

## EREA Child Safe Code of Conduct

### 3.1 Introduction

*Edmund Rice Education Australia's* vision for ensuring *Schools* are safe and supportive environments is outlined in the **Edmund Rice Education Australia Commitment Statement to Child Safety**. All *Workers* have a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all *Students* is at the forefront of all they do and every decision they make.

This Child Safe Code of Conduct provides a high-level statement of *Professional Boundaries*, ethical behaviour and acceptable and unacceptable relationships. It will assist *Edmund Rice Education Australia* to meet its obligations to have such a defined code as required by various States' *Child Protection Legislation*. More than this, it reinforces *Edmund Rice Education Australia's* commitment 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. Children and young people in the *Edmund Rice Education Australia* community are empowered to have a voice which includes listening and responding to their views and concerns.

This Child Safe Code of Conduct applies to *Workers*. To the extent reasonably required to protect *Students* from *Harm*, there is an expectation that the Child Safe Code of Conduct will apply to the conduct of *Students*, parents/guardians and visitors.

### 3.2 Interactions with Students

*Workers* must treat all *Students* with respect. *Workers* 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.

*Workers* must:

- abide by *Professional Boundaries*, acknowledging that interactions with *Students* by their very nature are open to scrutiny. *Workers* should avoid placing themselves or a *Student* in a compromising position and avoid actual and/or perceived breaches of the Code.
- be familiar with, apply and act in accordance with the Flexible Learning Centre's **Child Protection Program**.

*Workers* must be vigilant and proactive taking all reasonable steps to protect children from *Harm* (refer to the **Child Abuse Definitions** in the Flexible Learning Centre's Child Protection Program).

### 3.3 Professional Boundaries

**Workers** 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).

**Workers** must ensure that social interactions with **Students** do not give grounds for allegations against them. **Workers** must not initiate or develop a relationship with any **Student** that is or can be perceived or misinterpreted as having a personal rather than a professional element.

**Professional Boundaries** between a **Worker** and a **Student** may be compromised by **Workers**:

- treating a **Student** with favouritism, or perceived favouritism (ie. by the offering of gifts or special treatment for specific **Students**);
- attending parties or socialising with **Students** outside of organised **School** events (without parent/guardian permission);
- sharing personal details about their private life with **Students**; or
- meeting with **Students** outside of **School** hours without permission from the **School**.

Further to this, **Workers** must:

- not engage in open discussions of an adult nature in the presence of, or which may be overheard by, **Students**.
- avoid, as far as possible, situations where they are alone with a **Student**. In such situations **Workers** must adhere to the prescribed **School Policy** with specific reference to working alone with a **Student**.
- endeavour not to drive a **Student** in their car unless they have parental permission and do so in accordance with **School Policies**
- only engage in paid tutoring or coaching of **Students** outside of **School** hours in accordance with **School Policies**.

**Workers** must be aware that the Code applies regardless of:

- the location of where an interaction occurs, whether during or outside **School** grounds or during or outside **School** hours.
- a **Student's** age.
- a **Student's** consent.
- the consent of parents/guardians and families.
- circumstances in which a **Student** initiates an interaction or relationship between the **Worker** and the **Student**.

### 3.4 Grooming

**Workers** must not engage in **Grooming** or **Grooming Behaviours** (refer to the definition of **Grooming** in the Flexible Learning Centre's Child Protection Program). Sexual interaction, including **Sexual Misconduct** and **Sexual Offences**, between **Workers** and **Students** is never appropriate and is always unlawful, whether consensual, non-consensual or condoned by parents/guardians.

**Workers** should be aware that where a relationship develops with an ex-**Student**, their employer is entitled to consider whether the **Worker's** actions suggest/suggested an abuse of their position as a staff member including if **Professional Boundaries** between the **Worker** and the **Student** were infringed. A judgment that abuse of their position has occurred would constitute **Serious Misconduct** and may result in the **Worker's** employment being terminated, together with mandated reporting to appropriate child protection agencies.

### 3.5 Personal Relationships with Students

Where personal relationships with **Students** such as family relationships and close friendship networks may exist, questions of **Conflict of Interest** may arise and **Professional Boundaries** may be tested.

Where such a situation may arise, a **Worker** is expected to:

- be appropriately diligent in developing and maintaining **Professional Boundaries**
- take steps to ensure any potential **Conflict of Interest** is avoided
- comply with the **School's Policy** to make relevant disclosures to the **Child Safety Officer** (or equivalent) and/or the **Network Principal**.

### 3.6 Behaviour Education

*Student* behaviour education practices in *Edmund Rice Education Australia Schools* aim to facilitate the development and experience of responsible self-discipline amongst *Students* and to promote the well-being, safety and effective management of the *School* community.

*Workers* should use positive and affirming language towards *Students*, and create open, safe and supportive environments where *Students* are encouraged to interact, socialise and “have a say”. *Workers* must develop and use effective, consistent and appropriate behaviour education strategies in day to day interactions with *Students*. These strategies should include clear, consistent and published methods of dealing with inappropriate behaviours. These strategies should reflect and apply the values of *Edmund Rice Education Australia* and be developed in accordance with relevant *Policies* and *Disability Standards*, where applicable.

*Students* who display recurring challenging behaviours, particularly unsafe behaviours, should be referred to the appropriate person (consistent with the Flexible Learning Centre’s Student Management Policy).

*Workers* should exercise prudent judgement and intervene when *Students* are engaging in bullying behaviour towards others or acting in a humiliating or vilifying way (consistent with a *School*’s Student Management Policy).

