



# CHILD SAFE CODE OF CONDUCT

## 1 INTRODUCTION

Minaret College (the **College**) is committed to promoting and protecting the interests, safety and wellbeing of children, young people and students. The College has no tolerance for abuse to children and students.

The College is committed to providing a caring, safe, supportive and enriching environment which respects and fosters the rights and wellbeing of all children and young people with whom we have contact, and where every child and student has a place, a voice and their story is known.

This Child Safety Code of Conduct (**Code**) has been drafted in consultation with College Community and approved by the Board. It has been drafted taking into account the diversity of the College's environment including, but not limited to, the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children who are sexually and gender diverse, children with disabilities and other children who are vulnerable.

Above all, the Code aims to protect children and reduce any opportunities for child abuse or harm to occur.

## 2 PURPOSE

This Code has the objective of promoting child safety and wellbeing in the College environment and safeguarding children and students from child abuse and harm. It aligns with the College's stance of zero tolerance against child abuse. It also aims to help Staff to understand how to avoid or better manage risky behaviours and child safety matters.

## 3 SCOPE

The Code applies to:

- all employees and volunteers of the College, including coaches, non-teaching staff and temporary or casual staff;
- third party contractors engaged by the College;
- people in religious ministry associated with the College;
- external education providers of the College;
- board members of the College;
- teaching students on placement at the College; and
- visitors,

collectively referred to as **Staff** or **Staff Members** in this Code. Staff must comply with this Code at all times.

Students must comply with the Student Code of Conduct. Parents or Carers of Students must comply with the Parent Code of Conduct.

Interactions with students can extend beyond the College setting, including outside normal school hours, outside College premises and by any medium of technology (such as social media).

This Code applies in all areas of the '**College Environment**', which includes:

- a campus of the College;
- online or virtual College Environments made available or authorised by the School for use by children and students (including email, intranet systems, software applications, collaboration tools, and online services); and
- any other locations provided by the College or through a third-party provider for a child or student to use, including, but not limited to, locations used for:
  - camps;
  - approved homestay accommodation;
  - delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school; or
  - sporting events, excursions, competitions or other events.

This Code applies:

- outside School grounds or during or outside school hours; and
- regardless of:
  - a student's age;
  - a student's consent;
  - the consent of parents/guardians and families; and
  - circumstances in which a student initiates an interaction or relationship with the Staff Member.

This Code must be read in accordance with the College's Child Safety and Wellbeing Policy, Child Safety and Wellbeing Procedure, the Staff Code of Conduct, any other professional or occupational codes of conduct that regulate particular staff at the College (such as the Victorian Institute of Teaching (**VIT**) Code of Conduct).

#### **4 OUR CHILD SAFETY CODE OF CONDUCT**

This Code outlines appropriate standards of behaviour for all adults towards students and children. The Code serves to protect children and students, reduce any opportunities for abuse or harm to occur, and promote child safety in the College Environment. It provides guidance on how to best support students and how to avoid or better manage risky behaviours and difficult situations. The Code also provides guidance on interactions that uphold everyone's right to a safe College community that is connected, sincere and compassionate.

Where a Staff Member breaches the Code, Minaret College may take disciplinary action, up to and including the immediate termination of their employment or engagement.

The College has the following expectations of behaviours and boundaries for Staff interacting with children and students, and the Code applies when using digital technology and social media.

#### **4.1 REQUIRED BEHAVIOURS**

To help ensure the safety and wellbeing of children, young people and students, all Staff must:

