NEWHAVEN COLLEGE

Student Safety and Wellbeing - Staff Code of Conduct

Last Review: Apr 26 v.2	**Constructed / Reviewed by:** Principal
Next Review: Nov 26 (and every two years thereafter in accordance with the College's review cycle, or more frequently as required)	**Approval Required:** Board
	Board Sign Off Date: 21 November 2024 **Implementation Date:** 20 January 2025

1 Introduction

At Newhaven College (**the College**), our expectations for the way staff conduct themselves are underpinned by:

- the College's values of Respect, Honesty, Empathy, Responsibility and Excellence;
- the College's core purpose, which is to provide an education which enables each of its students to achieve their personal best;
- the College's paramount consideration, which is the care, safety and welfare of its students; and
- respect for the College and members of the school community.

The College encourages staff to adopt positive behaviours, and recognises there will be times when staff make mistakes and poor decisions. At the same time however, the College must enforce certain standards to ensure its success, and the care, safety and welfare of the school community. Consequences, including disciplinary action, form part of the College's response when staff fall short of the College's standards.

All policies, protocols and procedures flow from the College's vision: Inspire young people with knowledge, empathy and curiosity to engage in their world with confidence and a sense of purpose.

This code (including the Schedules attached to this code) ensures that staff understand:

- The general standards of conduct and performance (referred to in this code as '**behaviour**') that are expected from all staff at the College.
- Examples of staff behaviour that falls short of the College's standards.
- The College's specific expectations with respect to the themes addressed in Schedule 1 regarding student safety and wellbeing, and in Schedule 2 regarding professional boundaries between staff and students.
- The obligations on staff to take responsibility for their own behaviour, both at and outside school, and to work with the College and colleagues cooperatively to achieve a productive, respectful and safe school environment and workplace.
- How the College responds to concerns about staff behaviour.

This code is not an exhaustive list of the standards that apply to staff in every aspect of a staff member's behaviour. Indeed, the College has many policies, procedures and rules which set out the College's expectations regarding staff behaviour (which continue to apply). Instead, this code sets out general expectations of the standards of behaviour required.

To the extent of any inconsistency between this code and any of the College's other policies, procedures and rules, the expectations and processes set out in this code shall prevail. In this respect, this code should be regarded as an overarching summary of the College's expectations and processes regarding staff behaviour. Nothing in this code should be taken to limit the circumstances in respect of which the College may take disciplinary action in respect of a staff member.

All staff must familiarise themselves with and comply with this code.

The processes outlined in this code are intended to be practical, non-adversarial and non-legal.

Whilst this code does not form part of a staff member's contract or terms of employment, staff are nonetheless required to comply with this code as it contains lawful and reasonable directions (with consequences of failing to do so set out in section 8 of this code).

The College reserves the right to vary, replace or withdraw this code at any time.

2 Application

In this code:

- '**College community**' includes the College's Board, the Principal, staff, students, parents and alumni.
- '**Staff**' and '**colleagues**' means employees (whether employed on a permanent, temporary or casual basis), university and work experience students on placement, contractors, labour hire workers, secondees and volunteers employed or engaged by the College.

This code applies to:

- All Board members, the Principal, employees, volunteers, contractors, labour hire workers, secondees and other authorised personnel required to perform functions on the College's premises, or at school-organised activities and events.
- Any other person who is engaged in student-connected work at the College, or that otherwise has direct and regular contact with the College's students (whether supervised or not).

The code applies at all times, to all staff for the duration of their employment or engagement. The application of this code is not limited to the College's grounds and operating hours. Indeed, this code also extends to situations when staff are:

- On College grounds.
- At any College-related activities and events (including speech nights, parent-student-teacher interviews, camps, and similar activities or events held by or in connection with the College).
- Representing the College, including when off-campus or in a digital environment.
- Travelling to and from the College, as well as to and from off-site activities or events.
- Wearing College logos or uniform (including staff name badges).
- Upholding the College's or a Teacher's legal duty of care owed to students.
- Otherwise engaging in behaviour which in the reasonable opinion of the College may adversely affect student safety and wellbeing, student relationships, staff health and safety, staff-student relationships, perceptions regarding a staff member's professionalism, a staff member's relationships with other members of the school community, or the reputation of the College.

In some cases, this code will apply to staff interactions with former students.

