

## CHILD SAFE CODE OF CONDUCT POLICY AND PROCEDURE

<b>Approving authority</b>	Executive Management Team (EMT)
<b>Purpose</b>	This policy and procedure has been developed to ensure that Ozford College develops, endorses, and makes publicly available a code of conduct that has the objective of promoting child safety in all school environments.
<b>Responsible Officer</b>	Principal
<b>Associated documents</b>	Governance charter Employment Agreement Anti-Bullying and Harassment Policy and Procedure Anti-Discrimination and Harassment Policy and Procedure Child Safety Policy and Procedure Child Safe Risk Management Policy and Procedure Contractor and Consultants Policy and Procedure Critical Incident Policy and Procedure Diversity, Cultural Safety and Equity Policy and Procedure Human Resources Policy and Procedure Information, Communication and Technology (ICT) Acceptable Use Policy and Procedure Mandatory Reporting Policy and Procedure Responding to and reporting allegations of suspected child abuse Policy and Procedure Student Behaviour Management Policy and Procedure Student Complaints and Appeals Policy and Procedure Student Support and Services Policy and Procedure Younger Students and Homestay Policy and Procedure Record Management Policy and Procedure

### 1. RATIONALE

This Ozford College (hereafter referred to as the College) policy has been developed to set out the professional obligations of staff and meet the Victorian Child Safe Standards and Ministerial Order 1359 Managing The Risk Of Child Abuse In Schools And School Boarding Premises.

All registered schools are required to have a child safety code of conduct that has the objective of promoting child safety in all College environments.

The Executive Management team is committed to providing a culturally safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. The College expects that staff will perform at the highest standards of professional conduct in education, training and administration.

To assist staff, this Code of Conduct provides guidelines on the expected standards of behaviour in relation to child safety and wellbeing and aligns with the College's organisational values, policies and procedures.

This Code does not cover all situations; it sets out standards of behaviour expected and provides a broad framework that will help staff decide on an appropriate course of action when faced with an ethical issue.

## 2. SCOPE

This policy and procedure applies to:

- the governing body members, the Executive management team;
- staff directly engaged or employed by the Executive management team;
- contracted staff ie. contracted service provider whether or not a body corporate or any other person is an intermediary) engaged to perform child-related work;
- outsourced homestay providers, homestay hosts and carers, student welfare providers and student support services;
- volunteers;
- parents;
- students; and
- the wider community.

This policy applies to all persons who undertake child-connected work, Child connected work is all work authorised by the Executive Management and performed by an adult in a school environment while children are present or reasonably expected to be present.

The Ministerial Order 1359 defines school staff as an individual working in the school environments who is:

- directly engaged or employed by the College;
- a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged 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.

This policy and the procedure applies to all Ozford school environments. School environments means any of the following physical, online or virtual places, used during or outside school hours:

- A campus of the school;
- Online or virtual school environments made available or authorised by the school governing authority for use by a child or student (including email, intranet systems, software applications, collaboration tools, and online services); and
- Other locations provided by the school 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.

## 3. POLICY

- 3.1 The College has zero tolerance to child abuse and is committed to the protection and wellbeing of all children in all school environments.
- 3.2 The Executive Management team have developed and endorsed this Code of Conduct and are responsible for its promotion and effective management, This Code of conduct :
- has the objective of promoting child safety in all College environments
  - sets standards about the ways in which school staff are expected to behave with children