- a) conduct themselves in a manner consistent with their position and behave as a positive role model that models appropriate behaviour to children and students;
- b) take all reasonable steps to protect the child, young people and students in the College's care from abuse and/or the risk of harm, including by being vigilant and proactive;
- c) abide by professional boundaries at all time, be professional in their actions and maintain strict impartiality at all times;
- d) comply with relevant professional and employment obligations, including any professional or occupational code of conduct, such as the VIT Code of Conduct for registered teachers;
- e) provide age appropriate supervision for students;
- f) interact with students online using only the College's technology systems, and only for educational or pastoral purposes, or to organise co-curricular events;
- g) adhere to the College's Child Safety and Wellbeing Policy, this Code and other applicable policies and procedures at all times;
- h) promote cultural safety, and actively encourage and support the participation and empowerment of Aboriginal and Torres Strait Islander children and students (for example, by never questioning an Aboriginal and Torres Strait Island child self-identification);
- i) support and encourage Aboriginal and Torres Strait Island children and students to express their culture and enjoy their cultural rights;
- j) respect the language, customs, religions, political differences and cultures of children, young people and students, including promoting peace and understanding by pioneering respectful interfaith discourse and activities at other schools;
- k) promote the safety, participation and empowerment of children, young people and students identified as vulnerable, including those listed under the Child Safe Standards;
- l) ensure all students have access fair learning opportunities by recognising and developing each student's abilities, skills and talents by catering to their individual abilities and respecting their individual differences;

- m) establish and maintain a child-safe environment in the course of their work, including by using positive and affirming language towards students.
- n) promote the empowerment of children, young people and students about their rights, and encourage and empower their participation in decisions affecting them. This includes encouraging students to 'have a say' and participate in matters that are important to them, and encouraging friendships and peer support;
- o) listen to the views and concerns of children, particularly if they disclose that they are or another child has been abused or that they are worried about their safety/the safety of another child;
- p) exercise prudent judgement and intervention consistent with the College's Student Discipline Policy (and this Code regarding physical contact) when students are engaging in harmful behaviour towards others (including bullying, harassment, discrimination vilification);
- q) obtain prior permission from the College and parents when meeting with a student for activities outside of school hours for any reason;
- r) report any suspected breaches of this Code to Executive Principal;
- s) swiftly report any allegations of abuse or risks of harm (including concerns about child safety, bullying, discrimination and harassment) according to the College's policies and procedures;
- t) where an allegation of child abuse is made, ensure as quickly as possible that the student involved is safe;
- u) call 000 if you have serious or immediate concerns for a student's safety;
- v) respect the privacy of children, young people, students and their families and act in accordance with the College's Privacy Policy;
- w) immediately notify the Executive Principal if they become the subject of any investigation in relation to their conduct towards children, are charged with any offence related to children or family violence, or are named as a respondent in a family violence or personal safety intervention order;
- x) exercise prudent judgment and sensitivity regarding appropriate physical interactions with children, students and young people, and only engage in physical interactions with students where it may be necessary, a required part of their education, and beneficial and/or supportive;
- y) be aware that the giving and receiving of awards, giving extra attention, accepting a different standard of behaviour from a student, and having 'special time' with student, must be appropriate and justified as a strategy to meet teaching and learning, or pastoral, outcomes consistent with the Staff Member's role and directions of the College;
- z) comply with any lawful and reasonable direction by the School; and
- aa) cooperate with any investigation by the School or any regulatory authority.

## **4.2 UNACCEPTABLE BEHAVIOURS**

Staff must not:

- a) ignore or disregard any suspected or disclosed child abuse or risk of harm to a child or student (which includes concerns or suspicions of child abuse or risk of harm);
- b) discourage any person from reporting a complaint or concern of child abuse or risk of harm to children;
- c) engage in behaviour with students that could be seen as grooming or favouritism (such as offering gifts or special treatment of a student) unless the Staff Member is a parent, guardian or relative of the student;
- d) attend parties, socialise with students outside organised College events, or engage in meetings with a student who is not your child, unless the College has provided permission and the parent, carer or guardian of the student is present at all times;
- e) drive a student in their car unless they have the express consent of the Executive Principal or Head of Campus and the parent, carer or guardian of the student;
- f) take a student to their home or encourage meetings outside College activities (including online or via social media);
- g) engage in, or encourage, conduct towards or in the presence of children or students which may be construed as unnecessarily physical (including sitting on laps, rough physical games, holding, massaging, kissing, cuddling or touching children in an inappropriate, unnecessary or culturally insensitive way, and doing things of a personal nature that a student can do for themselves, such as toileting or changing clothes);
- h) communicate with a child or student in a way that could reasonably be perceived as threatening, intimidating, derogatory, demeaning or humiliating;
- i) subject a child or student to any form of corporal punishment or physical violence;
- j) put a student at risk of harm or abuse (for example, by locking doors);
- k) engage in discussions of a personal, over-familiar or adult nature in the presence of a student (unless you are related to that child);
- l) use inappropriate or sexualised language towards or in the presence of students (including swearing, sexualised jokes or conversations);
- m) discuss sexual activities with a student unless it is a specific job requirement and the person is qualified or trained to discuss these matters;
- n) be naked in the presence of a student (unless you are the parent or guardian of that student);