This Code is in addition to profession specific codes of conduct, such as the Victorian Institute of Teaching's (VIT) Standards of Professional Practice and Code of Conduct for teachers that outline behaviours expected by all teachers in Victoria. College staff must also comply with other codes of conduct, policies and procedures at the College that apply to them, including the *Student Safety and Wellbeing Policy*.

3 Related Documents

3.1 Legislation

- *Worker Screening Act 2020* (Vic)
- *Education and Training Reform Act 2006* (Vic)
- *Child Wellbeing and Safety Act 2005* (Vic)
- *Children, Youth and Families Act 2005* (Vic)
- Ministerial Order 1359
- Victorian Teaching Profession Code of Conduct

3.2 Schedules to this Policy:

- Schedule 1: Student Safety and Wellbeing
- Schedule 2: Professional boundaries

3.3 Overview of Student Safety and Wellbeing policies and documents

Document	Overview
Student Safety and Wellbeing Policy	This policy sets out the College's overarching obligations and commitment to ensuring student safety and wellbeing, and summarises the College's strategies for achieving these. The policy also explains how the College's other student safety and wellbeing policies and procedures interact.
Student Safety and Wellbeing - Staff Code of Conduct	This code outlines staff behaviours align with the College's commitment to student safety and wellbeing, and what behaviours are unacceptable.
Student Safety and Wellbeing – Raising and Responding to Concerns Policy	This policy outlines how members of the school community may raise concerns about child abuse, reportable conduct and other student safety and wellbeing matters. This policy sets out how the College will respond to such concerns (including by complying with the College's mandatory reporting obligations).
Student Safety and Wellbeing – Record Retention Policy	This policy outlines the College's obligations with respect to keeping records relating to the care, safety and welfare of students, and adopts the Public Record Office Victoria Recordkeeping Standards.

4 The College's commitment to promoting positive behaviours

The College is focused on helping staff develop behaviours which contribute positively to the success of the College. Accordingly, Table 1 sets out behaviours that all staff at the College are expected to 'Do':

DO	
• Conduct themselves at all times, both personally and professionally in a manner that upholds the ethos, reputation and values of the College • Carry out their duties in a professional, competent and conscientious manner • Seek opportunities to improve their knowledge and skills, including by participating in relevant professional development, school-related learning activities and staff meetings • Act honestly and in good faith in fulfilling their duties and responsibilities • Ensure that their interactions with others reflect the College's values	• Comply with all College codes of conduct, policies, procedures and rules • Act ethically and responsibly • Be accountable for their actions and decisions • Be familiar and comply with any legal, industry or professional requirements that apply to a staff member's duties and responsibilities (including under work health and safety laws)

• Model appropriate behaviour for the College's students • Be collaborative, courteous, respectful and prompt in dealing with other people in the school community (and when otherwise representing the College, whether formally or informally) • Respect the College's property, and the property of other members of the school community • Act in accordance with the College's reporting obligations (including as detailed in the College's *Student Safety and Wellbeing – Raising and Responding to Concerns Policy*, as required under the Child Safe Standards, as well as any obligations which apply to them personally	• Perform their duties and responsibilities to the best of their ability and be accountable for their performance • Follow reasonable instructions given by their supervisor or delegate • Comply with the College's lawful and reasonable directions and all legislation applicable to their position • Support the delivery of high quality education to the College's students • Comply with any other expectations outlined in the Schedules

5 Behaviours that may fall short of our expectations

As in any school, there are a range of staff behaviours which fall short of the College's standards.

These include behaviours which:

- Are contrary to the DO behaviours set out above.
- Are one of the Do NOT behaviours set out in Table 2 below.
- Are contrary to the College's other codes of conduct, policies, procedures and rules.
- Are contrary to the College's values.
- Are contrary to the expectations set out in a staff member's employment contract or offer of employment.
- Are contrary to any legal, industry or professional standards that may apply to a staff member. This includes, in the case of Teachers, the standards set out in the VIT's Standards of Professional Practice and Code of Conduct.
- Otherwise pose risk to the care, safety and welfare of a member of the school community.

DO NOT	

• Act contrary to the expectations outlined in:
  ○ Table 1 – 'DO' behaviours
  ○ The Schedules
• Engage in disrespectful, rude or insulting behaviour (including but not limited to sarcasm, derogatory remarks, inappropriate familiarity, behaviour that is passive aggressive, threatening or intimidating behaviour, or social exclusion)
	• Be abusive, derogatory, threatening, intimidating, discriminatory or use disparaging language
	• Engage in physical abuse or violence
	• Intimidate or victimise others
	• Be aggressive, whether through words, conduct or gestures
	• Engage in bullying, discrimination, sexual harassment, or vilification (or behaviour that is perceived to constitute any of the above)

Section 8 outlines the College's general response to dealing with staff misconduct. In summary, the response process involves: understanding the concerns, investigating, making findings, and determining consequences.

