

Child Safety Code of Conduct



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PURPOSE

Scotch College is committed to the establishment of an environment where each boy feels a sense of belonging, trust, and confidence in his immediate world, in himself and in his relationships.

The School understands that when boys feel cared for by adults who set clear boundaries, who are sensitive, open and uncomplicated in their expectations, they feel safe. The School recognises that it is within such an environment of safety that boys are empowered to do their best.

To ensure that Scotch College establishes an environment of safety, it has developed this Child Safety Code of Conduct. This code will consistently serve to inform our commitment to prevent behaviour that may be harmful to the boys of the School, and all children and young people who visit our campuses.

Every person engaged in paid or voluntary child-related work with Scotch College is required to adhere to this Child Safety Code of Conduct. This includes teaching staff, non-teaching staff, coaches, contractors and volunteers.

Adopted by the School and ratified by the Council, this code serves to strengthen the safeguarding culture of Scotch College.

COMMITMENT

This document should be read and understood in conjunction with:

- all individual position description statements;
- all relevant policy, procedure and guideline documents, including the Child Protection Commitment Statement and the Child Protection and Obligations of Reporting Policy;
- the Boarding Staff Handbook
- all applicable laws; and,
- general community expectations in relation to appropriate behaviour between adults and children.

Members of staff who are registered teachers of the School must further read and understand this document in relation to:

- the Victorian Institute of Teaching Codes of Conduct and Ethics; and,
- the Associated Public Schools (APS) Code of Conduct.

Members of staff who are registered nurses of the School must further read and understand this document in relation to the Code of Professional Conduct for Nurses in Australia.

As part of the School's commitment to observing the Child Safety Code of Conduct, every person engaged in child-related work with the School on a paid or voluntary basis, in a teaching or non-teaching role will be strictly subject to the code. All such personnel will be required to sign a copy of the Child Safety Code of Conduct to acknowledge they have read and understood it, and agree to abide by it.

Failure to observe the Child Safety Code of Conduct is considered misconduct and appropriate disciplinary action may be taken. Disciplinary action may include suspension while matters are investigated and could ultimately result in dismissal.

In addition to any internal disciplinary proceedings, the School will report to the Victorian Institute of Teaching any conduct deemed to have violated its Codes of Conduct and Ethics. The School will report to the police all instances in which a breach of the law has, or may have, occurred.

EXCEPTIONS

An employee may only act outside the Child Safety Code of Conduct should he or she feel compelled to do so as a result of a boy's welfare being deemed to be at risk. Even in such circumstances, the employee must act within the limits of the law.

It is also expected that, wherever possible, authorisation is obtained from the Principal or his delegate before taking such action.

Furthermore, when an employee has acted outside of the Child Safety Code of Conduct, it is a requirement that at the earliest opportunity the Principal or his delegate must be notified of the circumstances in which these guidelines have been breached.

THE CODE OF CONDUCT: ADHERING TO ROLE BOUNDARIES

In fulfilling professional or voluntary duties within the School, it is expected that individuals act within the limits of their professional expertise and/or specified roles.

Any individual engaged in paid or voluntary child related work with Scotch College:

- must not provide transportation of boys unless specifically sanctioned for a purpose directly linked to a School programme;
- must not engage in activities with boys outside authorised curricular or extra-curricular programmes;
- should not attend social functions (not sanctioned by the School) involving students and parents outside of the School context, unless in the company of at least one other staff member of the College;
- must not attend a social function at a boy's request if no parents or guardians are to be present.

If any of our personnel become aware of a situation in which a child or young person requires assistance that is beyond the confines of that person's role, or beyond the scope of the School's usual service, they should, at the earliest opportunity:

- refer the matter to an appropriate support agency, or
- refer the child or young person to an appropriate support agency, or
- contact the child or young person's parent or guardian, or
- seek advice from the Principal or his delegate.

SUPPORTING A POSITIVE CULTURE

To promote a positive culture that builds the social, emotional and physical development of our boys and ensures their safety, the School has developed a set of behavioural expectations and procedures which are made available to boys in the Student Record Book.