- o) share or expose a child or student to sexually explicit materials (e.g. magazines, photographs, images, online material, cards, videos, films etc.);
- p) possess, access, solicit, transmit, or produce child pornography;
- q) sleep in the same bed, sleeping bag, tent or cabin with a student unless the Staff Member is a parent or relative of the student;
- r) photograph or video a student without the consent of the College and the student's parent or guardian (unless the Staff Member is the parent, carer or guardian of the child);
- s) express personal views on culture, race, gender identity or sexual orientation in the presence of a student;
- t) discriminate against any student because of a protected attribute, including because of their gender identity, race, sexual orientation, sex or disability;
- u) have any online contact with a student (including by social media, email, instant messaging, etc.), unless that contact is limited to providing information about the College, or is connected directly to the school work of the enrolled student;
- v) use any personal communication channels or software such as a personal email account, social media or instant messenger accounts to contact students;
- w) exchange personal contact details students such as phone numbers, social networking sites or personal email addresses (unless the Staff Member is a relative of the child);
- x) initiate out of hours contact with a student or their parent or guardian, including online contact, unless it is in the context of an emergency or with the consent of the Executive Principal;
- y) post images of students on College communication channels with personal information (i.e. personal addresses, phone numbers, email address and instant messaging names);
- z) become 'friends' with, follow or add a student on any social media platform (unless the Staff Member is the parent, carer or guardian of that student);
- aa) share or request any photographs, videos, recordings or personal information about students without the School's consent, including on any social media platforms;
- bb) engage in any conduct to change or suppress a child or student's gender identity or sexual orientation;
- cc) work with a student while under the influence of illegal drugs or alcohol;

- dd) consume illegal drugs or alcohol at the College or at College events in the presence of children or students;
- ee) supply any student with illegal drugs or alcohol; or
- ff) spend time alone with a student unless there is a line of sight to other adults.

## **5 USE OF ELECTRONIC COMMUNICATIONS**

All Staff must comply with the Online Safety and Online Conduct Policy.

Electronic communication between Staff and students (and the families) must occur only for reasons relating to the College and for educational or pastoral purposes, unless the Staff Member is the parent, carer, guardian or relative of the student, or has consent from the Executive Principal.

Staff must continually seek to identify and minimise risks of harm in the online environment without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.

The use of images of children as screen savers or backgrounds on personal electronic devices is not appropriate unless you are a parent, carer or guardian, or relative of the student or child. The collection and storage of photographs or images of students must be for educational or professional purposes consistent with the Staff Member's role.

## **6 PHYSICAL CONTACT AND TOUCHING**

Physical contact may be required in an emergency situation to remove children, and students quickly from danger or threat of danger, but only to the extent that physical contact is reasonable in all the circumstances and no more force is used than is absolutely necessary. Where physical restraint or intervention is needed for the safety of students and Staff, accurate and timely records should be kept by Staff of the physical contact.

Physical contact for sport, drama and dance instruction is acceptable in a class situation, when it is appropriate and takes into consideration the below requirements. Physical contact for sport, drama or dance instruction is not appropriate in a 1:1 situation.