6 Concerns about the practicality of this code

If a staff member is concerned that compliance with a particular aspect of this code is not practical, or otherwise has questions about this code, the staff member should promptly – and before acting contrary to this code – raise the concern with their supervisor or the Principal.

7 Compliance

This code takes into account the interests of all students who are educated at the College, and all College staff. This code is intended to complement other professional or occupational codes of conduct that regulate particular staff at the College (for example, The Victorian Teaching Profession's Code of Conduct by VIT and the Australian Counselling Associations Code of Ethics and Practice).

8 Breach of this Code

"*The standard you walk by is the standard you accept.*"

Staff are encouraged to be upstanders, as it is no longer appropriate to be a bystander to the unacceptable behaviour of others. It is expected that all staff will promptly report any concerns or information about possible breaches of this code (whether by themselves or colleagues) to their supervisor or the Principal.

8.1 Interim measures

The College has discretion to implement interim measures it considers appropriate in the circumstances pending the outcome of an investigation (see below) about a staff member's alleged conduct. This may include circumstances where the College forms concerns:

(a) That a staff member has or may have breached this code (or otherwise, the College's other directions, codes of conduct, policies, procedures, rules or values).

(b) About the staff member's health and wellbeing.

(c) About the health and wellbeing of other students or staff.

(d) Of a nature that the College considers it appropriate to exercise its direction to implement interim measures pending the outcome of any inquiries.

Interim measures may include (but are not limited to) suspending a staff member with or without pay whilst the College conducts an investigation, and/or providing interim directions.

8.2 Investigation

The College will investigate breaches of this code in accordance with principles of procedural fairness. In the context of this code, procedural fairness primarily means affording a staff member an opportunity to be heard regarding any specific concern before a decision is made about the outcome.

The College recognises that all individuals can make mistakes. However, where concerns about a possible breach of this code arise, the College expects the staff member concerned to demonstrate a commitment to the College's standards and values by displaying cooperation, accountability, insight and transparency.

After completing enquiries and considering the available information, the College is responsible for determining when conduct of a staff member falls short of the College's standards, and warrants consequences. The final decision regarding such matters rests with the Principal.

Where inconsistent accounts from investigation participants are received, the College will endeavour to resolve these. Nonetheless, it is open for the College to make findings in "*he said/she said/they said scenarios*" on the basis of the information available.

8.3 Consequences

When a staff member's conduct falls short of the College's expectations, consequences will usually include disciplinary action (which may involve counselling, a warning or termination of employment). Breaches of the code also result in notifications to appropriate authorities and/or the Police.

The nature of the consequences will depend on the nature and seriousness of the conduct, and any other relevant considerations (including whether the conduct is isolated or repeated, the context in which the conduct occurred, and the consequences and risks created by the conduct). Ultimately, any consequences which involve a staff member's ongoing employment require that there remain trust and confidence in a staff member's capacity and willingness to uphold the standards outlined in this code.

The final decision regarding consequences rests with the Principal.

9 Policy

9.1 Communication

This code is made publicly available on the College's website.

This code is available to staff as part of the College's and the Board's internal policies and procedures. Aspects of (and updates to) the College's student safety and wellbeing framework, including this code will be addressed in the College's professional development updates, training programs, bulletins and newsletters.

9.2 At Board / Principal Level

To properly implement this code:

(a) The Board and Principal will review this code and the College's student safety and wellbeing practices at least every two years (or more frequently, including in response to legislative amendments, an incident, changes to the College's internal procedures or practices, or otherwise as requested by the Principal) and implement improvements where applicable.

(b) Families and the school community will be afforded the opportunity to contribute to the review and development of the College's student safety and wellbeing policies and practises (including this code).

(c) Periodic training and refresher sessions on this code are provided to all staff.

(d) The Principal is responsible for monitoring staff compliance with this code. All staff must ensure that they abide by this code and assist the College implementing this code.

9.3 At Other Levels

To properly implement this code, all staff must ensure that they will abide by this code and assist the College in the implementation of this code.

