

Code of Ethical Practice – A First Step for the Victorian Youth Sector



The Youth Affairs Council of Victoria (YACVic) is the peak body representing the youth sector in Victoria.

YACVic provides a means by which the youth sector and young people can voice their opinions and concerns in regards to issues and policies affecting them

YACVic works with and makes representation to government and serves as an advocate for the interests of young people, youth workers and/or workers who work with young people, and organisations that provide direct services to young people.

YACVic also promotes and supports the participation of young people in debate and policy development in areas that most affect them.

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Copies of this publication are available from:

Youth Affairs Council of Victoria
Level 2, 172 Flinders St
Melbourne 3000
Tel: 03 9267 3799, 1300 727 176
Fax: 03 9639 1622
info@yacvic.org.au
www.yacvic.org.au

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Foreword by YACVic CEO

I am pleased to present the *Code of Ethical Practice – A First Step for the Victorian Youth Sector*. The release of this document is a very important first step for the Victorian youth sector towards embracing an agreed framework and set of values that define safe, professional and ethical practice.

The *Code* offers an opportunity for the sector to articulate the elements of youth work that define why the work we do is so valuable and unique. It describes the principles that drive our work in improving the lives of young people in Victoria. It also describes the practice responsibilities of youth workers that ensure the highest level of professionalism continues to be upheld.

YACVic is very proud to have developed the *Code of Ethical Practice* following an extensive consultation process involving youth workers, youth service organisations, youth work educators, employers of youth workers and young people themselves. YACVic is very grateful for all the contributions received during this process.

Although YACVic produced the *Code*, it needs to be a document owned by the youth sector for it to be of real value. This will ensure that the *Code* becomes a 'living' document supporting the professionalism and ongoing development of the sector.

The *Code of Ethical Practice* prompts us to reflect on the work we do. It also raises questions for us as a sector to consider: How do we want to move forward? What subsequent steps do we need to take? The development of the *Code* has given new focus to the question of whether Victoria should develop a professional association for youth workers. YACVic hopes that the sector will take up the challenges inherent in considering this issue in the future.

YACVic will continue to work with the sector on the implementation of the *Code* and to produce further resources to ensure that it is widely understood and embraced in Victoria. Supporting documents will also be produced to assist with the implementation of the *Code* in an organisational setting.

YACVic hopes that you will adopt the *Code* in your practice and find it an invaluable resource. I believe that, in doing so, it will ultimately lead to a Victorian community that values and provides opportunity, participation, justice and equality for all young people.



Georgie Ferrari,
Chief Executive Officer, YACVic

The following is a summary of the Victorian Code of Ethical Practice 'Youth Work Principles' and 'Youth Work Practice Responsibilities'.

Youth Work Principles

Youth workers will work towards enabling and ensuring:

1. the empowerment of all young people
2. young people's participation
3. social justice for young people
4. the safety of young people
5. respect for young people's human dignity and worth
6. young people's connectedness to important people in their lives, such as family and community
7. positive health and wellbeing outcomes for young people
8. the positive transitions and healthy development of young people.

Youth Work Practice Responsibilities

To work ethically with young people, youth workers will adopt the following practice responsibilities.

Recognition of Indigenous Peoples

Youth workers recognise that we live on the traditional lands and waters of the Indigenous peoples of Australia. They will be respectful of Indigenous culture recognising that culture and connection to land is a right of Indigenous young people. Youth workers will recognise the importance of culture to Indigenous young people's self-esteem and sense of identity.

Duty of Care

Youth workers will act in the best interests of young people, avoid exposing them to physical, psychological or emotional harm or injury, and always uphold the principle of 'do no harm'.

Young People as the Primary Consideration

The primary consideration and key responsibility of the youth worker is the young people with whom they engage.

Privacy and Confidentiality

Youth workers respect young people's rights to privacy and confidentiality.

Boundaries

The youth work relationship is strictly professional. Professional boundaries intentionally protect both the young person and the worker. Youth workers will maintain the integrity of these limits.

