

Additional Guidance on Constructing Codes of Ethics and Conduct

Code of Ethics

Explanation and Background

A Code of Ethics provides general principles to guide the behavior and decision making of staff, volunteers, and participants. It represents the standards to which the organization and the individuals working within it pledge to hold themselves. It can be as simple or as complicated as an organization chooses to make it.

It does not provide specific dos and don'ts but rather a philosophy by which decisions can be made. So, if an organization is “committed to providing children and youth with a safe and welcoming opportunity to gain soccer skills, participate on a team, and experience healthy competition” then staff can use those guidelines to make decisions about things like entering a highly competitive tournament, playing in unsafe weather, or dealing with a bullying situation.

In writing a Code of Ethics:

- Involve a variety of stakeholders, including staff, clients, parents, and others if possible
- Although Codes from other organizations can and should be reviewed, an organization's Code of Ethics should be specific and tailored to that organization
- A Code of Ethics should clarify the following points:
 - The goals of the organization
 - How the organization works to attain them
 - The culture the organization seeks to maintain
 - Who the organization's clients are
 - The organizations values and principles
- The Code of Ethics should be shared widely, with staff, participants, parents, partners, community members.
 - Consider adding the Code to the organization's website, providing written materials to staff, and posting internally
 - Ensure that all staff are trained on the Code of Ethics and understand its value in guiding decision making
- A Code of Ethics does not contain practical information on the day-to-day operations of the organization, on dealing with issues or problems, or on mandating behavior

Vignette:

Jorge was hired as a basketball coach in September. He was trained on both the Code of Ethics and the Code of Conduct for the organization. One month into the season, a parent approached him asking if her child could join the team. She told him that the child had autism and loved

*basketball. However, he was not good at following rules. Jorge did not know what the leagues policy was on inclusion. However, the Code of Ethics for the organization that he had laminated to the clipboard he used at each practice stated, “The goal of the **** Basketball League is to teach young people the value of teamwork, of supporting one another, and of hard work.” From this, Jorge construed that the League would support him in taking this youth onto his team.*

For example, sports leagues can have the statement, “We seek above all else to produce teams that win championships at every level” or one that says, “We seek to provide a fun, low-stress, and inclusive environment”. Coaches would get a great deal of guidance on their decision making about team formation, practice scheduling, etc., from either one of those statements. However, neither of these includes a commitment to keeping participants safe from sexual abuse.

The statement “We seek to produce teams that win championships at every level while ensuring that participants are safe from abuse, bullying, and other harm” provides coaches, parents, and youth with a standard far more important than winning games.

Consider what your organization stands for, what it values, and how the organization supports its values through its staff, volunteers, and participants.

- A Code of Conduct provides staff, volunteers and others responsible for children and youth with very specific guidelines that will govern behavior including:
 - Adult interactions with youth/children
 - Interactions between youth/children
 - Interactions between staff/volunteers
 - Interactions with family
 - Approval, requirements, and monitoring of partners/volunteers/providers
 - Safety and security
 - Required responses to witnessing breaches to code
- A Code of Conduct must be specific to each organization and take into account the ways in which it operates that present risk or protective factors. Different types of organizations will have different risks.
 - Organizations should also consider the specifics of culture, experience, vulnerabilities, and other characteristics that may be unique to the population they serve.
- Creating a Code of Conduct
 - Completing a Strengths and Risk Assessment is a great way to begin creating a Code of Conduct specific to an organization. An assessment should consider the following questions:
 - i. What is the purpose of the organization?
 - ii. How should the purpose be carried out?

- iii. Who does the organization interact with?
 - iv. Who does the work?
 - v. Who interacts with youth/children?
 - vi. How do youth interact with one another?
 - vii. What are the risks for this organization?
 - viii. What are the best practices for similar organizations?
- The risk assessment will help an organization identify some of the main elements its Code of Conduct needs to cover including:
 - i. Personnel (staff, volunteers, mentors, and anyone else who may interact with and be responsible for young people)
 - 1. Appropriate/Inappropriate/Harmful conduct
 - 2. Ratios of personnel to participants
 - 3. Intimacy/familiarity
 - 4. Touch
 - 5. Information sharing
 - ii. Premises & Technology
 - 1. Areas where a child could be isolated
 - 2. Clear view at all times
 - 3. Appropriate social media policy
 - 4. Texting/outside interactions
 - iii. Participants
 - 1. Vulnerabilities, both overall and particular to the population served
 - 2. Culture, including cultural norms that may impact vulnerability to abuse
 - 3. Supports
 - 4. Potential for harmful interactions between participants
 - iv. Parents and Visitors
 - v. Partners, Supporting agencies, vendors, etc.
 - vi. Reporting Procedures
- Institutionalizing Your Organization's Code of Conduct
 - Gaining buy-in from leadership and staff
 - Training all staff, leadership, volunteers etc.
 - i. Training should be in person (ideal), interactive, and annual
 - ii. Webinar or online training is acceptable as long as there are opportunities for interaction/questions/follow-up
 - iii. Signatures on statements of receipt and agreement should be required for each staff/volunteer and kept in employee files
 - Sharing your Code of Conduct with youth (in an age appropriate way) and with parents/caregivers to increase bystander/participant support

- Posting major points in clear view, in all relevant languages
- Enforcing/Implementation
 - Setting clear protocols for responding to and investigating allegations
 - Ensuring that the protocol is followed in every instance, by every staff member, and by every young person. “Exceptions require authorization”
 - Providing transparency in the process of supporting/investigating involved parties
 - Using observed or reported issues not covered in code to improve, “Living Document”
- Monitoring, and Organizational Practice
 - Staff are regularly reminded of Code of Conduct policies relevant to their roles or as programming changes by season/focus
 - Staff are regularly reminded of their obligation to report breaches in code
 - Supervisors will support staff and volunteer understanding of monitoring, improving, and disciplining staff around boundary issues.