Schedule 1: Student Safety and Wellbeing

1 Introduction

This Schedule is a child safety code of conduct made in accordance with *Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Colleges and the College Boarding Premises.*

This Schedule should be read in conjunction with the College's *Student Safety and Wellbeing Policy* and *Student Safety and Wellbeing – Raising and Responding to Concerns Policy*.

2 Commitment to student safety

The College is committed to protecting its students from all aspects of harm and has established strategies, practices, policies and procedures to uphold its public commitment to student safety and wellbeing.

The College takes a zero tolerance approach to any behaviours that jeopardise student safety and wellbeing (including child abuse and reportable conduct). Accordingly, this Student Safety and Wellbeing – Staff Code of Conduct:

- Establishes a clear list of acceptable and unacceptable behaviours by members of the school community towards students, with the ultimate aim of protecting such students from harm.
- Offers guidance to staff and informs them of considerations relevant to personal, professional and ethical decision making.
- Serves to protect students, eliminate or otherwise reduce opportunities for child abuse or reportable conduct to occur, and promote student safety and wellbeing in the school environment.
- Provides guidance on how to best support students and how to avoid or better manage difficult situations.

3 Student protection

Specifically, staff will:

DO
• Behave as a positive role model to students, including through words, conduct and actions. • Promote the care, safety and welfare of students. • Provide a learning experience which is consistent with the College's and relevant professional or occupational codes of conduct, which supports students to achieve their personal best, and takes into account individual learning and behavioural needs. • Act consistently (both in person and in the online environment) with the College's student safety and wellbeing strategies. • Treat all students and members of the school community with courtesy and respect (including by modelling positive, impartial, professional and respectful behaviour and relationships and acting in a manner that sustains a safe, educational and pastoral environment for students). • Take all reasonable steps to protect students from harm (examples of which include, but are not limited to bullying, child abuse, discrimination, grooming, sexual harassment, neglect, sexual misconduct, sexual offences, physical violence, reportable conduct and victimisation). • Be aware of and alert to risk factors related to and indicators of harm in students, and where appropriate, report such risks or indicators to the Principal, a member of the College Leadership Team, or a Student Safety Officer and the relevant authorities. • Provide appropriate supervision for students with regards to age, individual needs and the specific environment. • Ensure, as far as is reasonably practicable, that staff are not alone with students unless it is necessary to fulfil the staff member's duty of care or professional duties. • Comply with any directions, guidelines, policies, procedures and rules promoted by the College with respect to student safety and wellbeing. • Respect personal differences (including differences regarding cultures, disability, ethnicity, gender, religion, race, political matters, gender diversity and sexuality) and encourage others to do the same. • Promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students to ensure equity is upheld and diverse needs are respected (for example, by never questioning their self-identification and by recognising the importance of such student relationships with their extended family and community, including Elders).

DO
• Providing particular attention to the needs of students with a disability (or otherwise, additional needs), students from culturally and linguistically diverse backgrounds, international students, students who identify as LGBTQIA+ (or who are otherwise gender diverse) and those students who are unable to live at home. • Inform and empower all students about their rights, including in relation to safety and wellbeing, information and participation. • In an online environment, identify and mitigate risks while ensuring students' rights to privacy, access to information, social connections and learning opportunities are upheld. • Use positive and affirming language toward students. • Recognise that some students need extra care, and provide those students with support, advocacy or skills for the students to advocate for themselves. • Encourage students to 'have a say' and participate, then listen to them with respect. In particular, listen and respond to the views and concerns of students, particularly if they are telling you that they or another student has been abused (or that they are worried about their safety and wellbeing or the safety and wellbeing of another student). • Encourage and support students who raise safety and wellbeing concerns (including about actual and suspected child abuse or reportable conduct). • Seek input from families in relation to decisions impacting students, and act to reduce barriers to inclusion taking into account the diverse needs of students and their families. • Respect cultural, religious and political differences, and encourage others to do the same. • Help provide an open, safe and supportive environment for all students to interact, and socialise. • Intervene when students are engaging in inappropriate behaviours towards each other, or towards others. • Promptly report any breaches of this code. • Report concerns about student safety and wellbeing (including actual or suspected child abuse or reportable conduct) to the Principal, the College Leadership Team, or to one of the College's Student Safety Officers. • Ensure that your legal obligations to report allegations externally are understood and met. • Ensure any response to a student's behaviour or circumstance is commensurate with the student's age and vulnerability (and the staff member's responsibility for the care, safety and welfare of the student). • Be aware of and alert to the risk factors of behaviour in breach of this code or that otherwise pose harm to students, and promptly report such concerns to the College. • Where an allegation of child abuse or reportable conduct is made, ensure (as far as it is quickly and reasonably possible) that the student(s) involved are safe.

