

POLICIES AND PROCEDURES

Policy Name	Child Safety Code of Conduct
Constructed by	Corporate Services Manager
Reviewed and Approved by	Executive
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Introduction

Yarra Valley Grammar (the **School**) is committed to promoting and protecting the interests and safety of children. The School has no tolerance for child abuse. Everyone working at the School is responsible for the care and protection of children and for reporting information about child abuse.

Any form of abusive, derogatory, discriminatory, offensive or intimidating behaviour or language by adults towards children and young people, or children towards other children and young people, is not acceptable.

A person must not engage in any action that is, or may be perceived by a reasonable observer as, grooming behaviour. Comments or actions that are negatively and unreasonably critical of a person's culture, ethnicity, language, gender identity, disability, sexuality or age, are unacceptable.

The School is committed to upholding the diverse needs of children and young people, and their families, including but not limited to the diverse and cultural needs of Aboriginal and Torres Strait Islander children,

children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable.

The objective of this Code is to promote child safety and wellbeing in the School Environment.

Scope

Management, employees, ministers of religion, volunteers, homestay families, contractors and Board members (**Staff**) at the School must abide by this Code. This Code must be read in accordance with any relevant legislation, the Child Protection Policy and Procedure, the Staff Codes of Conduct and any other applicable professional or occupational codes of conduct that regulate School employees, such as the Victorian Institute of Teaching Codes of Conduct.

All teachers are required to follow the Victorian Institute of Teaching's (**VIT**) Code of Conduct.

This Code applies in all School Environments including homestay accommodation. This term is defined in the Child Protection Policy.

Acceptable behaviours

All people involved in the care of children on behalf of, or in connection with, the School must:

- (a) conduct themselves in a manner consistent with their position as an employee, partner, volunteer or contractor of the School and as a role model to children and young people;
- (b) treat all people with respect and be open to and accepting of diversity and difference in people's backgrounds, work style and personal preferences;
- (c) promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children and young people, including by:
 - never questioning an Aboriginal and Torres Strait Islander child or young person's self-identification;
 - acknowledging and appreciating the strengths of Aboriginal and Torres Strait Islander culture,
 - not tolerating any instances of racism; and
 - facilitating the participation and inclusion of Aboriginal and Torres Strait Islander children;
- (d) promote the safety, participation and empowerment of children and young people with culturally and/or linguistically diverse backgrounds, and/or with disabilities (for example, by having zero tolerance of discrimination or bullying);
- (e) pay particular attention to the needs of vulnerable children and students, by actively providing support, to ensure equity is upheld;
- (f) listen and respond to the views and concerns of children in child-friendly ways, particularly if they are telling you that they are or another child has been abused or that they are worried about their safety/the safety of another child;
- (g) raise concerns, issues or problems about the suspected risk to a child with a Child Safety Officer;
- (h) record and act upon all allegations or suspicions of abuse, discrimination or harassment;
- (i) recognise the importance of friendships and encourage peer support, including by taking action in response to bullying;
- (j) respect confidentiality when sharing information about children and young people in accordance with the Child Protection Policy and their reporting obligations;
- (k) establish and maintain a child-safe environment in the course of their work, including by:
 - championing child safety;

- be professional in their actions;
 - maintain strict impartiality;
 - comply with their professional and employment obligations and relevant professional regulator, including any other relevant professional or occupational code of conduct (such as the VIT Code of Conduct); and
- (l) contact the police if a child is at immediate risk of abuse (telephone 000).

Unacceptable behaviours

All people involved in the care of children on behalf of the School must not:

- (a) spend time alone with a child or young person where there is risk, particularly overnight;
- (b) take a child or young person to their home or encourage meetings outside program activities;
- (c) engage in rough physical games, hold, massage, kiss, cuddle or touch children in an inappropriate and/or culturally insensitive way;
- (d) practice favouritism when building relationships with children. The giving and receiving of gifts, giving extra attention, accepting a different standard of behaviour from a child or young person having 'special time' with a child or young person must be appropriate and justified as a strategy to meet teaching and learning outcomes;
- (e) speak to a child or young person in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Some examples are:
 - swear in the presence of a child;
 - yell at a child or young person, except in an emergency situation where the child's safety may be in danger;
 - deal with a child while the adult is angry with the child; and
 - use hurtful sarcasm.
- (f) intentionally cause a child to be isolated from peers;
- (g) dismiss a complaint, concern, disclosure or allegation about child abuse, or ignore or disregard a child telling them they do not feel safe;
- (h) state or imply that it is the victim's responsibility to inform the police of an allegation of child abuse;
- (i) discourage anyone from reporting a complaint or concern relating to child abuse;
- (j) initiate out of hours contact with a student;
- (k) use, possess, or be under the influence of illegal drugs while in the presence of a child;
- (l) use, possess, or be under the influence of alcohol while supervising a child;
- (m) provide or allow a child to consume alcohol or illegal drugs;
- (n) engage in any sexually oriented conversations with a child unless the conversations are part of a legitimately arranged instructional activity dealing with human sexuality issues;
- (o) discuss sexual activities with a child unless it is a specific job requirement and the person is trained to discuss these matters;
- (p) be naked in the presence of a child;
- (q) possess sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.);
- (r) sleep in the same beds, sleeping bags or small tents with a child or young person; and/or
- (s) engage in sexual contact with a child.

For the purposes of this Child Safety Code of Conduct, sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse or the touching of an erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person.

Use of electronic communications

Electronic communication between a staff member of the School and a student and/or their families should only occur for reasons relating to the School community and for educational purposes. The School environment includes online and virtual environments made available to students by the School.

Such communication:

- (a) should pertain to issues directly associated with a class, activity or trip; and
- (b) should not be used to promise unauthorised social activity or to arrange unauthorised contact.

Staff are reminded they must not:

- (a) post images on school communication channels that offer personal information such as address, phone numbers, email address and instant messaging names;
- (b) use of images of students as screen savers or backgrounds on personal electronic devices;
- (c) exchange personal contact details with students;
- (d) store images of students on their personal devices;
- (e) possess, post or transfer obscene or pornographic images, and that the law is extremely strict with reference to images of young people;
- (f) engage with students on social media platforms outside the School environment, including becoming 'friends' with, follow or add a student on any social media platform (unless the Staff Member is related to that student);
- (g) unreasonably interfere with a student's privacy, access to information, social connection or learning opportunities online. An interference will be unreasonable when it is not necessary for the safety and/or discipline (in line with the School's Behaviour Management Policy) of the student.

The collection and storage of photographs or images of children must be for educational or professional purposes. Use of social media and posting of student images by students, employees, contractors, volunteers or members of the Board must be consistent with the School's Social Media Policy and School Interaction on On-line Social Networks Procedures.

Physical Contact

It is the overall principle that all forms of physical contact should be avoided where possible. Staff must engage in physical contact with children only to the extent that it is reasonably necessary in all the circumstances and use no more contact or force than is absolutely necessary. For example, the School recognises that:

- (a) occasionally physical contact between Staff and students may be reasonably necessary and appropriate to provide appropriate instruction, such as demonstrating where to place fingers on an instrument or how to hold a cricket bat; and
- (b) physical contact may be required in an emergency situation to remove children quickly from danger or threat of danger.

Other examples of appropriate and acceptable physical contact for the duty to be performed include:

- (a) Applying medical treatment;
- (b) Comforting an upset student;
- (c) Guiding a student in a non-threatening manner;

(d) Separating students who are fighting.

The physical contact referred to above is only acceptable if the contact was reasonable necessary for the purposes of discipline, management or care of the student. The contact must also be appropriate given the student's age, maturity, health or other characteristics.

In the case of a student with special needs, physical contact with the student is to be consistent with the management and/or support plans developed for that student.

Staff are prohibited from using physical discipline in any way for behaviour management of children and young people. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviours by children and young people.