The College encourages professional contact between Staff and children or students. When engaging with children and students, Staff should:

- a) consider the child or student's age, developmental level, maturity and level of care required, for example, touching a child to gain their attention, guiding or comforting a distressed child or student;
- b) work in an open environment wherever possible (e.g. in confidential interviews or a one-to-one meeting, the door should be open with visual access) noting that exceptions may apply for professions with strict confidentiality requirements;
- c) be alert to cues from children about how comfortable they are in your proximity and respect their need for personal space;
- d) be sensitive when interacting with children and students who have experienced trauma;

- e) be cautious about physical contact in games or practical instruction. If physical contact is required for demonstrations, explain the activity and what you will do, maintain a safe and appropriate distance, and if a child or student expresses a concern or caution about physical contact, then consider alternative options;
- f) understand that physical contact should be minimal, non-lingering and made in a way that makes children and young people feel comfortable, for example, shaking hands, a congratulatory pat on the back or rub on the side of their arm for reassurance;
- g) remember that a student may withdraw consent for physical contact either verbally or gesturally and Staff must remain vigilant while engaging in necessary physical contact. Once consent is withdrawn, no further contact can be made;
- h) all forms of physical contact should be avoided where possible. The College has a Student Wellbeing team who bring appropriate qualifications in addressing the mental, physical, spiritual and emotional needs of students.

## **7 TRANSPORTATION AND OFFSITE EVENTS**

Other than in an emergency or other situation where no other option could be reasonably foreseen, it is not acceptable to transport students without the permission of the College and of their parent, carer or guardian.

Students should be transported directly to their destination. No stops should be made other than those that are reasonably scheduled for meals or comfort stops.

It is prohibited to have students spend the night at the residence of the Staff Member without the prior approval of the College and parent or guardian.

Changing and showering facilities or arrangements for adults must be separate from facilities or arrangements for students and Staff Members must not shower or change in front of students.

Staff must always knock and advise of their presence prior to entering a bedroom or dormitory of students. While in a bedroom or dormitory, Staff must uphold and maintain a strict approach to this Code, for example, maintain a strict professional manner by not sitting on a student's bed.

## **8 PRIVACY**

### **8.1 DISCLOSING INFORMATION TO STAFF**

When a child or student communicates with a Staff Member in connection with their role at the College, that interaction is confidential to the College and not to the individual. This means Staff can talk with another Staff Member in a way that identifies the child or student. Wherever possible, the privacy of the student should be respected. When considering interfering with a student's privacy, who and how many people are told should be based on the best interests of the student. In all cases, guidance should be sought from a Child Safety Officer of the College.

### **8.2 DISCLOSING INFORMATION TO PEOPLE EXTERNAL TO THE ORGANISATION**

Staff should not discuss confidential matters about students with people outside the College in a way that identifies a student, except when they have the express consent of



the child or student, their parent or guardian, or the disclosure complies with legal or reporting obligations, including the Child Safety and Wellbeing Policy and Child Safety and Wellbeing Procedure.

## **9 BREACHES**

Staff must abide by this Code. A breach of this Code may lead to disciplinary action up to and including the immediate termination of a Staff Member's employment or engagement.

Staff must immediately report any breaches of this Code to the Executive Principal, or when on an excursion or College trip, to the supervising staff member.

## **10 RELATED POLICIES AND PROCEDURES**

- Child Safety and Wellbeing Policy
- Child Safety and Wellbeing Procedure
- Online Safety and Online Conduct Policy
- Bullying Prevention and Intervention Policy
- Diversity and Inclusion Policy
- Recordkeeping, Retention and Destruction Policy
- Privacy Policy

## **11 RELATED LEGISLATION**

- *Children, Youth and Families Act 2005 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Crimes Act 1958 (Vic)*
- *Education and Training Reform Act 2006 (Vic)*
- *Victorian Institute of Teaching Act 2001 (Vic)*

## **DOCUMENT CONTROL**

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