DO
• Call the Police on 000 if you have immediate concerns for a student's safety and wellbeing. • Respect the privacy of others by not sharing personal information about a student (including any information that could be used to identify a student) unless necessary for their safety and wellbeing or to promote their wellbeing and educational experience. Where it is necessary to share personal information about a student, only do so in an environment where it will be treated confidentially. • Understand and comply with the College's record-keeping obligations.

However, staff must not:

DO NOT
• Engage in any form of inappropriate behaviour towards students (including by engaging in bullying, child abuse, discrimination, grooming, sexual harassment, victimisation, neglect, sexual misconduct, sexual offences, physical violence, reportable conduct or victimisation) or expose students to such behaviour. • Create a circumstance that places a student at risk of the behaviour described above (for example, by locking doors). • Use physical means or corporal punishment to discipline or control a student. • Engage in any form of behaviour that has the potential to cause a student serious or significant emotional or psychological harm. • Use prejudicial, oppressive behaviour or inappropriate language with or in the presence of students. • Promote views on cultures, disability, ethnicity, gender, religion, race, politics, gender diversity or sexuality in the presence of students (unless a valid professional context arises) or discriminate against any student based on such matters. • Engage in open discussions of a mature or adult nature (such as those that are not professional or age appropriate, or which otherwise involve a staff member's personal views or personal life) in the presence of students without a valid professional context. • Take, publish or disseminate (including online) photos, movies, videos or recordings of a student without parent consent. • Use inappropriate language, jokes or gestures in the presence of students. • Post online any information about a student that may identify them such as their: name, age, email address, telephone number, residence, school, or details of any association, club or group they may be affiliated with. • Ignore or disregard student safety and wellbeing concerns (including allegations of actual or suspected child abuse of reportable conduct). • Consume alcohol in the presence of students, unless at an official College function at which alcohol consumption by staff has been approved by the Principal. • Attend the College, or school-related activities and events, whilst under the influence of alcohol or illicit substances, or whilst affected by prescription medication to the extent that the ability to perform professional duties is impaired.

4 Report Concerns

Members of the school community (other than staff) who are aware of actual or suspect child abuse or reportable conduct, or who otherwise have concerns about a student's welfare, should immediately raise their concern directly with the College in accordance with the *Student Safety and Wellbeing – Raising and Responding to Concerns Policy*.

Whenever there are concerns that a student is in immediate danger, Victoria Police should be contacted on 000.

Staff should report any concerns about potential breaches of this code to the Principal (or the Board if the concern is about the Principal), and are otherwise required to comply with their reporting obligations under law and under any applicable College procedures (including the *Student Safety and Wellbeing – Raising and Responding to Concerns Policy*).

If no specific reporting procedure is specified for a certain issue, staff must:

- Where an allegation of child abuse is made: ensure as quickly as possible that the student involved is safe.
- If staff have immediate concerns for a student's safety; call the Police on 000.
- Report any actual, alleged or suspected reportable or unlawful conduct, breach of any College code of conduct, direction, policy, procedure, or rule, or any other student safety and wellbeing concern to the relevant Head of School or the Principal.

It is not acceptable, or consistent with the College's values, for staff to not report an issue simply because they were not directly involved (or because they only became aware of an issue outside the course of their employment with the College). Every member of staff has a role to play in ensuring that the College's standards are upheld.

Concerns can otherwise be raised in accordance with the *Grievance Policy (Staff)*.

5 Mandatory notifications

Staff must notify the Principal if:

- they are charged with or convicted of any offence or become aware that another staff member has been charged or convicted with any offence;
- they are the subject of an allegation, investigation or concern that may impact upon their eligibility to hold a Working With Children Check (or equivalent) or valid teaching registration;
- they are the subject of a personal safety intervention order (or equivalent) or any other family violence intervention order issued by a court of competent jurisdiction; or
- through their employment with the College, the staff member becomes aware of any crime involving theft, violence or a sexual offence committed by a person.

6 Responsibilities

Student safety and wellbeing is the responsibility of everyone at school. For further information refer to the Student Safety and Wellbeing Responsibilities set out in Schedule 2 of the Student Safety and Wellbeing Policy.

Schedule 2: Professional Boundaries

1 Introduction

This Schedule should be read in conjunction with the College's *Student Safety and Wellbeing Policy* and *Student Safety and Wellbeing – Raising and Responding to Concerns Policy*.