- takes into account the interests of the staff including other professional or occupational codes of conduct that regulate particular school staff
  - takes into account the needs of all children
  - is consistent with the College's child safety strategies, policies and procedures as revised from time to time.
- 3.3 In accepting employment with the College, all staff (as defined by the Ministerial Order) have a responsibility to comply with legislation, College policies, procedures, and the Code of Conduct, perform their duties effectively, and act in a manner that promotes a productive and harmonious working environment.
- 3.4 The Child Safety Code of Conduct is designed to take into account and complement other professional or occupational codes of conduct. The Code of Conduct does not replace or change responsibilities under the Victorian Teaching Profession Codes of Conduct and Ethics and other professional or occupational codes of conduct that may impose certain obligations or regulations.
- 3.5 The Child safety Code of conduct is designed to take into account the needs of all children including that:
- children, young people and students are empowered about their rights, participate in decisions affecting them and are taken seriously.
  - equity is upheld, and diverse needs respected in policy and practice
  - particular attention is given to the needs of students with disability, students from culturally and linguistically diverse backgrounds, students who are unable to live at home, international students, and lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) students
  - particular attention is given to the needs of Aboriginal students and provides and promotes a culturally safe environment for them.

## **Review**

- 3.6 As required by Ministerial Order 1359 Managing the Risk of Child Abuse in Schools and School Boarding Premises, this policy is reviewed after any significant child safety incident, or at least every two years, and improved where applicable.
- 3.7 This policy has been based on:
- the Victorian Department of Education and Training (DET) Guidance materials and website resources;
  - the Commission for Children and Young People (CCYP) website resources; and
  - the Victorian Regulation and Qualifications Authority (VRQA) website resources.
  - CECV policy and resources accessible on the CECV website.
  - The OIHE policies and procedures
  - Consideration of feedback from staff, students and their families collected through a survey conducted in June 2023.

## **4. CODE OF CONDUCT**

- 4.1 Staff (as defined by the Ministerial Order) who work with students and young people have a special responsibility in presenting themselves as appropriate role models for students and young people. Modelling effective leadership and respect

in their interactions with other employees, students and young people can have a profoundly positive influence on their personal and social development.

4.2 Staff (as defined by the Ministerial Order) are expected to engage in personal or professional conduct that upholds the reputation of Ozford College; act ethically and responsibly and be accountable for their actions and decisions.

4.3 In their professional role, staff (as defined by the Ministerial Order) will:

- comply with the College child safe policies at all times
- treat students, families and other staff with respect both within the school environment and outside the school environment as part of normal social and community activities
- observe child safety principles and manage child safety concerns in a sensitive, confidential, honest, responsible and timely manner
- maintain professional relationships with students.
- maintain objectivity in their relationship with students.
- interact with students without displaying bias or preference.
- as far as practical, ensure they are not left alone with a child. Where left with the responsibility of a single child, staff should ensure they are in an open space in view of others.
- listen and respond to the views and concerns of students, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child
- promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students
- promote the cultural safety, participation and empowerment of students with culturally and/or linguistically diverse backgrounds including international students
- promote the safety, participation and empowerment of students with disability, students who are unable to live at home, and lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) students
- as far as practical, not take students personal items (eg mobile phones, wallet etc) directly. If required, always request students to hand the items to you. Only take items directly from students in circumstances where there are safety concerns.
- Record all communication or meetings with students outside classroom time in the student management system. This includes academic and student support issues.
- exercise caution when physical contact with a student is a necessary. All contact must be appropriate and acceptable. (ie when assessing a student who is injured or ill may necessitate touching the student). As far as practical, staff are required to advise the child of what you intend doing and seek their consent.
- report any allegations of child abuse or other child safety concerns to the Principal or High School coordinator.
- if child abuse is suspected, ensure as quickly as possible that the student(s) are safe, protected from harm and provided with suitable support.
- if staff suspect or become aware of a crime committed by a student, colleagues or other stakeholders, it should be reported to the Principal.