If a boy's behavior places him in danger, or impacts negatively on the well-being of others, the School requires that action be taken.

In dealing with boys' difficult behaviour, the School will be respectful and sensitive to the developmental stages of those involved.

Support should be provided to all boys so that a positive environment is re-established and the wellbeing of the boy/s is the School's first priority.

Under no circumstances are College personnel to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

Language and tone of voice used in the presence of children and young people should:

- provide clear direction, boost their confidence, encourage or affirm them;
- not be of a harmful nature to children; language should be avoided that is:
 - discriminatory, racist or sexist;
 - derogatory, belittling or negative, for example, by calling a child a 'loser' or telling him he is 'too fat';
 - intended to threaten or frighten;
 - profane or sexual.

SUPERVISION

So that boys feel safe and confident at School and on any school-based trip or excursion, teaching staff are held responsible for actively supervising the boys of the School.

In particular, staff on duty are responsible for ensuring that the behaviour of all boys remains in line with the School's expectations, as set out in the Student Record Book and that they are protected from any external threats that may place any boy at risk.

Supervision of the boys must not compromise their individual right to privacy.

When supervising boys on trips and excursions, the primary focus of their safety should determine the School's responsibilities and decision-making processes.

The decision about the number of teachers to accompany boys on a trip or excursion is to be determined by the Vice Principal or Head of Junior School in consultation with the Teacher-in-Charge and Safety Officer. This should take into account factors such as age, maturity, location of the trip, specific needs of the boys, and anticipated behaviour and nature of the activities undertaken. There must be sufficient numbers of appropriate, responsible adults present to ensure and assist with adequate supervision.

There must be a minimum of two staff travelling with any interstate or overseas trip no matter the size of the group. Three staff are preferred on any overseas trip, to ensure adequate supervision in the case of illness of a boy or staff member. If only two staff are travelling with a group, a third staff member must be on standby and able to travel to meet the group at short notice.

All staff are advised that, one-on-one, unobserved, private conversations with boys should be avoided. However, should circumstances demand one-on-one private conversations, in all cases, the staff member will ensure that interactions are conducted in open spaces and in the potential line of sight of other staff members. For example, a classroom teacher may talk privately with a student in a classroom space that has an open and/or transparent door or window(s).

PHYSICAL CONTACT WITH BOYS

Under no circumstances should any member of staff or volunteers have contact with children or young people that:

- involves touching:
 - of genitals;
 - of buttocks;
 - of the breast area (female children);other than as part of delivering medical or allied health services;
- would appear to a reasonable observer to have a sexual connotation;
- is intended to cause pain or distress to the child or young person - for example, corporal punishment;
- is overly physical for example, wrestling, horseplay, tickling or other rough-housing
- is unnecessary - for example, assisting with toileting when a child does not require assistance;
- is initiated against the wishes of the boy, except if such contact may be necessary to prevent injury to him 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 child or young person to prevent harm to him/her or others;
 - the incident must be reported to the Principal or his delegate as soon as possible.

Any physical contact with boys must be appropriate to the delivery of our programmes such as assisting when fitting sporting equipment or safety equipment and based on the needs of the boy (such as to assist or comfort him) rather than the needs of a staff member or volunteer.

All members of the School community, are required to report to the Principal or his delegate as soon as possible any physical contact initiated by a boy 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 boy, members of staff, or volunteers of the School and/or any other participants.

PHOTOGRAPHS OF CHILDREN AND YOUNG PEOPLE

Scotch boys, and/or any visiting students, should only be photographed by staff of the College (paid or voluntary) if:

- the context is directly related to participation in the academic programme, pastoral programme, sporting programme, activities programme or a school-arranged trip or excursion;
- the child is appropriately dressed and posed;
- the image is taken in the presence of others; and,
- the image is not taken using a personal device such as a phone or iPad.