It is not possible for the College to definitively identify all possible circumstances in which a staff member may cross professional boundaries. Accordingly, this Schedule is designed to make certain expectations clear, and otherwise provide guidance and raise awareness about certain issues and situations where professional boundaries may be crossed.

There is no definitive source on where professional boundaries are in relation to interactions between staff and students.

Behaviour will cross professional boundaries because:

- It constitutes an actual abuse of a staff member's position of trust and authority over a student (e.g. child abuse and grooming).
- It involves the creation of a personal or 'special' relationship between a staff member and a student (e.g. giving gifts or providing preferential treatment).

Behaviour may cross professional boundaries because:

- It involves the perception of a personal or 'special' relationship between a staff member and a student (e.g. giving gifts or providing preferential treatment).
- It creates a situation whereby a student is more susceptible to inappropriate behaviour by others (e.g. asking students to keep secrets).
- It was unnecessary as part of a staff member's professional duties.
- It was contrary to the College's codes of conduct, directions, policies, procedures and rules.
- It was contrary to community standards.

In this regard, staff need to understand that behaviour may cross professional boundaries even if there is no romantic or sexual element to it. Indeed, behaviour can cross professional boundaries even with good intentions.

Some conduct (e.g. child abuse and grooming) is obviously unacceptable. In other cases, staff must take personal responsibility (and will be held accountable) for exercising professional judgment to ensure that appropriate boundaries are maintained, and that all interactions have a valid professional context. At all times, staff must err on the side of caution in deciding whether certain behaviour may cross professional boundaries.

This means that staff must:

- exercise good judgment;
- consider carefully the implications and potential consequences and risks of certain actions; and
- prioritise a student's own needs (including education, care, safety and welfare).

There may be limited circumstances where behaviours discouraged in this Schedule may be undertaken for legitimate and laudable reasons. For example, a staff member may wish to provide money to buy groceries for a disadvantaged student. However, a key theme of professional boundaries is ensuring that any behaviour which may raise questions is as transparent as possible (e.g. with Principal approval).

Questions which staff may wish to ask themselves when deciding whether a certain interaction with a student is appropriate, or perhaps warrants a discussion with the College leadership, include:

- *Do the College's codes of conduct, directions, policies, procedures and rules have anything to say about my behaviour?*
- *Am I dealing with a particular student differently from the way I deal with other students under the same circumstances?*
- *Would I be acting primarily for the student's benefit, or my own?*
- *Would I engage in the same behaviour if the Head of the College was present?*
- *Is it possible that my behaviour may be perceived negatively by others?*
- *Is there another option which better aligns with the College's expectations, and manages risk?*
- *Should I consult with, or seek approval from, someone else within the College?*

2 Be vigilant

2.1 Staff must not:

- Encourage or maintain a personal rather than professional relationship with any student.
- Engage in conduct that shows, or that can be interpreted as showing, a personal rather than a professional interest in a student.
- Hold conversations with a student of an intimately personal nature where they disclose information about themselves.
- Engage in sensitive conversations with students. In saying this, staff may, as part of their pastoral care role, sometimes be required to engage in sensitive discussions with students. However, staff must be extremely cautious about making personal comments about a student or asking questions that probe a student's sexuality or relationships.
- Give gifts or other benefits (whether monetary or non-monetary) to students.
- Invite students to their home.

- Visit students at their home.
- Attend parties or socialise with students.
- With the exception of those specifically engaged by the College as tutors or coaches, engage in tutoring or coaching students from the College.

2.2 Staff can maintain professional boundaries by:

- Promoting the care, safety and welfare of students.
- Not making physical contact with students without a necessary and valid professional context (e.g. to protect a student from imminent harm).
- Ensuring all communications with students have a valid professional context and occur via authorised College channels.
- Not being alone with students unless it is necessary to fulfil a staff member's duty of care or professional duties.
- Not holding conversations with a student of an unnecessarily personal nature (including those relating to sexuality or a student's relationships).
- Not unnecessarily sharing personal information with students.
- Not sharing food with students.
- Not engaging in any behaviour which may pose a risk to the care, safety and welfare of students (including bullying, child abuse, discrimination, emotional or psychological harm, physical violence, sexual harassment and sexual misconduct).
- Seeking guidance or approval when staff behaviour may be contrary to this code, or otherwise raise concern.

