

CHILD SAFE CODE OF CONDUCT



PURPOSE

The Child Safe Code of Conduct sets out the expected behaviour of adults with children and young people at Newmark Primary (the school).

All school staff, volunteers, visitors, parents/carers, board members and any other adult involved in child-related and child-connected work must follow the Child Safe Code of Conduct.

The Child Safe Code of Conduct applies to all physical and online environments used by students. It also applies during or outside of school hours and in other locations provided by the school for student use (for example, a school camp).

KEY DEFINITIONS

Child-Connected Work means work authorised by or on behalf of the school board and performed by an adult in the school environment while children are present or reasonably expected to be present.

Child-Related Work: Work that usually involves (or is likely to involve) direct contact with a child (including oral, written or electronic communication as well as face-to-face and physical contact) that is a central part of that person's duties. Child-related work may be either paid or unpaid (voluntary). It does not include work that involves only occasional direct contact with children that is incidental to that person's work.

School Staff refers to an individual working in a school environment who is:

- directly engaged or employed by a school governing authority;
- a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school governing authority to perform child-related work; or
- a minister of religion, a religious leader or an employee or officer of a religious body associated with the school.

THE CODE OF CONDUCT

General Expectations

School staff, volunteers, visitors, parents/carers, board members and any other adult involved in child-related and child-connected work at the school, are responsible for supporting and promoting the safety of children by:

- upholding the school's commitment to child safety at all times and adhering to the school's Child Safety Policy, Wellbeing Policy and Reporting Obligations Policy;
- treating students and families in the school community with respect;
- promoting the cultural safety, participation and empowerment of Aboriginal students, students with culturally and/or linguistically diverse backgrounds, students with a disability, students who are unable to live at home and lesbian, gay, bisexual, transgender and intersex (LGBTIQ+) students;
- listening and responding to the views and concerns of students, particularly if they disclose that they or another child or student has been abused or are worried about their safety or the safety of another child or student;
- reporting any allegations of child abuse or other child safety concerns to the principal (or delegate);
- understanding and complying with all reporting and disclosure obligations (including mandatory reporting) in line with the school's Reporting Obligations Policy; and
- if child abuse is suspected, ensuring as quickly as possible that the student/s are safe and protected from harm.

School staff, volunteers, visitors, parents/carers, board members and any other adult involved in child-related and child-connected work at the school must NOT:

- ignore or disregard any concerns, suspicions or disclosures of child abuse or harm;
- develop a relationship with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, by offering gifts);
- display behaviours or engage with students in ways that are not justified by the educational or professional context;
- ignore an adult's overly familiar or inappropriate behaviour towards a student;
- discuss intimate topics or use sexualised language, except when needed to deliver the school curriculum or professional guidance; or
- treat a child or student unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.

Disciplinary Action

To promote a safe, inclusive and respectful environment, the school values and cultural norms outlined in the Wellbeing Policy set out behavioural expectations. If a child's behaviour places them in danger or impacts negatively on the wellbeing of others, the school requires that action be taken, as outlined in the Wellbeing Policy. Under no circumstances are staff members to take disciplinary action involving physical punishment, or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

Under no circumstances are parents/carers to take disciplinary action against another student in the school. This includes, but is not limited to:

- approaching a student before or after school to address behavioural concerns; and/or
- entering the school premises to speak with a student about behavioural concerns.

Language and tone of voice used in the presence of children should not be of a harmful nature. Language will be avoided that is:

- discriminatory, racist or sexist;
- derogatory, belittling or negative;
- intended to threaten or frighten; or
- profane or sexual.

Supervision

So that students feel safe and confident at school and on any school-based outing, staff members are held responsible for actively supervising students. Supervision of the children will not compromise their individual right to privacy.

When supervising children on outings the primary focus of their safety will determine the school's responsibilities and decision-making processes. In general, this decision will take into account factors such as the age, maturity and specific needs of the students, their anticipated behaviour, the location of the outing and the nature of the activities to be undertaken. There must be a sufficient number of appropriate, responsible adults present to assist with adequate supervision.

For outings with younger children (Foundation and Year 1), the general ratio is:

- 1:20 staff to student ratio; and
- 1:5 adult to student ratio.

For outings with older children (Year 2 to Year 6), the general ratio is:

- 1:20 staff to student ratio; and
- 1:10 adult to student ratio.

To ensure the safety of students at least two adults (one of which must be a VIT registered staff member) will be present at all times during an outing, unless permission is granted by the principal in exceptional circumstances.

In the case of a camp, the camp guidelines (obtained from the organisation hosting the camp) of staff to student ratio will be followed.

There will be a minimum of two adults (one of which must be a VIT registered staff member) travelling on transport with a group of students, this includes travelling on a bus. In the case where

a mini-bus is used (12 seater) and there is not room for two adults, one adult must follow in a car (the staff member must stay on the bus).