Appropriate contact between employees, ministers of religion, volunteers, contractors, Board members and children is part of normal human relationships. Some considerations and guidelines include the following:

- (a) consider the child or young person's age, developmental level, maturity and level of care required, for example, touching a child to gain their attention, guiding or comforting a distressed child or young person;
- (b) work in an open environment; for example, in confidential interviews or a one-to-one meeting, the door should be open with visual access (NB: exceptions apply for professions with strict confidentiality requirements);
- (c) be alert to cues from children about how comfortable they are in your proximity and respect their need for personal space;
- (d) be sensitive when interacting with children who may misinterpret your actions, such as those who may have been traumatised by abuse;
- (e) be aware of cultural norms that may influence the interpretation of your behaviour or what is acceptable in terms of personal space;
- (f) be cautious about physical contact in games or practical instruction. If you need to make physical contact for demonstrations, explain the activity and what you will do, maintain a safe and appropriate distance;
- (g) physical contact should be made in a way that makes children and young people feel comfortable, for example, a high five or fist bump. Massaging a child or allowing a child to massage you is inappropriate physical contact;
- (h) all forms of physical contact should therefore be avoided where possible. The School has a Student Wellbeing team who bring appropriate qualifications in addressing the mental, physical, spiritual and emotional needs of students.

The School's Policy on Bullying and Violence also addresses physical contact.

Transportation and off-site events

Other than in an emergency or other abnormal situation where no other option could be reasonably foreseen, it is not acceptable to transport children or young people without written permission of their parent, carer or guardian.

Children and young people should be transported directly to their destination. No stops should be made other than those that are reasonably scheduled for meals or comfort stops.

It is prohibited to have children or young people spend the night at the residence of an employee, volunteer or contractor without prior approval from their parent or guardian.

Changing and showering facilities or arrangements for adults must be separate from facilities or arrangements for children and young people. Staff Members must not shower or change in front of students.

Staff must always knock and advise of their presence prior to entering a bedroom or dormitory of students. While in a bedroom or dormitory, Staff must uphold and maintain a strict approach to this Code, for example, maintain a strict professional manner by not sitting on a student's bed.

Privacy and confidentiality

Disclosing Information to Employees, Volunteers, Contractors and Board Members

When children or young people are having a written or verbal interaction with Staff of the School, that interaction is confidential to the School and not to the individual. This means an employee, minister of religion, volunteer, contractor or Board member is able to talk with other employees, ministers of religion, volunteers, contractors or Board members in a way that identifies the child or young person. That said, where possible, the privacy of the child or young person should be respected at all times. When considering interfering with a child or young person's privacy, who and how many people are told should be based on what is believed to be in the best interests of the child or young person. In all cases, the advice of a Child Safety Officer should be sought before discussing with other personnel.

Disclosing Information to People External to the Organisation

Staff should **not** discuss private matters about children or young people with people outside the School in a way that identifies that child or young person except when they have the express consent of the child or young person (or guardian), or the disclosure complies with the Child Protection Procedure.

In circumstances where employees, ministers of religion, volunteers, contractors and/or Board members believe there is not enough knowledge within the School to provide the best possible assistance to a child or young person, they are able to seek expertise external to the School. When communicating with people outside the School, the child or young person's identity should be protected.

Informing Children

It is the responsibility of the School to communicate the limits of privacy in the School to children and young people who are likely to have an ongoing relationship with the School.

Breaches

Staff must comply with this Child Safety Code of Conduct. Staff must report any breach or suspected breach of this Child Safety Code of Conduct to a CSO or the Principal as soon as possible after becoming aware of it.

If the School becomes aware of a breach or suspected breach, it will take immediate steps to ensure the safety and wellbeing of any child who may be at risk. A breach of this Child Safety Code of Conduct may result in disciplinary action (including termination of engagement or employment with the School).

Suspected breaches will be investigated in accordance with the Child Protection Policy and any relevant legislation (for example, the Reportable Conduct Scheme), and in a manner that provides procedural fairness, while considering child safety as paramount.

Related legislation and contacts

- Children, Youth and Families Act 2005 (Vic);
- Children Wellbeing and Safety Act 2005 (Vic)
- Crimes Act 1958 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Victorian Institute of Teaching Act 2001 (Vic)
- Department of Families, Fairness and Housing (**DFFH**) Child Protection – North-eastern rural and regional office 1300 360 391 – After hours 131 278
- Child Protection Crisis Line – 24 Hours, seven days a week. Telephone: 13 12 78
- Social Services Regulator (**SSR**) – Tel. 1300 310 778
- Commission for Children and Young People (**CCYP**) – Tel. 1300 78 29 78
- The Orange Door (operated by DFFH and formally the Child and Family Information, Referral and Support Team, or Child FIRST) – Tel. 1300 369 146