

CHILD SAFETY CODE OF CONDUCT (VICTORIA)

1. Introduction

1.1 Background

St Mary's College Melbourne (School) is committed to the safety of all children and has a zero tolerance approach to child abuse.

Our School is committed to providing a caring, supportive and safe environment where every student has a place, a voice and their story is known. As a Catholic school in the Edmund Rice tradition, our Christian values are those expressed in the Touchstones of our governing body, Edmund Rice Education Australia (EREA): Liberating Education, Gospel Spirituality, Inclusive Community, Justice and Solidarity. The charism of Blessed Edmund Rice expressed through these touchstones, underpins our continued commitment to a safe and inclusive environment for all, providing a preferential option to those at the margins, to grow in empathy and to respond in faith and action.

Our School is committed to providing a child safe and child friendly environment, where children and young people are safe and feel safe, and are able to actively participate in decisions that affect their lives.

This Child Safety Code of Conduct (Code) has been drafted in consultation with the School's staff members and parents / guardians of the students and endorsed by the EREA Board. It has been drafted taking into account the diversity of the School environment, including but not limited to the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable.

1.2 Purpose

This Code has the objective of promoting child safety in the School environment and safeguarding students of the School against sexual, physical, psychological and emotional abuse or neglect. It aligns with the School's stance of zero tolerance against child abuse.

This Code should be read in conjunction with the Edmund Rice Education Australia (EREA) Code of Conduct and the School's Child Protection and Safety Policy.

It is intended to complement child protection legislation, School policies in relation to child safety, mandatory reporting and other reporting requirements and the Victorian Institute of Teaching (VIT) Codes of Conduct as these apply to staff and personnel.

1.3 Scope

This Code applies to all EREA endorsed **Representatives** of the school.

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Such Representatives include School / Flexi Network Advisory Council members, all School staff including teachers, administration and education support staff, temporary or casual staff, pre-service teachers, volunteers, contractors, external education providers, and clergy.

It applies to all aspects of such Representative's engagement with the School and its students, including students aged 18 and over. All such Representatives must be conscious that their position places significant obligations on them including a requirement to maintain professional boundaries. Interactions with students can extend beyond the School setting, including outside of school hours, outside of school grounds and by any medium of technology (including social media).

This Code applies regardless of:

- (a) the location of where an interaction occurs, whether during or outside School grounds or during or outside school hours;
- (b) a student's age;
- (c) a student's consent;
- (d) the consent of parents/guardians and families; and
- (e) circumstances in which a student initiates an interaction or relationship between the Representative and the student.

This Code does not apply to students and parents. Required standards of behaviour for these groups are set out in the Student Code of Conduct and Parent Code of Conduct.

2. Roles and responsibilities

All Representatives are responsible for understanding their obligations under this Code and complying with the provisions of this Code as updated from time to time.

This Code has been endorsed by the EREA Board as the school governing authority. The EREA Board is responsible for developing and reviewing this Code to ensure compliance.

The EREA Board has delegated authority to the Principal to implement this Code. This includes ensuring all Representatives are aware of this Code and sign a copy of the Code. The Principal will ensure that the Code is publicly available on the School's website, and that parents / guardians and students are aware of the Code, including by making the Code accessible on College parent and student portals and referencing the Code upon enrolment.

3. Acceptable behaviours

All Representatives must treat all students with respect. They hold a unique position of influence, authority, trust and power in relation to students. As such, it is their duty to establish and maintain professional boundaries with students at all times.

