfare agencies, law enforcement or the Ministry of Education and College of ECE may be warranted.

Inappropriate behaviour will not be tolerated, especially as it relates to the well-being of the children involved in activities or programs delivered by the agency.

What Constitutes Inappropriate Behaviour

Inappropriate behaviour falls on a continuum, as noted in *Ranges of Behaviour*. Inappropriate behaviour is behaviour which may be seen by a reasonable observer to violating reasonable boundaries, and includes, but is not limited to, the following:

- Communication that goes beyond the employee/volunteer, and student's responsibilities with the child and/or does not occur within the context of their duties and responsibilities. For example:
 - a) Making personal phone calls to a child and/or one or more members of the child's family.
 - b) Having personal electronic or cell phone exchanges with a child and/or one or more members of the child's family (email, text message, instant message, online chats, social networking (including "friending"), etc.), regardless of who initiated the exchange.
 - c) Writing personal letters to a child or one or more members of the child's family.
 - d) Excessive communication (online or offline) with a child or the child's family.

You must report all communication with a child or his/her family that occurs outside the workplace to your supervisor/Manager. This enables the agency to ensure any communication is appropriate and within reasonable boundaries, identify any problematic situations.

- Spending time with a child or the child's family outside of designated work times and activities, especially if this is not known to your Supervisor/Manager and the child's parents. *You must report to your supervisor/Manager all contact with a child or the child's family outside of designated work times and activities BEFORE the contact occurs.*
- Favouring one or more children to the exclusion of others (for example, paying one child a lot of attention, giving or sending personalized gifts*, or allowing privileges that are excessive, unwarranted or inappropriate).
- Using a personal cell phone, camera or video to take pictures of a child, or allowing any other person to do so, as well as uploading or copying any pictures you may have taken of a child to the Internet or a personal storage device. Pictures taken in a work-related setting, with prior written consent from the parent/guardian, and in circumstances in which the parent/ guardian and your Supervisor/Manager are aware pictures are being taken may be permissible provided the agency has:
 - a) approved the activity in advance; and
 - b) provided the equipment (i.e. mobile phone, camera) with which to take the image; and
 - c) put procedures in place to ensure the pictures will be stored in a location only accessible to those with a need to access them and remove them when they are no longer required for the purpose for which they were taken.

In addition, the following behaviour is considered serious and may generate a report to child welfare, in addition to any other internal disciplinary procedures:

- Telling sexual jokes to a child or making comments to a child that are in any way suggestive, explicit or personal
- Showing a child material that is sexual in nature, including signs, cartoons, graphic novels, calendars, literature, photographs, and screen savers; displaying or keeping such material in a location where it is reasonably possible that a child may see it; or making such material available to a child
- Physically or emotionally harming a child
- Intimidating or threatening a child
- Making fun of a child/ teasing the child

Whether or not a particular behavior or action constitutes inappropriate behaviour will be a matter determined by the agency once it has taken into account all circumstances, including past behaviour and allegations or suspicions related to such behaviour.

Reporting Requirements

All employees and volunteers, and students are required to report unlawful behaviour to police/child welfare and inappropriate behaviour or incidents to their Supervisor/Manager. This requirement applies not only to behaviour or incidents you witness personally, but to those you hear about.

A person's character or position in the agency has nothing to do with whether that person's behaviour is appropriate in a given situation. You must do the best you can to identify a behaviour of concern so it can be dealt with appropriately.

Categories of incidents that need to be addressed by staff/volunteers and students under this Code of Conduct for Child Protection include the following:

1. Reports of Unlawful Behaviour from a Child Involving an Employee/Volunteer/Student of the organization or a Third Party.

Disclosures or allegations of unlawful behaviour reported to an employee by a child regarding either:

- a) another employee/volunteer of the agency; or
- b) someone other than an employee/volunteer of the organization (e.g., a parent, teacher, babysitter, coach)

must be reported to child welfare and/or police in accordance with the Reporting and Documenting Complaints Policy re: Reporting Suspected Abuse

2. Unlawful Behaviour Witnessed by an Employee/Volunteer/Student of the Agency.

Any incident of alleged unlawful behaviour either:

- a) witnessed by an employee/volunteer, and student regarding another employee/volunteer, and student of the organization; or
- b) witnessed by an employee/volunteer, and student regarding someone other than an employee/volunteer/student of the organization (e.g. parent)

must be reported to child welfare and/or police in accordance with the Reporting Suspected Abuse re: Reporting Suspected Abuse. If you do not know the identity of the child, take steps to find out; depending on the situation, steps may need to be taken to protect that child from additional harm, or the child may need to make a statement to police, etc.

***Note:** If you are a witness to abuse in progress, it is expected that in addition to reporting what you see, you will also do what you reasonably can to stop or disrupt the interaction. The steps may vary according to what you witness and what personal safety considerations may exist for you and/or the child being abused. If you do not feel you can intervene safely, you should immediately get additional help by calling the police, involving other employees, etc.*

3. Inappropriate Behaviour Involving a Centre Employee/Volunteer/Student.

Inappropriate behaviour that is either:

- a) reported to the employee/volunteer, and student by a child or third party regarding another employee/volunteer, and student of the agency; or
- b) witnessed by the employee/volunteer, and student and involving another employee/volunteer, and student must be reported to the agency in accordance with the Reporting Suspected Abuse Policy

In addition to reporting, if you witness the inappropriate behaviour you should take steps that can safely be taken to stop or disrupt the interaction, as outlined in #2 above.

4. Inappropriate Behaviour Involving Third Parties.

Inappropriate behaviour that is either:

- a) reported to the employee/volunteer by a child or third party regarding a third party; or
- b) witnessed by the employee/volunteer and involving a third party

must be reported to the agency in accordance with the Reporting and Documenting Complaints Policy

In addition to reporting, if you witness the inappropriate behaviour you should take steps that can safely be taken to stop or disrupt the interaction, as outlined in #2 above.