Transparency, Honesty and Integrity

Youth workers will be open and honest with young people, enabling them to access information to make choices and decisions in their lives and in relation to their participation in youth work activities. Youth workers will act with integrity, adhering to the principles and practice responsibilities of their profession.

Social Context

Youth workers will recognise the impact of social and structural forces on young people, so that their practice is responsive to young people's experiences and needs and to break down barriers that restrict young people's life opportunities.

Anti-Oppressive Practice: Non-Discrimination, Equity and Self-Awareness

Youth workers will ensure that equality of opportunity is promoted and will enable and encourage young people to respect and celebrate their own and others' cultural backgrounds, identities and choices.

Cooperation and Collaboration

Youth workers will cooperate and collaborate with others, including families, in order to secure the best possible outcomes for young people.

Knowledge, Skills and Self-Care

Youth workers will keep abreast of the information, knowledge and practices needed to meet their obligations to young people.

Code of Ethical Practice – A First Step for the Victorian Youth Sector

Introduction

What is a Code of Ethical Practice?

A Code of Ethical Practice is a document developed by a body of practitioners to provide an agreed framework and set of values for professional practice. It provides a frame of reference in which to develop ethical and safe practice.

This Code of Ethical Practice was developed through a consultative process in which members of the Victorian youth sector provided advice on the principles and practice responsibilities inherent in the Code. While the Youth Affairs Council of Victoria (YACVic) has produced the Code, it is a 'living' document developed for and with the youth sector. It draws on the history and evolution of the youth work profession in Victoria and on the Youth Affairs Council of Western Australia's *Code of Ethics* and the United Kingdom National Youth Agency's *Ethical Conduct in Youth Work*.

Who does it apply to?

This is a voluntary Code of Ethical Practice. It is relevant to all qualified youth workers and to others working with young people without a youth work qualification. The principles and practice responsibilities outlined will support and guide the work that youth workers do with *all* young people.

For the purposes of this document, the term 'young people', applies to those aged between 12 and 25 years. However, some organisations work with young people in a broader age bracket and this Code may still apply.



A Code Based on Human Rights

This Code of Ethical Practice is based on a human rights framework.

The United Nations *Convention on the Rights of the Child*, ratified by Australia, has particular relevance to youth work practice. Its four core principles are 'non-discrimination', 'the best interests of the child', 'the right to life, survival and development', and 'respect for the views of the child'.

Article 3.1 of the Convention prescribes that 'in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.'

Other United Nations declarations of particular relevance to the content of this Code are the *Declaration of Human Rights* and the *Declaration on the Rights of Indigenous Peoples*.

The Victorian *Charter of Human Rights and Responsibilities* also outlines human rights that *all* Victorians can expect to enjoy. Youth workers need to have an understanding of these rights and actively work to promote them.

Respecting Diversity

Central to working ethically with young people is a respect for diversity, including respect for the diversity of their experiences, identities, cultures and opinions. The *Convention on the Rights of the Child* contains several provisions to protect young people from discrimination of any kind, irrespective of the child's or his or her parents' or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.¹ The Victorian *Charter of Human Rights and Responsibilities* also highlights the importance of respecting diversity through provisions it makes for *all* Victorians to enjoy their cultural rights and freedom of expression.²

One of the strengths of youth work is the diversity of practice within the Victorian youth sector. There are many different and creative ways of working with young people that are compatible with the principles and practice responsibilities of this Code. It is the intention of this Code to support ethical practice, in all its diverse forms, and to promote a respectful appreciation of diversity in the wider community.



What are the Youth Work Principles?

The youth work principles describe what youth work achieves. All of the principles reflect key underpinning values that inform youth work practice.

This Code of Ethical Practice is based on the following principles of youth work. The Code will guide youth workers to enable and ensure:

- » the empowerment of young people
- » young people's participation
- » social justice for young people
- » the safety of young people
- » respect for young people's human dignity and worth
- » young people's connectedness to important people in their lives, such as family and community
- » positive health and wellbeing outcomes for young people
- » the positive transitions and healthy development of young people.

What are the Youth Work Practice Responsibilities?