“Vignette”- When Joe arrived at BGCB, he was trained on the organization’s Code of Conduct. It led him through situations he may encounter and provided appropriate actions he could take. On his first day on the job, one of the girls asked if she could “friend” him on Facebook. The Code of Conduct he signed gave him specific language to use when refusing to interact with a youth on social media. “If I had not been trained, I might have said no anyway because it felt wrong, but I also would have wondered if I was wrong to hurt her feelings.”

Organizations will have Codes of Conduct that differ significantly based on size, purpose, location, staffing, age served, additional vulnerabilities of youth served, and many other variables. All organizations should consider all of these variables in creating or adapting a Code of Conduct for their organization.

What are the activities the organization engages in that provide opportunities for inappropriate interactions and sexual abuse?

These might include:

- One-on-one interactions, use of social media, few staff members, use of volunteers, activities that require clothing changes
- Serving vulnerable populations including non-verbal/limited communication skills, very young children, LGBTQ youth, and others

What are the boundaries that we can set that will provide staff with clear guidelines for interactions and provide others with ways to evaluate their actions? These may include:

- No (or limited and monitored) social media contact
- Never being alone with youth or, if the staff function requires it (e.g., counseling, tutoring, etc.), with appropriate training and precautions
- Keeping a regular schedule of interactions with youth and families
- Not allowing youth of significantly different ages to be alone together or, if required (e.g., tutoring, mentoring, etc.) with appropriate recruitment screening, training, supervision, ongoing support and safe program practices)

Again, each organization must evaluate its own operations and goals and decide what to include based upon the risks and benefits of each interaction. Organizations will also benefit from reviewing the documents created by other organizations.

A large youth serving organization in which all activities take place on site may have as a part of their Code of Conduct:

Personal contact information

(Organization) does not expect that staff will share their personal contact information with members. In the event that cell phone numbers need to be shared to ensure communication during a field trip or other event, cell phones are available from the Executive Director. Note that all communication should be program related. On the rare occasions staff members share personal contact information with a member or parent, a supervisor must be notified. *Please see “Cell Phone Policy” in Employee Handbook “*

However, a mentoring organization in which frequent personal communication between mentor and mentee is expected would have a different guideline on sharing personal information. In both cases, the expectation is set that there are appropriate and inappropriate ways to communicate with youth, they are clearly spelled out, and are shared widely.

Some additional circumstances to be aware of include, but are not limited to:

- Risk of inappropriate interactions among children and youth.
 - Organizations need to monitor interactions among youth in addition to monitoring interactions between employees/volunteers and youth. Many strategies that focus on the interactions between employees/volunteers and youth can be tailored to address interactions among youth.
 - Address all situations where unsupervised youth are interacting with each other. Of course, be concerned with situations where youth may tease, bully, harass, or sexually or physically abuse other youth. For example, if your organization has a policy that prevents adults from being present in locker rooms because of the risk

of child sexual abuse, this may result in a situation where unsupervised youth can sexually or physically abuse other youth. A potential solution is adopting a policy that requires more than one adult to be present at all times.

- Develop policies to deal with bullying and sexual abuse so that positive interactions can be promoted while acknowledging that some interactions are inappropriate or harmful.
- Encourage pro-social activities and integrate them into events and programs, etc., so that youth are aware of, and can help to ensure a safer environment for everyone.
- Prohibitions and restriction on certain activities
 - Some activities, such as hazing and secret ceremonies, overnight trips, bathing, changing, bathroom interactions, and nighttime activities, pose greater risks for child sexual abuse. Prohibiting or restricting such activities will depend largely on the context of your organization. For example, a sleep-away camp would not be able to prohibit overnight trips or bathing.
- Out of Program contact restrictions
 - There are two types of out-of-program contact restrictions. The first type involves the contact of youth with employees/volunteers outside the context of the program. Your organization should limit contact between employees/volunteers and youth to organization-sanctioned activities and programs and/or to certain locations, such as activities within the organization's building.
 - The second type is contact between youth and people not affiliated with the organization that occurs while youth are under its care.
- Develop a system for monitoring the comings and goings of all youth and adults who enter and leave the facility. This system might include procedures for signing in and out. Be clear about when children or youth are no longer the responsibility of the organization and when they are clearly the responsibility of the parent or guardian (e.g., bus drop off for a summer camp).
- Develop specific policies about interactions between youth and people not affiliated with the organization – particularly if it is located in a building that houses more than one program, or if the organization's activities take place in public areas (e.g., a sports field).