Images of the boys should only be distributed/displayed within the School community. For example, should teachers wish to distribute photographs to parents of boys on a school trip, they may do so in the instance that they adhere to the guidelines above.

Images are not to be distributed (including as an attachment to an email) to anyone outside the School, without approval from the Principal or his delegate.

For the exclusive purpose of storing and accessing images of students taken during school activities, each staff member is allocated personal space on the P-Drive of the School's computer network system. It is expected that all images that are taken of boys are uploaded onto this space.

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SEXUAL MISCONDUCT

Under no circumstances is any form of sexual behaviour to occur with, or in the presence of, the boys of the School or visiting students. Such behaviour is prohibited, even if the students involved are above the legal age of consent.

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:

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

USE OF ELECTRONIC COMMUNICATIONS

While the School values electronic communication as a way to connect with boys and their families to facilitate online (remote) learning, appropriate pastoral contact and other educational purposes, it has put in place measures to ensure safe and clear channels of communication are maintained between all members of our community.

Electronic communication between a staff member (paid or voluntary) of the School and a boy should only occur through the following media:

- the email system established and maintained by the School. Staff and boys should not communicate using private email addresses; and,
- features of the School's Learning Management System (Canvas) in particular the conferencing facility, or Zoom, and through this facility programs such as One Note and Screencastomatic.

Such communication must:

- pertain to issues directly associated with an activity (such as advising that a scheduled event is cancelled or a change of venue has been confirmed), trip, timetabled lesson, or pastoral contact;
- not be used to promote unauthorised social activity or to arrange unauthorised contact; and,
- not include a request for secrecy from the boy's parents or guardians.

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.

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

- never to post images that offer personal information, including last-name, contact information, home address, phone numbers, the School's name, email address, last name of friends or relatives, instant messaging names, age or birthdate;
- that it is illegal to post or transfer obscene or pornographic images, and that the law is particularly severe in regards to images of young people;
- to be sure that any images posted on personal sites do not reveal any of the previously mentioned information;
- 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 School staff members, including permanent, part-time and casual staff, as well as student teachers and contractors are required to sign acknowledgement of our *Information and Communications Technology Resource Policy* as a condition of their employment.

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All staff are required to provide appropriate monitoring of each boy's use of the School's electronic communication equipment to mitigate against him inadvertently placing himself at risk of abuse or exploitation via social networking sites, gaming sites or web searches, or through inappropriate electronic communication.

OVERNIGHT ARRANGEMENTS FOR CAMPS AND TOURS

During camps, overnight excursions and trips, the practices and behaviour of staff and volunteers must remain consistent with the expectations of the School.

Parents are provided with emergency contact details, including the names of staff directly responsible for the management and welfare of their son(s). Contact by parents is discouraged unless warranted by emergency or difficult family circumstance.

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

- providing boys with privacy when bathing and dressing;
- observing appropriate dress standards when boys are present, e.g. boys should not be exposed to adult nudity;
- not allowing children or young people to be exposed to pornographic material of any nature, including but not limited to movies, television, the internet or magazines;
- not leaving boys under the supervision or protection of unauthorised persons, e.g. hotel staff or friends without parental authorisation;
- not allowing sleeping arrangements that may compromise the safety of the boys, e.g. unsupervised sleeping arrangements, or an adult sleeping in the same bed as a boy; and,
- the right of children to contact their parents, or other suitable person, if they feel unsafe, uncomfortable or distressed during the stay.

BILLETING

Child protection is a critical issue for education authorities worldwide. In organising an overseas excursion, teachers must discuss with the host school its requirements for child protection.

Boys should be briefed about their right to be safe and protected, and about positive strategies and avenues for support should concerns arise. Organising teachers should take the time to work with boys to consider unexpected situations and risks that might occur during the trip, and to discuss strategies for eliminating or controlling risks (e.g. developing a risk management plan). The teacher in charge of the program must gain assurance from schools visited that parents offering billet accommodation for Scotch boys meet safeguarding requirements similar to those expected of Scotch parents.