All Representatives are responsible for supporting the safety of children and students by:

- (a) adhering to the School's Child Protection and Safety Policy, this Code, EREA's Code of Conduct and the School's other applicable policies and procedures (as amended from time to time) at all times;
- (b) being vigilant and taking all reasonable steps to protect the students in the School's care from abuse or harm;
- (c) abiding by professional boundaries, acknowledging that interactions with students by their very nature are open to scrutiny;
- (d) treating everyone in the School community with respect, modelling positive and respectful relationships and acting in a manner that sustains a safe, educational and pastoral environment;

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- (e) listening and responding to the views and concerns of students, particularly if they are telling you that they or another child, student or young person has been abused or that they are worried about their safety/the safety of another child, student or young person;
- (f) promoting the cultural safety, participation and empowerment of all students, particularly Aboriginal and Torres Strait Islander students, students with culturally and/or linguistically diverse backgrounds and students with a disability;
- (g) respecting the language, customs, religions and cultures of a student;
- (h) ensuring as far as practicable that Representatives are not alone with a student unnecessarily or in a manner unrelated to the School or their role;
- (i) reporting any allegations of child abuse or child safety concerns in accordance with the School's Child Safety Reporting Procedure;
- (j) reporting any suspected breach of this Code by any other Representative to a Child Safety Officer or the Principal;
- (k) understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the *Crimes Act 1958* (Vic.) and any other legal reporting obligations;
- (l) if an allegation of child abuse is made, ensuring as quickly as possible that the students are safe, in accordance with the School's policies and procedures;
- (m) respecting the confidentiality and privacy of students and act in accordance with the School's Privacy Policy;
- (n) exercising prudent judgement and intervention consistent with the School's Student Behaviour Management Policy, Student Bullying and Harassment Prevention and Intervention Policy and Student Code of Conduct when students engage in bullying behaviour towards others or act in a humiliating, degrading, intimidating or vilifying way;
- (o) only interacting with students online using the School's technology systems, and only for educational purposes or for the organisation of co-curricular events and in compliance with the School's Information and Communication Technology (ICT) Policy and Social Media Policy;
- (p) immediately notifying the Principal or Principal's delegate if they become the subject of any child safety investigation or become charged with any offence related to child safety;
- (q) complying with their professional and employment obligations, including any other relevant professional or occupational code of conduct such as the VIT Code of Conduct;
- (r) developing and exercising prudent judgment and sensitivity regarding appropriate physical interactions and only engage in physical interactions with students where it may be necessary, a required part of the educative process, beneficial and/or supportive;
- (s) complying with any lawful and reasonable direction by the School; and
- (t) cooperating with any child safety investigation by the School or any regulatory authority.

4. Unacceptable behaviours

Representatives must not:

- (a) engage in any form of child abuse, including behaviour that could constitute grooming;
- (b) ignore or disregard any suspected or disclosed child abuse;
- (c) develop any 'special' relationships with students that could be seen as favouritism, including but not limited to:
 - (i) the offering of gifts or special treatment for specific students;

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- (ii) attending parties or socialising with students outside of organised School events;
- (iii) sharing personal details about their private life with students; and
- (iv) meeting with students outside of school hours without permission from the School;
- (d) exhibit behaviours with students which may be construed as unnecessarily physical (for example, sitting on laps, massages);
- (e) engage in conduct towards or in the presence of a student that suggests contempt, ridicule or intolerance, including because of the student's or another person's race, culture, religion, gender, sexuality or disability;
- (f) subject any student to any form of corporal punishment;
- (g) put students at risk of abuse (for example, by locking doors);
- (h) initiate unnecessary physical contact with a student or do things of a personal nature that a student can do for themselves, such as toileting or changing clothes;
- (i) engage in open discussions of a mature or adult nature in the presence of students (for example, personal social activities);
- (j) use inappropriate language in the presence of students;
- (k) express personal views on culture, race or sexuality in the presence of students;
- (l) discriminate against any student, including because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability;
- (m) have contact with a student or their family outside of school without School Leadership's knowledge, and/or consent or the Principal (for example, unauthorised after-hours tutoring, private instrumental/other lessons or sport coaching); this does **not** include accidental contact, such as seeing people in the street;
- (n) have any online contact with a student (including by social media, email, instant messaging, etc.) or their family, unless that contact is limited to providing information about the School, or is connected directly to the school work of the enrolled student;
- (o) use any personal communication channels/device such as a personal email account, social media or instant messenger accounts to make contact with students;
- (p) exchange personal contact details such as phone numbers, social networking sites or personal email addresses;
- (q) drive a student in their car unless they have parental consent;
- (r) put themselves in a position where there is a conflict of interest;
- (s) become 'friends' with, follow or add a student on any social media platform;
- (t) photograph or video a student without the consent of the parent or guardians;
- (u) share or request any photographs, videos, recordings or personal information about students without the School's consent, including on any of their own social media platforms;
- (v) work with a young person while under the influence of alcohol or illegal drugs;
- (w) consume alcohol or drugs at school or at school events in the presence of students or supply any student; and
- (x) supply any student with drugs or alcohol.

