STUDENT SAFETY STAFF CODE OF CONDUCT

Last Review: May 2022 (minor review June 2024)	**Constructed / Reviewed by:** Mentone Grammar on advice from Russell Kennedy Lawyers
Next Review: August 2024 (and every two years thereafter in accordance with the School's review cycle, or more frequently as required)	**Approval Required:** Board Motion
Policy Number: 9	**Board Sign Off Date:** 12 October 2022 **Implementation Date:** 1 July 2022

1   Statement of Context and Purpose

1.1   Mentone Grammar 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.

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

(a)   Clearly establishes a list of acceptable and unacceptable behaviours by members of the School community towards our students, with the ultimate aim of protecting such students from harm.

(b)   Offers guidance to School staff and informs them of considerations relevant to personal, professional and ethical decision making.

(c)   Serves to protect our students, reduce any opportunities for abuse or harm to occur, and promote student safety and wellbeing in our School environment.

(d)   Provides guidance on how to best support students and how to avoid or better manage difficult situations.

1.3   This code is part of a broader culture of student safety and wellbeing that is woven into the fabric of Mentone Grammar. As a community, our unified commitment to ensuring the safety and wellbeing of our students is paramount to our actions and decision making. As a school community, we are guided by a common commitment to what is acceptable and unacceptable behaviour to each other and when engaging with students.

1.4   This code 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 Schools and the School Boarding Premises*, and is part of the School's student safety and wellbeing framework.

2   Application

2.1   This code applies to:

(a) All Board members, the Principal, employees, volunteers, contractors and other authorised personnel required to perform functions on the School's premises, or at School-organised activities and events. Collectively, these individuals are referred to as 'staff'.

(b) Any other person who is engaged in student-connected work at the School, or that otherwise has direct and regular contact with the School's students (whether supervised or not).

2.2 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. School staff must also comply with other policies and procedures at the School that apply to them, including the Student Safety and Protection Policy.

3   Related Documents

Legislation

3.1 *Worker Screening Act 2020* (Vic)

3.2 *Education and Training Reform Act 2006* (Vic)

3.3 *Child Wellbeing and Safety Act 2005* (Vic)

3.4 *Children, Youth and Families Act 2005* (Vic)

3.5 Ministerial Order 1359

3.6 Victorian Teaching Profession Code of Conduct

Policies

3.7 Student Safety & Protection Policy

3.8 Student Safety Recruitment and Selection Policy

3.9 Student Safety Definitions

3.10 Student Safety Responsibilities

3.11 Responding to Student Safety Concerns Policy

4   Responsibilities

4.1 Student safety and wellbeing is the responsibility of everyone at Mentone Grammar. For further information, refer to the Student Safety Responsibilities document.

5   Compliance

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

6 Policy

6.1 The School provides the following list of acceptable and unacceptable behaviours and boundaries to guide staff and make clear the School's expectation in relation to conduct at, or in connection with the School (including in the online environment).

6.2 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 School'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 School'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 Executive 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 School 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 safety (including physical, social and emotional), participation and empowerment of students with a disability, or whom are vulnerable.
• Promote the cultural safety, participation and empowerment of linguistically and culturally diverse students.
• 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 students relationships with their extended

family and community, including Elders).

- Inform and empower all students about their rights, including in relation to safety, 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 or the safety of another student).

- Encourage and support students who raise safety 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.

- Only communicate directly (in person, electronically, or through other means) with a student when the student is at school, or to directly assist with their learning if outside of school hours, unless there is an approved, professional context for additional contact.

- Report concerns about student safety (including actual or suspected child abuse or reportable conduct) to the Principal, the Executive Team, or to one of the School'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 School.

- 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.

- Call the Police on 000 if you have immediate concerns for a student's safety.

- 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 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 School's recordkeeping obligations.

6.3   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.
• Cross professional boundaries with a student, including without limitation by:
o Developing 'special' relationships with students that could be seen as favouritism or something more (including by providing or offering gifts or special treatment).
o Encouraging or suggesting that students keep secrets, or engage in any behaviour, regardless of the context, that would confuse professional boundaries, thereby exposing students to greater vulnerabilities.
o Having electronic, online or private contact with students or their families (other than via the School portal or network) unless necessary to assist a student with matters of an academic, administrative or pastoral nature and conducted in a way that is authorised by the School.
o Engaging in unnecessary physical contact with a student unless it is necessary to fulfil a staff member's duty of care or professional duties. This includes doing things of a personal nature that a student can do for themselves (eg. toileting and changing clothes). Staff will document and report to a Student Safety Officer and/or the Head of Year any instances where they are required to have physical contact with a student.

> - o Using physical force (or the threat of physical force) or engaging in any other forms of physical violence towards a student, including inappropriate or unnecessary physical play.
>   - o Exchanging personal contact details such as personal phone numbers, social networking sites or private email addresses with students, unless approved by the Principal.
>   - o Meeting with a student in their home, or a location otherwise separate to the School, whether for educational purposes or otherwise, without the School's permission.
> - 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 School function at which alcohol consumption by staff has been approved by the Principal.
> - Attend the School, 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.

7   Staff as Parents and Members of the School Community

7.1   The School recognises that many staff have children of their own, and in any case will socialise with other adults who have children.

7.2   While this code is not intended to interfere with a staff member's right to a private life, working at the School requires a serious commitment to student safety and wellbeing.

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

8   Report Concerns

8.1   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 School in accordance with the Responding to Student Safety Concerns Policy.

8.2   Other concerns can be raised in accordance with the School's Grievances Policy.

8.3   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 otherwise comply with the Responding to Student Safety Concerns Policy and the Student Safety & Protection Policy.

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

9   Breach of this Code

9.1   Mentone Grammar emphasises the need for staff to fully comply with the requirements of this code.

9.2   Any school staff found to be in breach of the requirements of this policy may be subject to disciplinary action, up to and including termination of employment or engagement (as the case may be).   Staff should refer to the Performance Management, Misconduct and Disciplinary Action Policy for further information.

10   Communication and Implementation

<u>**At Board / Principal Level**</u>

10.1   To properly implement this code, Mentone Grammar, the Board and/or the Principal must ensure:

(a)   that this code is updated and endorsed on an annual basis;

(b)   that copies of this code are made available to school staff, for example on the Mentone Grammar intranet, in physical form in the staff room and on staff bulletin notice boards;

(c)   that this code is incorporated into the Board's / Principal's record;

(d)   that this code is incorporated into Mentone Grammar's induction program, to ensure that all school staff are aware of the code, have read and understood the code, and acknowledge their commitment to comply with the code;

(e)   that periodic training and refresher sessions are administered to all school staff in relation to this code.

<u>**At Other Levels**</u>

10.2   To properly implement this code, all Mentone Grammar's school staff must ensure that they will abide by this code and assist Mentone Grammar in the implementation of this code.