3 Relationships with students

Staff must not encourage, engage in or maintain a romantic, sexual or overly personal relationship with a student. It is irrelevant whether the relationship is with a student over the age of 18 years, is consensual or non-consensual, or is condoned by parents or caregivers.

Staff are reminded that:

- the law prohibits sexual relations with a person under the age of consent (16 years); and
- the law prohibits sexual relations between a teacher and their student under the age of 17 years.

Staff must also not engage in grooming or other forms of sexual abuse or reportable conduct.

Should staff form concerns that a student is being overly familiar, seeking to establish a relationship or has a crush on them, that staff member must report their concerns to their manager and/or the Principal as soon as possible so that a plan can be established to manage the situation effectively and sensitively.

It is also important to note that a professional boundaries issue may arise if a staff has a romantic, sexual or overly personal relationship with a former student. Relationships formed during a student's enrolment at the College can create a power imbalance that may continue for a number of years. At the very least, a staff member must not have a relationship of any kind with a former student within two years after they have left the College (regardless of their age).

4 Meeting with students

Staff should only meet with students for valid work-related purposes (such as counselling or meeting a student on an ad hoc basis to help them with assessments or other school-related issues), and only to the extent that it is necessary to achieve that purpose.

One-on-one meetings should generally only occur where it is not practicable for another staff member to be present (e.g. counselling sessions). Staff should otherwise avoid situations where they are alone in an enclosed space (e.g. in a room with a closed door) with a student.

If staff are meeting or having a private conversation with a single student, then staff should:

- Hold the meeting at school, during normal school hours and, wherever possible, generally only in settings where other people are also present in the general area or able to observe the meeting (unless this is not practicable due to the inherent nature of the meeting, for example, a counselling session).
- Consider the time and venue carefully to ensure the safety and wellbeing of the student is not compromised, and avoid compromising the staff member and the College.
- Ensure that the door is left open where possible.
- Avoid locating themselves between the student and the door.

If there are issues complying with the above, staff should notify their manager or the Principal (preferably before the meeting takes place).

5 Transporting students

Staff must not drive a student in their private vehicle unless they have specific permission from the College to do so. In the event of an emergency, staff should exercise discretion (for example, by ensuring that a student sits in the back seat of the vehicle) and subsequently report the matter to their manager.

6 Confiscation of student property

Students and their belongings should only be searched in the presence of two staff members, with the knowledge of the Principal or the relevant Head of Schools (unless a staff member is acting urgently to address a reasonable concern about a serious risk to a student or colleague's safety and wellbeing), and in accordance with the College's student behaviour management policies and procedures.

When confiscating personal items, such as mobile phones or hats, staff should ask the student to hand the items to them. Staff should only forcibly take items directly from students in circumstances where the staff member is reasonably concerned about a serious risk to a student or colleague's safety and wellbeing.

7 Physical contact with students

Staff must not impose corporal or physical punishment on a student, or engage in physical violence.

Staff should minimise physical contact with students and avoid any unnecessary contact. When physical contact with a student is a necessary part of the teaching/learning experience, or to protect a student or others from imminent harm, staff must exercise caution to ensure that the contact is appropriate and necessary.

Physical contact of a limited duration and respectful nature that would generally be acceptable between acquaintances (e.g. high-fiving, shaking hands) may occur. However, staff must refrain from engaging in physical contact with students if there is a chance that it may be perceived as inappropriate by the student or other people.

> ***For example*** *Whilst a teacher may view patting a student on the shoulder or hugging the student to be a kind-hearted gesture, some students may find this uncomfortable. Staff should always be mindful about how students, staff or members of the school community may perceive or misconstrue those interactions. Always ensure interactions with students have a valid professional context and basis.*

Under no circumstances should a staff member have physical contact with a student which:

- involves contact with a student's genitals or private areas;
- could be perceived as romantic or sexual (e.g. touching hair, tickling); or
- could be perceived as overly physical (e.g. wrestling, horseplay).

If a student withdraws consent to physical contact (either verbally or by their conduct, e.g. pushing the staff member away), then the staff member should refrain from any further contact.

If a staff member is required to touch a student in the course of assessing them for injury or illness, the staff member must advise the student prior to instigating contact and seek (where practicable) the student's consent. Staff should not perform medical assessments on students unless they are qualified and authorised by the College to do so.

If staff are required to restrain a student from self-harm, or harm to others, any reasonable force used must be in accordance with the College's student behaviour management policies and procedures, or a student's individual management plan. Such incidents must be reported to the Principal.