All forms of *Corporal Punishment* are prohibited. The use of any form of child abuse, corporal punishment or other degrading punishment is explicitly forbidden.

### 3.7 Physical Contact with Students: General

*Workers* are required to develop and exercise prudent judgment and sensitivity regarding appropriate physical interactions with *Students*.

*Edmund Rice Education Australia* expects that when physical contact with a *Student* is necessary within the teaching/learning experience, *Workers* must exercise caution to ensure that the contact is appropriate and acceptable for the duty to be performed. Examples of situations where physical contact with a *Student* may be necessary, beneficial and/or supportive include:

- assisting *Students* with special needs, for example to allow a *Student* to engage with a teaching/learning experience or the curriculum in general in accordance with School Policies and Disability Standards.
- assessing a *Student* who is injured or ill. One should advise the *Student* of what they intend to do and, where possible, seek the *Student*’s consent and have a colleague present.
- teaching sport, music and other activities where physical handling of a *Student* is required to demonstrate a particular action or skill.

- comforting in a pastoral manner an upset *Student*.
- guiding a *Student* in a non-threatening manner.
- using a gentle tap on a *Student's* shoulder to gain his/her attention after verbal requests were unsuccessful.
- restraining a *Student* when the *Student*, other *Students*, *Workers* or others are being harmed or are in imminent danger of being harmed.
- a congratulatory handshake or pat on the back.

*Edmund Rice Education Australia* expects that any physical contact as referred to in the above examples:

- is only acceptable if the contact is reasonable for the purpose of the management or care of the *Student*.
- must be appropriate given the age, maturity, health or other characteristics of the *Student*.
- should be consistent with any individual behaviour education plan in place for that *Student*.

### **3.8 Physical Contact with Students: Risk and Response**

As any physical intervention involves some risk of injury, *Workers* must weigh this risk against the risks involved in failing to physically intervene when it may be warranted. Intervention may be warranted when a *Student*, other *Students*, *Workers* or others are being harmed or are in imminent danger of being harmed. Such interventions should be employed as measures of last resort required to ensure safety and protection (ie. physical interventions, including physical restraints, removals or escorts) or to contain and/or control the behaviour of *Students* in circumstances such as:

- a *Student* attacking a *Worker* or third party.
- a *Student* attacking another *Student*.
- *Students* physically fighting.
- a *Student* causing, or at risk of causing, injury to themselves or others.
- a *Student* misusing dangerous materials, substances or objects where it is likely that this will cause imminent *Harm*.

- a **Student** placing themselves (deliberately or inadvertently) in a dangerous situation.
- a **Student** being attacked by a third party.

All **Workers** using physical interventions are responsible and accountable for the manner in which they exercise that authority. **Workers** must report all physical interventions to the **Principal** or **Deputy Principal**. **Principals** would then report the same to the **Regional Director**.

NB. The same physical contact guidelines apply during off-campus excursions and camps. **School** Excursion Policies may reference additional guidelines (ie. in the case of dormitory supervision).

### 3.9 Use of Technology

**Workers** are expected to adhere to the following guidelines regarding electronic communications with **Students** (consistent with any **School** Acceptable Usage and Social Media Policies):

- all use of **Technology** should be for educational purposes or for the organisation of co-curricular events;
- all email communication between **Workers** and **Students** should be via the **School** email system and reflect the **Professional Boundaries** between **Worker** and **Student**;
- all online contact between **Workers** and **Students** should be via School systems and reflect the **Professional Boundaries** between **Workers** and **Student**;
- **Workers** should ordinarily not give out their personal telephone numbers to **Students**. In cases where this is necessary, contact by personal telephone numbers must reflect the **Professional Boundaries** between **Worker** and **Student**;
- **Workers** should not exchange personal social media or instant messenger account details with **Students** or accept friend/follow requests or engage in any contact via social media or instant messaging;
- **Workers** should not exchange personal pictures with **Students**;
- **Workers** should not take or publish (including online) photos, movies or recordings of a **Student** without **School** authority; and

- any *Student* personal contact numbers or other personal contact details made available to the *School* should only be used for *School* communications.

### 3.10 Inclusivity Principle

*Workers* are expected to promote the safety, participation and empowerment of all *Students*. Particularly, *Workers* must:

- promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander *Students*
- promote the culture safety, participation and empowerment of *Students* with culturally and/or linguistically diverse backgrounds
- promote the safety, participation and empowerment of *Students* with a disability

*Workers* should not express personal views or discriminate against any *Student* based on culture, race, ethnicity, disability or sexuality.

### 3.11 Reporting

*Workers* with concerns about conduct which falls below the standards expected by this Child Safe Code of Conduct might refer to:

- the definition of *Harm*; and
- the **Definitions and Key Risk Indicators** within the *School's* **Child Protection Program**.

*Workers* must report concerns about child safety, including actual or perceived breaches of this Child Safe Code of Conduct, to one of the *School's* **Child Safety Officers** (or equivalent). This may include any concerns that **Grooming**, **Sexual Misconduct** or a **Sexual Offence** has been committed against a *Student* or that a *Student* has been the subject of **Harm**. *Workers* must ensure their legal and mandatory reporting obligations are met, consistent with the *School's* **Procedures for Responding to and Reporting Allegations of Child Abuse** within the *School's* **Child Protection Program**.

Where an allegation of **Harm** is made, a *Worker* will ensure as quickly as possible that the *Student* involved is safe. The police should be called (000) if there are immediate concerns for the *Student's* safety.