



EDMUND RICE EDUCATION
AUSTRALIA

Edmund Rice Education Australia

Child Safe Code of Conduct

Section 3 of the EREA Code of Conduct

January 2020

3.0 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 *School/College*'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 *School/College*'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 or 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 *School/College*'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 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 *School/College*'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.