4.4 All staff must not:

- seek to use students in any way to meet the needs of adults.
- develop a relationship with any child or show favoritism to a student through the provision of gifts or other inappropriate attention, that is, or that can be interpreted as having a personal rather than professional interest in a child, ie. grooming behaviour.
- initiate unnecessary physical contact with children or do things of a personal nature that students can do for themselves such as toileting or changing clothes.
- ignore or disregard any behaviours by other adults towards students when they appear to be overly familiar or inappropriate.
- exhibit behaviours or engage in activities with students which may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context ie. engage in rough physical games with students
- draw students into personal agendas.
- photograph or video a child in a school environment except in accordance with College policy or where required for duty of care purposes
- treat a child unfavourably because of their disability, age, gender, race, culture, religion, disability, vulnerability, sexuality or ethnicity.
- discuss content of an intimate nature or use sexual innuendo with students, except where it occurs relevantly in the context of parental guidance, delivering the education curriculum or a therapeutic setting
- communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting etc) except where that communication is reasonable in all the circumstances, related to school work or extra-curricular activities or where there is a safety concern or other urgent matter
- use information and communication technologies, such as email, mobile phones, text or instant messaging and websites to engage in behaviour that could reasonably be considered to have a negative impact on another person, cause them harm, or make them feel unsafe.
- use Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening or derogatory language and physical abuse or intimidation towards other employees or students is also unacceptable.
- impose physical punishment on a student, child or young person in the course of their professional duties. **Corporal punishment is not allowed at any time.**
- in the school environment or at other school events where students are present, consume alcohol contrary to College policy or take illicit drugs under any circumstances
- criticize another staff member in a public forum or meeting. Complaints about a staff member should be referred to the High School Coordinator or Principal and, where appropriate, an Incident Form should be completed.
- make unfounded complaints with malicious, frivolous or vexatious intent against another employee, clients, stakeholders or students and young people.
- breach privacy requirements by disclosing internal discussions or email contents to external parties.

4.5 We promote a child safe culture where protecting students, particularly under-age students, from abuse is part of everyday thinking and practice and their voices are heard about decisions that affect their lives.

## **5. DUTY OF CARE**

- 5.1 Under the Minimum Standards of registration, the College has a duty of care that includes that it:
- owes all students a duty of care to take reasonable measures to protect them from reasonably foreseeable risks of injury
  - owes a duty to take reasonable care that any student (and other persons) on the premises will not be injured or damaged because of the state of the premises, including things done or omitted to be done to the premises
  - owes a duty to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under the care, supervision or authority of the organisation
  - that different and sometimes greater measures may need to be taken for younger students or students with disabilities to discharge this duty of care
- 5.2 Everyone in the College has the responsibility to take all practical and reasonable steps- 'duty of care -' to ensure that they are protecting the health and safety of both themselves, their work colleagues and the students from risks of harm that can be reasonably predicted.
- 5.3 Duty of care to students applies during all activities and functions conducted or arranged by Ozford where students are in the care of staff. The risks associated with any activity need to be assessed and managed before the activity is undertaken.
- 5.4 This duty may be manifested in many ways including:
- the duty to supervise the students so that they comply with rules and practices designed for their own safety and that of other students;
  - the duty to implement appropriate procedures to ensure the safety of students;
  - the duty to ensure that college buildings, equipment and facilities are safe;
  - the duty to warn students about dangerous situations or practices.

This list is not exhaustive, it is for the individual staff to comply with objectively reasonable practice.

## **6. CONFLICT OF INTEREST**

- 6.1 Staff must be objective and impartial at all times and be seen to be so.
- 6.2 A conflict of interest (COI) arises in circumstances where an employee's private interests can influence or be seen to influence their work at the College. A conflict of interest can involve pecuniary interests or non-pecuniary interests i.e. favours, personal relationships and associations. A conflict exists when a reasonably minded and informed person would form that view.
- 6.3 Under the Minimum Standards of registration, the College is required to maintain a conflict of interest register for all responsible persons as defined in the ETR Regulations and a plan detailing how any conflict of interest or duty will be managed.
- 6.4 Responsible management of conflicts of interest is based on the following principles:
- Supporting openness, transparency and accountability

- Promoting individual responsibility for integrity and impartiality
- Developing an organisational culture which encourages effective management of conflicts of interest.