The youth work practice responsibilities describe key elements of what youth workers do when guided by the youth work principles. They are the essence of youth work practice and are important in youth workers fulfilling their responsibilities. The youth work practice responsibilities are not placed in order of importance, but are all of equal value.

In adopting the Code of Ethical Practice, youth workers will follow the youth work practice responsibilities. Each practice responsibility is accompanied by a section of commentary to assist in your understanding.

Recognition of Indigenous Peoples

Youth workers recognise that we live on the traditional lands and waters of the Indigenous peoples of Australia. They recognise that culture and connection to land and community is a right for Indigenous young people and that they have a right to cultural safety*. Youth workers will be respectful of Indigenous culture at all times and recognise the importance of culture as it relates to Indigenous young people’s self-esteem and sense of identity.

Commentary

Youth workers will respect the unique rights of Indigenous peoples in promoting Indigenous young people’s cultural safety and general wellbeing.

For youth workers and youth services, this involves recognising the rights of Indigenous young people and communities to self-determination and respecting Indigenous young people’s rights to access both Indigenous services and all other services.

* Cultural Safety relies on the prevention of cultural abuse and is important to protect a person’s emotional and psychological wellbeing. When the culture of a people is ignored, denigrated, or intentionally attacked, it is cultural abuse. Cultural abuse can be overt (such as in the case of direct racial vilification or discrimination) or covert (such as in the case of a lack of cultural sensitivity or an absence of positive images about another culture). Cultural abuse is harmful for young people because it strikes at their sense of identity.

Young People as the Primary Consideration

The primary consideration of the youth worker is the young people with whom they engage.³ This does not mean that they are the only people that youth workers are concerned with, but does mean that a youth worker's key responsibility is to the young person/people with whom they are working.

Commentary

Achieving positive outcomes for young people usually involves working closely with a range of people such as family or guardians, teachers, workers with other services and friends. Having young people as the primary consideration does not mean that youth workers should not be working with these other people, it just means that the key concern of a youth worker is achieving positive outcomes for the young person/people.

Young people need to know that there is at least one person that they can rely on to uphold their interests.⁴

Duty of Care

Youth workers will avoid exposing young people to physical, psychological or emotional harm or injury and will always uphold the principle of 'do no harm'.⁵ They will assess risk and manage the safety of work and activities involving young people while being aware of the need to encourage young people to partake in challenging activities.⁶ Youth workers will understand that risk comes in many forms and that cultural abuse and racism are factors that harm Indigenous young people.



Commentary

In working with young people, youth workers have a responsibility to make sure that the activity, referral or program is safe in general, and for the particular young person, and that there will not be harm that results

from their involvement. Risk assessment and management needs to be thorough. Equipment needs to be well maintained, and staff need to be properly trained.⁷

Youth workers will exercise care in the employment of staff, whether paid or voluntary.⁸ They will ensure young people they work with are protected against abuse. This involves being careful about who they allow to interact with the young people they work with. It is a legal requirement in Victoria that all people working either voluntarily or in employment with young people gain a Working with Children Check.*

Privacy and Confidentiality[‡]

Young people's rights to privacy and confidentiality must be respected. This means that youth workers avoid any undue invasion of privacy when collecting information about a young person and that confidentiality is protected. There are limits to preserving confidentiality, some of which are outlined by legal obligations on youth workers to share types of information. This means that young people must be informed from the outset about the restrictions to privacy and confidentiality that may exist and what may be done with information they provide. It is best practice to obtain their informed consent before collecting personal or health information or sharing it with others.

Youth workers are encouraged to go beyond simply considering their legal obligations in protecting privacy and confidentiality, to consider the full extent of the privacy implications of particular activities or actions that a young person may engage in.

* For further information see the Department of Justice website at < www.justice.vic.gov.au/workingwithchildren > .

‡ This information is not legal advice. There may be relevant legal obligations that relate to your role that are not discussed here. If you are unsure of your obligations in respect to privacy and confidentiality, seek clarification through your employer or see the Office for the Victorian Privacy Commissioners website at < www.privacy.vic.gov.au > for information on the Information Privacy Act. For information on the Health Records Act see the Office of the Health Services Commissioner website at < www.health.vic.gov.au > .