1:1 Interactions

All 1:1, unobserved, private conversations with students will be avoided. Should circumstances demand a 1:1 conversation, the adult will ensure that interactions are conducted in open spaces and in the potential line of sight of other adults. This applies in all circumstances, both on and off campus.

Physical Contact

Under no circumstances will any adult have contact with students that involves touching, unless delivering medical or allied health services:

- of genitals;
- of buttocks;
- of the breast area; and/or
- of the mouth.

Nor is any adult to have contact with students that:

- would appear to a reasonable observer to have a sexual connotation;
- is intended to cause pain or distress to the student;
- is overly physical (for example, wrestling, horseplay, tickling);
- is unnecessary (for example, assisting with toileting when a student does not require assistance); or
- is initiated against the wishes of the student, except if such contact may be necessary to prevent injury to them or to others, in which case:
 - physical restraint should be a last resort;
 - the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the student to prevent harm to them or others; and
 - the incident must be reported to the principal (or delegate) as soon as possible.

Any physical contact with students must be appropriate to the delivery of the school's programmes, such as assisting with fitting sporting equipment or safety equipment, and based on the needs of the students (such as to assist or comfort) rather than the needs of an adult.

All adults are required to report to the principal (or delegate) as soon as possible any physical contact initiated by a student that is sexual and/or inappropriate (for example, acts of physical aggression) to enable the situation to be managed in the interests of the safety of the student, adult and/or any other participants.

Photographs and Filming

Students will only be photographed or filmed by adults (paid or voluntary) specifically invited by the school if:

- the context is directly related to participation in a school event or program;

- the student is appropriately dressed and posed;
- the image is taken in the presence of others; and
- the student's parents/carers have given written consent for their child to be photographed or filmed.

Images of students will only be distributed/displayed within the school community, unless permission is sought to share the photos/film with a wider community (for example a documentary about the school or an article in the media).

Images are not to be distributed (including as attachments to emails) to anyone outside the school without approval from the principal (or delegate).

For the exclusive purpose of storing and accessing images of students taken during school activities, each staff member will upload photos to a shared digital platform, and delete the photos from personal devices.

Sexual Misconduct

Under no circumstances is any form of sexual behaviour to occur with, or in the presence of, the students of the school. Such behaviour is prohibited.

The school interprets sexual behaviour broadly to include the entire range of actions that would reasonably be considered sexual in nature. These include, but are not limited to:

- non-contact behaviour, such as flirting, sexual innuendo, inappropriate text messaging, inappropriate use of social media, inappropriate photography or exposure to pornography or nudity; and
- contact behaviour, such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a student through prostitution.

Use of Electronics

While the school values electronic communication, it has put in place measures to ensure safe and clear channels of communication are maintained between all members of the school community.

Electronic communication between a staff member of the school and a student will only occur through the email system established and maintained by the school. The use of private email addresses by staff or students for this purpose will be avoided.

Such communication:

- should pertain to issues directly associated with a school event or program;
- should not be used to promote unauthorised social activity or to arrange unauthorised contact; and
- should not include a request for secrecy from a student's parents/carers.

Electronic mail messages are neither private nor secret and can be easily misconstrued by recipients or mistakenly sent to the wrong recipient. An electronic mail message is a professional communication. It carries the same legal status as a written message or memo.

Under no circumstances is it permitted for a staff member to give personal details such as a mobile phone number or email address to a student at the school. It is also advised that staff members should not give personal details such as a mobile phone number or email address to a parent/carer in the school community. All communications must go through the school channels to ensure transparency.

Social networking sites (SNS) authorised by the school for educational purposes are the only SNS that may be used for sanctioned communication between staff members, students and parents/carers. Such communication must be related only to professional and school-related activities. Staff members are advised:

- never to post images that offer personal information, including last name, contact information, home address, phone numbers, email address, last name of friends or relatives, instant messaging names, age or birthdate;
- that it is illegal to post or transfer obscene images, and that the law is particularly severe in regard to images of young people;
- to check the background of a picture and ensure GIS location information is not embedded;
- to use only blogging provider sites with clearly stated terms of use, and to make sure they can protect the actual blogs, not just the user accounts, with passwords;
- to be aware of copyright and privacy issues, and the requirement to seek appropriate permission when recording and/or uploading video content; and
- not to engage in bullying, spamming, illegal behaviour, malicious blogging or similar antisocial behaviour.

All staff members are required to provide appropriate monitoring of each student's use of the school's electronic communication equipment, to mitigate against them inadvertently placing themselves at risk of abuse or exploitation via social networking sites, gaming sites or web searches, or through inappropriate electronic communication. Staff and students are required to abide by the school's Technology Protocols (see Technology Policy).

Overnight Arrangements for Camps

During camps, the practices and behaviour of staff members and volunteers must remain consistent with the school's expectations.

Parents/carers are provided with emergency contact details, including the names of staff members directly responsible for the management and welfare of their child. Contact by parents/carers is discouraged unless warranted by emergency or difficult family circumstances.