Consequences of Failing to Adhere to this Code of Conduct for Child Protection

Depending on the circumstances, failure to adhere to the Code of Conduct for Child Protection by an employee/volunteer/student may result in:

- follow-up by the agency to (1) gather information about what happened and (2) determine what, if any, disciplinary action is required; and/or
- a report to child welfare or law enforcement (or both).

Disciplinary or corrective actions will be as determined by Family Day and will be based on the nature and severity of the incident, as well as information learned during follow-up and any past behaviour of concern.

If, in following up on a concern, we believe the behaviour exhibited by an employee, volunteer, and students or a third party may constitute unlawful behaviour, we will report the behaviour to child welfare and possibly law enforcement.

In circumstances where multiple behaviours are reported, where inappropriate behaviour is recurring, or where one instance of inappropriate behaviour is of serious concern, Family Day may refer the matter to child welfare, law enforcement or the Ministry of Education and College of ECE for investigation. Failure to adhere to the Code of Conduct for Child Protection by any employee/volunteer/student will result in a follow-up to look into the situation, followed by disciplinary action if necessary. Appropriate consequences/disciplinary actions are to be determined by management and will be based on the nature and severity of the incident.

I agree to comply with Family Day's Code of Conduct for Child Protection

Employee / Volunteer / Student Signature

Date

Please see APPENDIX A: Family Day Code of Conduct for Child Protection



As a reputable child-serving organization, Family Day has developed the following code of conduct to guide our employees/volunteers/students. While every employee/volunteer/student everywhere is valued and unique, we come together as an organization in the best interests of children and their families. The safety, rights and well-being of children we serve are at the core of our daily operations. We nurture supportive relationships with children while balancing and encouraging appropriate boundaries.

Employee/volunteer/student misconduct will not be tolerated, especially as it relates to the well-being of the children in our organization's care.

Misconduct refers to inappropriate behaviour in our organization and includes, but is not limited to, any/all of the following:

- Communication with a child that goes beyond the employee/volunteer/student employment responsibilities with the child and/or does not occur within the context of employment duties and responsibilities.
 - Writing personal letters or text messages to a child.
 - Making personal phone calls to a child.
 - Having personal Internet exchanges with a child (email, instant messaging, chatting, social networking, etc.)
 - Sending personalized gifts to a child.

Note: It is not misconduct to give a contextually appropriate thank-you card, birthday card, seasonal card, or other nominal gift to a child, where such a gesture would be considered reasonable in the circumstances provided that all gestures, taken together, are not excessive in number and any such exchanges are carried out within the workplace, in the presence of others with the knowledge of the organization and within an appropriate circumstance.

- Offering unauthorized rides to an individual child.
- Spending time with a child outside of designated work times and activities (i.e., babysitting), *except where such activity results from a parent-initiated request and the activity has been disclosed to and approved by the organization in advance.*
- Favouring a child.
- Telling sexual jokes to a child.
- Showing a child sexually explicit or sexist material, signs, cartoons, calendars, literature, photographs, or displaying such material in plain view.
- Taking pictures of a child, except when specifically requested to do so by the organization and provided that only cameras owned or under the control of the organization are used to take such pictures.

Note: Under no circumstances may an employee/volunteer/student ever use his/her cellular phone or personal camera to take pictures of a child, nor upload or copy any pictures he/she may have taken of a child to the Internet or to any personal storage.

Employees/Volunteers/Students of Family Day must:

- Always adhere to our organization's policies and procedures in dealing with children.
- Treat children with respect and dignity.
- Treat all allegations or suspicions of sexual misconduct seriously- it is an employee/volunteer's/students' duty to report allegations or suspicions.

Employees/Volunteers/Students of Family Day must:

- Follow established procedures when reporting any allegations of misconduct or potential policy violations.
- Consider the final outcome of any behaviour, as well as a child's reaction to any activities, conversations, or interactions so as to avoid embarrassing, shaming, or humiliating the child.
- Establish, respect and maintain boundaries with all children.

Employees/Volunteers/Students of Family Day must NOT:

- Engage in any activities that endanger a child or make a child feel uncomfortable.
- Engage in any activity that goes against our organization's mandate, policies, or code of conduct.
- Make any sort of remark, comment, or joke to/regarding a child that is in any way suggestive, explicit, or sexual.
- Engage in any sort of physical contact with a child that may make the child feel uncomfortable, or that violates reasonable boundaries.
- Conduct their own investigation into allegations or suspicions of sexual misconduct - it is an employee's/volunteer's/student's duty to report, not to investigate.
- Place a child in danger from anyone, either within or outside of our organization.
- Offer any child "special" treatment that falls outside of our organization's mandate, or that may (or may appear to) place a child at risk of exploitation.

Employees/Volunteers/Students of Family Day should consider whether:

- The activities they are engaging in with a child are known to, or approved by, supervisors and/or parents. Child interactions should not be kept secret; rather, they should be transparent.
- Activities would raise concerns in the mind of a reasonable observer as to their appropriateness.
- Our organization may be detrimentally affected by an employee's/volunteer's/student's activities.
- The activity may be reasonably regarded as posing a risk to the personal integrity or security of a child.
- The activity may contribute to a child's discomfort.
- The activity may appear inappropriate to our organization, the child's family, or the public.

Failure to adhere to the code of conduct by any employee/volunteer/student will result in an investigation and disciplinary action if necessary. Appropriate consequences/disciplinary actions are to be determined by management and will be based on the nature and severity of the incident.

I agree to comply with the Code of Conduct for Family Day.

Signature (Employee / Student / Volunteer)

Date