During a trip, if the well-being or safety of any boy is at risk, or there is suspicion that this could arise, the boys should be relocated to alternative approved accommodation.

Where possible boys should be billeted in pairs.

Scotch parents offering billet accommodation to visiting students are required to have a current WWCC, sign an agreement to abide by the Safeguarding Code of Conduct and receive a child abuse fact sheet approved by ACF regarding the nature and impact of child abuse.

The legislative requirements relating to mandatory reporting of children and young people who may be at risk of harm will need to be considered and procedures set up to ensure compliance for both teachers and volunteer helpers. The Child Protection Officer must ensure that volunteers accompanying the trip, including any parents of the boys or partners of staff members, have completed their online training in safeguarding.

CHANGING ROOM / BATHROOM ARRANGEMENTS

When a boy is required to change his clothing, e.g. for sports practice or an after school activity, he must do so in a changing room. The only exception to this is in the Junior School, where a classroom may be used. When Junior School boys are required to change for physical activity, this is to be completed within the classroom as a group, under the general supervision of at least one teacher. In the Junior School environment the supervised classroom is considered the safest place for boys to change.

As required, the School provides safe and accessible spaces for the boys to use.

Off campus, it is the responsibility of the staff member in charge to direct boys to safe and accessible changing rooms. In changing rooms that are accessible to the public as well as the boys, 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 boys' privacy.

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

- staff must avoid one-to-one situations with the boys in changing room areas; and, staff are not permitted to use the boy's changing room/bathroom area for personal reasons when boys are present.

UNIFORM OR IDENTITY CARD / PASS / BADGE

All members of staff who have been issued with an identity card must wear their identity card when working at the School.

Scotch College identity cards must be used for Scotch purposes only, and must not be worn in the delivery of any other programme.

All members of staff who are required to wear a uniform must do so in accordance with their particular guidelines.

GIVING AND RECEIVING GIFTS

Items which would commonly be viewed as reward items within a classroom context such as tuckshop vouchers issued by a Head of Year or Head of House, stickers or small foodstuffs may be given to boys without seeking authorisation.

Any other gifts should only be given to boys of the School with authorisation from the Principal or his delegate.

In addition, gifts offered to staff members by parents directly or via boys can be accepted, provided such gifts:

- do not exceed a value of around \$200;
- cannot be construed as an attempt to win favour, or gain an advantage for their son, including preference in leadership selection processes for positions such as prefect, sport captain etc.
- are offered at appropriate times, for example at the end of the School year or the end of a sporting season; and,
- are not solicited by a member of staff.

Gifts that do not meet these criteria should be politely refused.

USE, POSSESSION OR SUPPLY OF ALCOHOL OR DRUGS

While on duty, staff must not:

- smoke;
- use or be under the influence of alcohol or any drug considered illicit under Australian law,
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs; or,

- supply alcohol or drugs (including tobacco) to any student.

Should a boy be on an overseas trip where the licensing laws for alcohol of that country permit a boy to consume alcohol, for example the drinking age is lowered to 16, boys are not permitted to consume alcohol or to be served alcohol.

The only exception to this policy is that alcohol may be supplied to, and consumed by, staff and senior boys aged over 18 as part of a meal at a school activity/function, when it has been authorised by the Principal and the student is accompanied by his parent or guardian. Where a School activity takes place in a private residence, the same exception applies.

Use of medically prescribed drugs other than alcohol is permitted, provided such use does not interfere with a staff member's ability to care for boys.

TRANSPORTING BOYS

The transportation of boys must be directly linked to one of the School's programmes, such as a camp, excursion, sporting trip or activity. It is not acceptable under any circumstances for a staff member to offer casual lifts to boys.

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

- The parent/guardian of the boy must be advised of the purpose of the trip/excursion, the details of who the boy will be travelling with, and when he will be travelling.
- The parent/guardian must accordingly give permission for their son to travel.
- Permission must be sought and gained from the Principal or his delegate.