## 6.5 College staff must:

- maintain a strict separation between work-related and personal financial matters and only use or authorise the use of College resources or facilities for work-related purposes.
- Make decisions and provide advice that is free of prejudice or favouritism and is based on sound judgment. Their decisions are not affected by personal influences
- Use information appropriately
- Use the position appropriately
- when making a public comment in a private capacity, ensure their comments are not related to any College activity that they are involved in or connected with and make it clear they are expressing their own view and that their comments are not seen or perceived to be an official comment
- only engage in other employment where the activity does not conflict with their role at the College. The High School coordinator can assist staff to determine if such activities will cause an actual or perceived conflict of interest

## 6.6 College staff must not

- use their power at work to provide a private benefit to themselves, their family, friends or associates.
- for themselves or others, seek or accept gifts or benefits that could be reasonably perceived as influencing them
- enter into a sexual relationship any adult student (student over the age of 18 years) of Ozford. To do so raises serious questions of conflict of interests, trust, confidence, dependency, equality of treatment, and may be a criminal offence. Such relationships breach professional obligations and have a negative impact on the teaching and learning environment for other students and colleagues. There are also serious reputational risks for the College.

6.7 Staff are required to make conflict of interest declarations in writing.

6.8 The Principal will review the conflict and develop a plan for managing conflicts of interest in writing.

6.9 Staff should report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing decision making.

## 7. PROCEDURE

7.1 The Executive Management team and all staff have a legal and/or moral responsibility in the prevention and reporting of child abuse and neglect. The following table identifies the roles of those who are responsible for this policy and the procedures.

Responsible for:	Who is responsible?
Development of the child safety code of conduct	The Executive Management team
Designated Child protection officer to support all	Head of Student Support

Responsible for:	Who is responsible?
staff and students with this policy	
Coaching staff on risks and ensuring new and existing Executive Management team and staff are provided with regular professional development including in respect to the Code of Conduct	Principal, High school coordinator and the Head of Student Support
Complete all required professional development including in respect to cultural safety and comply with the College Child safe policies and code of conduct	Executive Management team and all staff and volunteers
Promptly managing the school's response to an allegation or disclosure and ensuring that it is taken seriously.	Primary: Principal Alternative: Other Executive Management team members
Reporting an incident	All staff with support from the Designated Child protection officer
Monitoring school compliance with this policy.	Primary: Principal Alternative: Other Executive Management team members
Make, secure and retain records	All staff Head of Student Support
Reviewing this policy	The Executive management team

- 7.2 This Code of Conduct policy and procedures is made publicly accessible on the College website.
- 7.3 The Principal has responsibility to address a possible breach of the Code of Conduct by any employee as soon as they become aware of it.
- 7.4 Staff hold a position of trust and are accountable for their actions. Staff who fail to follow a lawful direction given by their manager will be referred to the relevant policy for appropriate action, including investigation.
- 7.5 Staff must also report possible breaches by colleagues. If the possible breach is by their Manager then it should be reported to a member of the Executive Management team.
- 7.6 Each reported incident will be considered based on the facts and circumstances to determine the appropriate action to take, including reporting of serious matters and those where an employee has failed to follow a lawful direction.
- 7.7 Procedural fairness requires a decision-maker to inform an employee of the allegations made against them; providing the employee an opportunity to respond, and to not have a personal interest in the outcome.
- 7.8 The issues to consider when deciding what action to take include:
- the seriousness of the breach
  - the likelihood of the breach occurring again
  - whether the officer has committed the breach more than once
  - the risk the breach poses to employees, students and young people or any others, and



- whether the breach would be serious enough to warrant formal disciplinary action.
- 7.9 Serious breaches of the Code of Conduct may require the person's withdrawal from the workplace until the outcome is determined.
- 7.10 Actions that will apply to proven (after investigation) breaches of the Code can include management or remedial action, or disciplinary action ranging from a caution and reprimand to dismissal.

## **8. FEEDBACK**

Feedback or comments on this policy and procedure is welcomed by the listed responsible officer.