Commentary

There are legal obligations that may impact on the way in which information is collected, kept and shared. One common, relevant example relates to the obligations outlined in the *Information Privacy Act 2000* and the *Health Records Act 2001* which regulate the way that government-funded services can collect, use, keep and secure personal and health information.

It is important to have a clear understanding of privacy and confidentiality requirements. Also, it is important to ensure that the young people understand any limitations to the confidentiality the youth worker can offer, so they can make an informed decision about sharing information.

The privacy implications may not always be clear, and youth workers are encouraged to assist young people to fully consider the current and potential future implications of giving consent.

Boundaries

Whilst the relationship between a youth worker and a young person is often an important source of personal support for the young person, the relationship is a professional one, intentionally limited to protect both the young person and the youth worker. Youth workers will maintain the integrity of these limits,⁹ recognising the tensions between developing supportive and caring relationships with young people and the need to preserve the boundaries of the professional relationship.¹⁰

Commentary

It is important that youth workers are able to develop trusting, healthy relationships with the young people they work with and recognise the power imbalance inherent in the professional relationship. Youth workers often become a significant adult in that young person's life. They will recognise that the relationship between themselves and a young person is a professional relationship and will remain within professional boundaries, therefore non-sexual and limited.¹¹ In Australia there are specific legal restrictions relating to adult sexual conduct with young people which youth workers need to fully understand. If professional boundaries are not respected, a relationship with a young person may become exploitative and have negative affects on them. Youth workers need to respect these professional boundaries with young people in both a work and broader public setting.¹²

Transparency, Honesty and Integrity

The professional relationship established with the young person will be open and truthful.¹³ The youth worker will be open and honest with young people, enabling them to access information to make choices and decisions in their lives generally and in relation to participation in youth work activities.

Youth workers and youth agencies will not advance themselves or other stakeholders at the expense of young people.¹⁴ They will adhere to the principles and practice responsibilities of youth work, not bringing it into disrepute.¹⁵

Commentary

Youth workers will not deceive young people. This means that, in initial meetings, youth workers must be clear on what they can and can't offer. Whilst being open and truthful, they should be mindful of issues of confidentiality, disclosure, health and safety, who the worker works for, and what the agency is funded or contracted to provide. Youth workers also have a role in explaining to young people the nature of other stakeholders' relationships to them and the expectations this may place upon them.¹⁶

Being loyal to the practice of youth work means that youth workers are aware of their role and the professional boundaries, principles and responsibilities required of them and other stakeholders. They will value and respect difference in others' approaches.¹⁷

Social Context

Youth workers will recognise the impact of social and structural forces on young people,¹⁸ so that their practice is responsive to young people's experiences and needs and to break down barriers that restrict young people's life opportunities.

The work of a youth worker is not limited to facilitating change within the individual young person, but extends to the social context in which the young person lives.¹⁹ Youth workers will particularly recognise that racism and cultural abuse is a factor in the lives of Indigenous young people and will seek to promote an environment which values their culture. This is also important when responding to young people from culturally and linguistically diverse backgrounds.

Commentary

Youth workers are agents of change in a variety of contexts, both with individual young people and in wider society. As youth workers, it is important to consider a young person within their social context rather than in isolation. Young people are shaped, influenced, contained and to some extent controlled by the contexts in which they live. They are part of their communities and broader social contexts and this should be acknowledged in youth workers' approach to working with them.²⁰

Anti-Oppressive Practice: Non-Discrimination, Equity and Self-Awareness

Youth workers will work to ensure that equality of opportunity is promoted and will have an understanding of oppression and how it operates in the lives of young people.²¹ They will encourage young people to respect and celebrate their own and others' cultural backgrounds, identities and choices.²²

Youth workers' practice will be non-discriminatory,²³ will work to overcome inequities caused by unequal access to economic, social and cultural resources, and will promote just and fair behaviour. Youth workers will work with young people to challenge and oppose racism, sexism, ageism, homophobia and all other forms of discriminatory oppression.²⁴

Youth workers actively advocate and seek to change unjust policies and practices.²⁵ They will understand that, to work with Indigenous young people or young people from culturally and linguistically diverse backgrounds with equity, their practice should be culturally appropriate and culturally competent. Youth workers will make themselves aware of issues around how the dominant culture privileges them in relation to Indigenous young people and seek to ensure that their own work does not abuse that privilege.