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5. Professional Boundaries

All Representatives must maintain professional boundaries at all times, including outside school hours and activities. Further guidelines are contained in the EREA Code of Conduct.

Representatives should be aware that where a relationship develops with an ex-student, EREA and the School is entitled to consider whether the Representative's actions suggest/suggested an abuse of their position as a Representative including if professional boundaries between the Representative and the student were infringed. A judgment that abuse of their position has occurred would constitute serious misconduct and may result in the Representative's employment or engagement being terminated, together with mandated reporting to appropriate child protection agencies.

6. Personal relationships with students

Where personal relationships with students such as family relationships and close friendship networks exist, questions of conflict of interest may arise and professional boundaries may be tested.

Where such a situation may arise, a Representative is expected to:

- (a) be diligent in developing and maintaining professional boundaries;
- (b) take steps to ensure any potential conflict of interest is avoided; and
- (c) comply with the School's policy to make relevant disclosures to the Child Safety Officer and/or the Principal.

7. Policy compliance

7.1 Breach of this policy

EREA and the School take their child safety obligations very seriously.

Representatives that breach this Code may be subject to disciplinary action, including and up to termination of their employment or engagement.

Individuals that are aware of a suspected breach of this Code should refer to the School's Child Safety reporting procedure - PROTECT: Identifying and Responding to Abuse – Reporting Obligations and Reporting Allegations of Abuse – Procedure and should make a report to a Child Safety Officer. All reports will be treated seriously and confidentiality.

The School is required to report to the VIT any charges, committals for trial or convictions in relation to a sexual offence by a registered teacher or certain allegations or concerns about a registered teacher.

The School may also be required to report concerns to the Police, Commission for Children and Young People and/or the Department of Health and Human Services.

7.2 Policy review

A review of this Code shall be conducted every three years or earlier if required, such as due to changes in legislation.

The EREA Board is responsible for ensuring this policy is reviewed and updated as needed and endorsing this policy.

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8. Related policies, procedures and legislation

8.1 School policy linkage

This Code should be read in conjunction with the following related documents:

- (a) Child Protection and Safety Policy;
- (b) Student Code of Conduct;
- (c) PROTECT: Identifying and Responding to Abuse – Reporting Obligations;
- (d) Reporting Allegations of Abuse – Procedure
- (e) Student Behaviour Management Policy; and
- (f) Student Bullying and Harassment Prevention and Intervention Policy.

8.2 EREA policy linkage

This Code should be read in conjunction with the following related documents:

- (a) EREA Statement of Commitment to Child Safety;
- (b) EREA Code of Conduct;
- (c) EREA Child Safeguarding Framework; and
- (d) EREA Child Safety Strategy

8.3 Other related documents

- (a) Victorian Catholic Education Multi-Enterprise Agreement 2018; and
- (b) VIT Code of Conduct.

8.4 Related legislative instruments:

- (a) *Education and Training Reform Act 2006* (Vic);
- (b) Ministerial Order 870;
- (c) *Crimes Act 1958* (Vic);
- (d) *Child Wellbeing and Safety Act 2005* (Vic);
- (e) *Children, Youth and Families Act 2005* (Vic); and
- (f) Child Safe Standards Victoria.

DECLARATION

I confirm that I have been provided with a copy of the above Code of Conduct.

I confirm that I have read and understood the Code and understand that I am required to comply with the Code. I acknowledge that if I breach the Code, I may be subject to disciplinary action, including termination of my engagement with the School.

Name: _____

Organisation/Position: _____

Signature: _____

Date: ____ / ____ / ____

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