Standards of conduct that must be observed by all staff members, volunteers, and any other adult involved in the care of the children include:

- providing students with privacy when bathing and dressing;

- observing appropriate dress standards when students are present;
- not allowing students to be exposed to pornographic material of any nature, including but not limited to movies, television, the internet or magazines;
- not leaving students under the supervision or protection of unauthorised persons – for example, hotel staff or friends – without parental authorisation;
- not allowing sleeping arrangements that may compromise the safety of the students – for example, unsupervised sleeping arrangements, or an adult sleeping in the same bed as a student;
- at no time consuming alcohol or drugs for the duration of the camp; and
- the right of students to contact their parents, or other suitable person, if they feel unsafe, uncomfortable or distressed during the stay.

Change Rooms

When a student is required to change their clothing (for example, for a sport activity such as sailing or swimming) they must do so in a changing room, toilet cubicle or private room.

Off campus, it is the responsibility of the staff member in charge to direct students to safe and accessible changing areas. If access to change areas is not possible at particular venues, students should be informed beforehand so that they can come dressed ready for the event, eliminating the need to change.

In changing areas that are accessible to the public as well as the students, staff members should provide a level of supervision that will prevent abuse from occurring by members of the public and/or their peers, while respecting the student's privacy. Staff will ensure the changing area is safe prior to children entering.

No adult in a supervisory role of a student should be placed in a position where there is potential for allegations of improper conduct to be made. In addition:

- staff must avoid 1:1 situations with students in changing areas;
- staff are not permitted to use the student's changing areas for personal reasons when students are present; and
- staff are not permitted to assist students with getting changed, unless permission has been given by parents/carers. Such permission must be in writing, including a signature from both parents/carers to indicate their shared permission.

Use of Public Toilets

In the case where students need to use public toilets when off campus (e.g. during an outing), the supervising staff member will ensure the toilets are safe prior to students entering. At a minimum, there will be one adult supervising students using the toilets, ensuring their privacy is respected, and one adult supervising the other students.

Giving and Receiving Gifts

No gifts or rewards will be given by an adult to students at the school. This includes, but is not limited to:

- rewards for behaviour (eg. stickers, stationery, toys); and
- gifts for celebrations (eg birthdays, christmas, milestones).

In exceptional circumstances, a staff member or volunteer may seek authorisation from the principal (or delegate) to give a gift to a student/s.

Gifts offered to staff members by parents/carers directly or via students can be accepted, provided such gifts:

- cannot be construed as an attempt to win favour or gain an advantage for their child;
- are offered at appropriate times (for example, at the end of the school year); and
- are not solicited by a staff member.

Gifts from student to staff members will only be taken if:

- parents/carers know that the gift is being given and have given consent; and
- is an occasional occurrence.

Alcohol or Drugs

While on duty, staff members will not:

- smoke or vape;
- use or be under the influence of alcohol or an illicit drug; or
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs.

Transport

The transportation of students will be directly linked to a school event or program. It is not acceptable under any circumstances for a staff member to offer casual lifts to students.

In most instances, the transportation of the students is contracted out to transport companies. When this is not the case, and a staff member is responsible for transporting a student, the staff member will do so with the following guidelines in mind:

- the parent/carer of the student must be advised of the purpose of the outing, the details of who the student will be travelling with, and when they will be travelling;
- the parent/carer must accordingly give permission for their child to travel; and
- permission must be sought and gained from the principal (or delegate).

Once permission has been given, the staff member should ensure that:

- the use of private vehicles is avoided whenever possible;
- he or she is medically and legally fit to drive, and is not taking medication that could impair their driving ability;
- they hold the appropriate and current licences and complies with all relevant legislation and regulations on the use of vehicles; and

- there is no smoking in the vehicle.

BREACHES OF THE CODE

School staff, volunteers, visitors, parents/carers, board members and any other adult involved in child-related and child-connected work at the school who breach this Child Safe Code of Conduct may be subject to disciplinary procedures in accordance with their employment agreement or relevant industrial instrument, professional code or terms of engagement.

In instances where a reportable allegation has been made, the matter will be managed in accordance with the Reportable Conduct Scheme and may be subject to referral to Victoria Police, as outlined in the schools Reporting Obligations Policy.

All breaches and suspected breaches of this Child Safe Code of Conduct must be reported to the principal (or delegate) as soon as is reasonably practicable.

If the breach or suspected breach relates to the principal, contact the chair of the school board (email board@newmark.vic.edu.au or call the Front Office to obtain the contact details).

REVIEW

The school board and principal will review the Child Safe Code of Conduct every second year, or following a major incident. The review will include input from the school community including staff, students and parents/carers.

ENDORSEMENT

Updated date	November 2023
Consultation	School staff, student representative groups, representative parents/carers groups, school board
Endorsed by	School Board
Endorsed on	February 2024