



Child Safety Code of Conduct

1. Introduction

1.1 Background

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

St Kevin's College is a Catholic College for boys in the Edmund Rice tradition. St Kevin's College is committed to providing a caring, supportive and safe environment where every student has a place, a voice and their story is known. The Edmund Rice Education Australia Board (EREA Board) is committed to providing safe and supportive environments where all children and young people entrusted to our care are affirmed in their dignity and worth as a person.

This Code has been drafted in consultation with the College's employees, Board/Committee members and parents/guardians. It has been drafted taking into account the diversity of the College environment, including but not limited to the needs of Aboriginal and Torres Strait Islander students, students from culturally and linguistically diverse backgrounds, students with disabilities, students who identify as part of the *LGBTQIA+ community and students who are vulnerable.

1.2 Purpose

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

This Code should be read in conjunction with the College's Staff Code of Conduct and the College's Child Safeguarding (Safety and Protection) Policy and Procedures.

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

*LGBTQIA+ is an evolving acronym that stands for **lesbian, gay, bisexual, transgender, queer/questioning, intersex, asexual and more.**

1.3 Scope

This Code applies to all individuals who are working at, or visiting, the College environment (herein after referred to as “individuals”). Individuals are required to comply with the code at all times. This includes:

- All employees (teachers, administration, education support, temporary, clergy, casual, sports coaches and assistants).
- Advisory Council Members and Committee members
- Parents and carers (when visiting or representing the College)
- External education providers
- Contractors
- Teaching students on placement and visiting gap students
- Volunteers
- Visitors

It applies to all aspects of such individual’s engagement with the College and its students (including students aged 18 and over). All such individuals 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 College setting, including outside of normal College hours, outside of College 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 College grounds or during or outside College 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 individual and the student.

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

2. Roles and responsibilities

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

The Edmund Rice Education Australia Board (EREA Board) is the College's governing authority. The EREA Board is responsible for reviewing, endorsing and making publically available this Code to ensure compliance.

The EREA Board has delegated authority to the Principal to implement this Code. This includes ensuring all individuals are aware of this Code and attest to compliance with the Code. The Principal will ensure that the Code is publicly available on the College's website.

3. Acceptable behaviours

All individuals 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 individuals are responsible for supporting the safety of students by:

- (a) adhering to the College's Child Safeguarding (Safety and Protection) Policy, this Code, the Staff or Parent Code of Conduct (as applicable) and 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 College'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 College community with respect, modelling positive and respectful relationships and acting in a manner that sustains a safe, educational and pastoral environment;
- (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, LGBTQIA+ students, students with a disability, vulnerable students and students with complex needs;

- (g) respecting the language, customs, religions and cultures of a student;
- (h) ensuring as far as practicable that individuals are not alone with a student unnecessarily or in a manner unrelated to the College or their role;
- (i) reporting any allegations of child abuse or child safety concerns in accordance with the College's Child Safeguarding (Responding and Reporting) Policy and Procedures;
- (j) reporting any suspected breach of this Code by any other individual to the Director of Child Safeguarding, a member of the College Leadership Team 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 College's policies and procedures;
- (m) respecting the confidentiality and privacy of students and acting in accordance with the College's Privacy Policy;
- (n) exercising prudent judgement and intervention consistent with the College's Student Behaviour Policy 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 College's technology systems, and only for educational purposes or for the organisation of co-curricular events and in compliance with the College's Digital technologies Acceptable Use Agreement;
- (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 College; and
- (t) cooperating with any child safety investigation by the College or any regulatory authority.

4. Unacceptable behaviours

Individuals 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;
 - (ii) attending parties or socialising with students outside of organised College events without College Leadership's knowledge, and/or consent of the Principal;
 - (iii) sharing personal details about their private life with students; and
 - (iv) meeting with students outside of College hours without permission from the College without College Leadership's knowledge, and/or consent of the Principal;
- (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 College without College Leadership's knowledge, and/or consent of 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 College, or is connected directly to the College 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 the express consent of the Principal and the parent or guardian;
- (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 College'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 College or at College events in the presence of students or supply any student; and
- (x) supply any student with drugs or alcohol.

5. Professional Boundaries

Whilst working at or for the College or visiting the College environment, all individuals must maintain professional boundaries at all times.

Individuals should be aware that where a relationship develops with an ex-student, the College is entitled to consider whether the individual's actions suggest/suggested an abuse of their position at the College including if professional boundaries between the individual and the student were infringed. A judgment that abuse of their position has occurred would constitute serious misconduct and may result in the individual'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, an individual 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 College's policy to make relevant disclosures to the Director of Child Safeguarding and/or the Principal.

7. Reporting

St Kevin's College Child Protection Program includes staff policies that provide detailed guidance for all staff (including contractors and volunteers) on how to maintain professional boundaries between students and adults at the College.

The Program contains information on how to identify key risk indicators of child abuse and how to report child abuse concerns to one of the College's nominated Child Safety Officers. It also contains procedures for the reporting of child abuse incidents to relevant authorities.

External education providers, contractors, volunteers, students, partners or other community members who have concerns that a child may be subject to abuse are asked to contact one of the College's Child Safety Officers.

Communications will be treated confidentially on a need-to-know basis.

8. Policy compliance

8.1 Breach of this policy

St Kevin's College take their child safety obligations very seriously.

Individuals 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 College's Child Safeguarding (Responding & Reporting) Policy and Procedure and should make a report to the Director of Child Safeguarding. All reports will be treated seriously and confidentiality.

The College 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 College 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.

8.2 Policy review

A review of this Code shall be conducted annually or earlier if required, such as due to changes in legislation or after any significant child safety incident.

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

9. Related policies, procedures and legislation

9.1 College policy linkage

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

- (a) Child Safeguarding (Safety and Protection) Policy and Procedures;
- (b) Staff Code of Conduct;
- (c) Student Code of Conduct;
- (d) Parent Code of Conduct;
- (e) Child Safeguarding (Responding and Reporting) Policy and Procedures;
and
- (f) Student General Safety Policy

9.2 Other related documents

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

9.3 Related legislative instruments:

- (a) *Education and Training Reform Act 2006* (Vic)
- (b) Ministerial Order 1359
- (c) *Crimes Act 1958* (Vic)
- (d) *Child Wellbeing and Safety Act 2005* (Vic)
- (e) *Children, Youth and Families Act 2005* (Vic)

10. POLICY APPROVAL STATUS

| POLICY RISK RATING | POLICY REFERENCE | ST KEVIN'S |
|------------------------------|------------------|-----------------------------------------------------|
| High | CSCC2022 | Principal |
| GOVERNING AUTHORITY APPROVAL | DATE APPROVAL | LOCATION |
| EREA Board | August 2022 | Complispace / Parent Portal / College Website |