Commentary

Youth workers will work towards countering the economic and political marginalisation of young people and facilitate them in finding and using their collective voice.

All young people regardless of race, gender, religion, disability, environment, association, background or sexual identity, under Human Rights and Equal Opportunity legislation, have the right to be treated in a fair manner that promotes equity and equality. Regardless of youth workers' personal beliefs, a young person has the right to be treated fairly and responded to on the basis of their need. If a youth worker is unable to detach their personal beliefs from the situation, they have the responsibility to ensure that the young person is referred to a worker who is able to deal with their needs in a non-discriminatory and sensitive manner.²⁶

Cooperation and Collaboration

Youth workers seek to cooperate and collaborate with others in order to secure the best possible outcomes for young people.²⁷ They seek opportunities to collaborate with colleagues and professionals from other agencies and sectors,²⁸ and will mobilise young people and others to work together collectively on issues of common concern.²⁹ Youth workers will

be particularly conscious of the need to work with Indigenous services in order to secure positive outcomes for Indigenous young people.



Commentary

Ethical youth work practice involves a commitment to cooperative partnerships with relevant service providers and across sectors in order to collectively achieve positive outcomes for

young people. Inter-agency and cross-sector collaborative approaches enable a young person to have a greater range of choices in terms of support networks and access to a range of information, skills and resources to meet all their needs.³⁰

Collaboration between workers is an essential component of ethical practice as it seeks to ensure the best possible outcomes for young people.³¹

Knowledge, Skill and Self-care

Youth workers have a responsibility to keep up-to-date with the information, resources, knowledge and practices needed to meet their obligations to young people.³² They have a responsibility to undertake appropriate cross-cultural training to ensure the best possible outcomes for Indigenous young people and for young people from culturally and linguistically diverse backgrounds.

Ethical youth work practice is consistent with preserving the health of youth workers.³³ This means that they need to prioritise the practice of self-care, of looking after the self as a means to assure longevity of career and continued high quality service provision to young people.³⁴

Commentary

Maintaining a level of competence through an ongoing commitment to being informed and skilled in relation to best practice in youth work is essential.³⁵ This includes recognising when new skills and knowledge are required, and seeking relevant education and training as well as feedback from service users and colleagues on the quality of their work. This also requires engaging in opportunities to reflect on practice.

Youth workers will only undertake work or take on responsibilities for which they have the necessary skills, knowledge, training or support.³⁶

Communicating the Code: Some Thoughts from Young People

In addition to adopting the youth work principles and practice responsibilities, it is good practice to inform the young people with whom you work about the Code.

Here are some thoughts from young people* on this aspect of the Code:

It could be as simple as a certificate, with maybe the principles on it with a statement on it saying that "I have read the code and believe in it" and then they could sign it.

Obviously being non-binding it may tend to slip through the gaps a bit with some people. So you would definitely need to get it displayed somewhere.

I think that everyone should know about it. When you first get involved with a youth worker you should know about it. It is like when you are in with a worker and they tell you that it is confidential, and they tell you that so you know and they know. They should do it like that, so you know all the ethics.

If I was a youth worker I would not be embarrassed to have that up and to say that I believe in young people in this community. Why shouldn't they have this certificate in the office and say this is what I am on about?

By individually seeing it and believing it in this way that sort of gives the youth the chance to see what that youth worker is on about and I know that I could trust them. Then if they are not following the code the youth can then follow them up with it and they could change what they are doing.

They could actually have a conversation with you about it; they could tell you that they subscribe to the code and tell you what the principles are. They could tell you to hold them accountable to this, and say, "if I'm not upholding these let me know".

* Members of the 'ORYGEN Youth Participation Team' and the 'Tomorrow's Leaders Today' network in Central Goldfields Shire.

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