Once permission has been given, the member of staff 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 his or her driving ability;
- he or she holds the appropriate and current licenses and complies with all relevant legislation and regulations on the use of vehicles; and,
- there is no smoking in the vehicle.

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APPLICATION OF THE CHILD SAFETY CODE OF CONDUCT UNDER THE CIRCUMSTANCES DICTATED BY THE COVID-19 CRISIS

The current circumstances confronting the School because of COVID-19 are unprecedented. Regulations on social distancing has necessitated a shift to a remote, online learning environment to ensure the continuation of the educational process. The provision of curriculum is fundamentally different under these circumstances and it is critical that the safeguarding principles the School has developed and implemented remain consistent.

To this end, the School confirms that:

- The safety and welfare of boys continues to be our priority;
- Boys will be protected when online;
- All policies, procedures and guidelines of the School apply in the remote learning environment; in particular, requirements of all staff contained within the *Child Safety Code of Conduct*, *Child Protection and Obligations of Reporting*, and the *ICT Resources – Staff Use* policies;
- Teaching staff continue to ensure their practice is informed by the *Child Safety Code of Conduct*;
- Any staff concerns regarding the safety and well-being of a boy will continue to be reported through the online form accessed through the incident-reporting icon on staff computers and/or verbally through the Vice Principal, Deputy Head of Junior School, Child Protection Officer or School Psychologist;
- Reports will be responded to in accordance with the *Child Protection and Obligations of Reporting Policy*, the *Reportable Conduct Scheme Policy* and mandatory reporting legislation;
- Boys and Parents will be kept informed about safeguarding measures, teaching methods and online platforms to be employed;
- Boys and Parents will be informed of expected participation and behaviours in the online environment and actions that will be taken where these expectations are not met; and,
- Boys are aware of reporting avenues if concerns (academic, pastoral or bullying from peers) arise in the online environment.

The following addendums to the Child Safe Code of Conduct reflect the changed circumstances and the continued commitment to safeguarding boys and staff:

- Communication with boys must only occur through the School email system, features of the School's Learning Management System (Canvas) or a commercial platform appropriately investigated and approved by the School;
- Staff communication with boys should only be through School owned devices;
- Conference style, full class communication through approved platforms should only occur between 8:30am and 3:45pm, Monday to Friday. Engaging with small groups of boys (two or more) for educational purposes through

approved platforms is permissible up to 5:30pm Monday to Friday. Staff wishing to use conferencing platforms beyond 5:30pm Monday to Friday or on weekends, should notify the Child Protection Officer in advance seeking advice and approval. Video conferencing sessions and live classes will be recorded and stored by the School;

- Engaging with individual boys through an approved conferencing platform is permissible ONLY if the session is recorded and ONLY under one of the following conditions:
 1. Another member of staff is involved in the conference session, either actively or to provide passive supervision.
 2. An email is sent to parents informing them of the staff member involved, the time and anticipated duration of the session and parental consent is sought and received.
 3. A parent has been informed as above by phone, and consent received. The time/date of call must be logged in staff member's Outlook calendar.
- In cases where regular 1:1 contact is anticipated (e.g. CFL tutoring, LOTE oral language programmes, tutoring of boarding students, tutoring of indigenous students) parents must be informed of the ongoing nature of the activity (including the staff member(s) involved, anticipated times and duration of sessions) and consent sought and received prior to the activity commencing.
- As a general principle, there should be no 1:1 interaction between a staff member and a boy via video conferencing, a social messaging service or mobile phone without explicit parental consent. Where this is impractical e.g., for counselling or reporting a concern, the communication should be recorded and/or detailed files notes should be taken and kept;
- Devices used by staff and boys for video communication should be set up in appropriate areas and where possible against a neutral background;
- Participants in a video conference and any persons who may be in the background, should wear appropriate clothing; and,
- Language used by participants and any in the background, must be respectful, professional and appropriate to the context.

**MR I TOM BATTY, PRINCIPAL
(APRIL 2020)**