If inadvertent physical contact occurs, and this is significant contact or may involve contact between a staff member and a private part of a student's body (e.g. chest, groin, buttocks), a file note should be promptly made and forwarded to the Principal.

Staff should exercise caution when attending to the toileting needs of young children or students with a disability and ensure that the door remains open where it is appropriate. Where a student requires assistance with toileting due to disability, staff should act in accordance with the student's individual management plan.

8 Electronic and private communications with students

Staff must only communicate with students through College channels (i.e. using the College's own email addresses, systems and devices), except where the College has expressly approved otherwise.

Communications with students must always have a valid professional context and use appropriate and professional language. Staff should be particularly careful about the use of emojis; for example, including 'eggplant' and 'loveheart' emojis in emails to students would be unacceptable.

Staff should only communicate with students during normal school hours, except where it is not practical to do so.

> ***For example*** *Sending an email to a student's school email address at night simply attaching assessment results is acceptable. However, sending an email to a student about non-school matters outside school hours, or to a student's private email address, is not acceptable. Similarly, staff should refrain from engaging in back-and-forth emails with students outside school hours, when the discussion could wait until the following day.*

Staff must not invite students to join their personal electronic social networking site or otherwise engage with students on social media except through authorised channels (e.g. on the College Facebook page, or where the use of social media for a valid work-related purpose has been approved by the College).

Teachers who have been given permission by the College to integrate social media into their professional practice, must ensure that any personal content associated with staff member's account is not accessible to students.

Staff must only use students' personal contact details for valid work-related purposes.

Staff must not give out their personal telephone numbers or contact details (including social media contact details) to students, except where the College has expressly approved otherwise.

Staff must not view a student's social media page or platform, nor should they connect, interact or correspond with students on social media (regardless of who initiated the contact).

9 Photography and video recordings of students

College photography and video recordings, including photographs of students, are only allowed with the Director of Enrolments, Engagement, Communications and Advancement's approval.

10 Staff are entitled to personal lives

The College recognises that many staff have children of their own, and in any case will socialise with other adults who may have children, who are enrolled as students. Such staff will have legitimate reasons for socialising around, and on occasion with, those students.

This Schedule is not intended to interfere with a staff member's right to a private life or to provide socialisation with friends and family. However, working at the College requires a serious commitment to student safety and wellbeing. Furthermore, Teachers are always in a position of trust and authority with their students, whether they are interacting with the students in or outside the school setting.

Accordingly, in all aspects staff are expected to conduct themselves in a way consistent with this Schedule, including by avoiding in private and social situations (including on social media) behaviour which could be perceived as contrary to this code or involving a risk to student safety and wellbeing.

For example:

- A staff member's interaction with a student in the course of carrying out their duties and responsibilities to the College should always strictly comply with this code.
- Staff should refrain from transporting students other than their own to and from work, or during the workday, even if they are friends with the student's parents. Where this is necessary, permission should be obtained from the relevant Head of School.
- Social contact with a student, who is not a family member, should arise from a social relationship with the student's parents (rather than from a social relationship with the student directly). Staff should avoid being alone with a student in these situations, or communicating electronically or online with a student, without the parents' knowledge and consent.
- Staff should conduct themselves in a way that will not give others reason to question whether they are crossing professional boundaries with a student.
- Teachers should notify the relevant Head of School if they become aware they are teaching a relative, or child of a close friend or romantic/sexual partner. This is necessary to enable the College to manage any conflicts of interest which may arise and is not necessarily a reflection on the staff member's professionalism.
- Children of staff members may only be in the staff room if it is outside normal work hours (e.g. dinner time for when a function is on).
- Children of staff members should not be in shared staff offices.

11 Managing a concern that your actions may have crossed professional boundaries

Staff should report to their manager or the Principal any concern that their own behaviour, the behaviour of a student towards that staff member, or the behaviour of another staff member, has (or may have) crossed professional boundaries as soon as possible so that a plan can be developed to manage the situation appropriately. This includes, for example, situations where a staff member is concerned that a colleague may be too close to one student (irrespective of whether there is any 'evidence' of a romantic or sexual relationship).

If a student instigates conduct that crosses professional boundaries, staff must make clear to the student that the conduct is inappropriate. If the student continues to engage in such conduct, staff should remove themselves from the situation once they have made sure that doing so will not pose a safety and wellbeing risk to the student (e.g. if the student would otherwise be left unsupervised).