



# VIC-EDU-P-002 Child Safety Code of Conduct

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## 1. Introduction

MacKillop Family Services Limited (**MacKillop Family Services**) providing education services in the State of Victoria (**MacKillop Education**) is committed to being a child safe organisation. This relationship between MacKillop Family Services and MacKillop Education will be hereafter referred to as MacKillop Education. We are committed to the safety of all students and have a zero-tolerance approach to child abuse.

## 2. Purpose

Our *VIC-EDU-P-002 Child Safety Code of Conduct* sets out the expected behaviour of adults with children and young people at MacKillop Education. This includes adults working with children and young people in MacKillop Education school environments and in MacKillop Education & Engagement Programs in the State of Victoria.

This Code should be read in conjunction with the *HR-P-013 Code of Conduct* and the *VIC-EDU-P-001 Child Safety and Wellbeing Policy*.

All MacKillop Education staff, volunteers, contractors, service providers, and any other adult involved in child-connected work must follow the *VIC-EDU-P-002 Child Safety Code of Conduct*.

The *VIC-EDU-P-002 Child Safety Code of Conduct* applies to all physical and online environments used by students in the State of Victoria. It also applies during or outside of school hours and in other locations provided by MacKillop Education for student use (for example, a school camp).

## 3. Acceptable behaviours

As MacKillop Education staff, volunteers, contractors, service providers and any other member of our school community involved in child-connected work, are responsible for supporting and promoting the safety of students by:

### Creating a child safe culture

- 3.1 Being vigilant and taking all reasonable steps to protect the students in MacKillop Education's care from abuse or harm.
- 3.2 Treating everyone in the MacKillop Education community with respect, modelling positive and respectful relationships.
- 3.3 Listening to the views and concerns of students, particularly if they disclose that they or another student have been abused or are worried about their safety/the safety of another student and responding in accordance with the *VIC-EDU-P-003 Child Safety Responding and Reporting Obligations Policy and Procedure* and the *VIC-EDU-P-005 Complaints Policy*.
- 3.4 Promoting the cultural safety, participation and empowerment of all students, paying particular attention to the needs of:
  - a) Aboriginal students (for example, by never questioning an Aboriginal student's self-identification);

- b) students with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination);
- c) students with disability;
- d) students who are unable to live at home; and
- e) LGBTIQ+ students.

3.5 Ensuring, as far as practicable, that school staff, volunteers, contractors, service providers and any other member of our MacKillop Education community are not alone with a student, or if this is not possible, with permission from the Campus Principal/Program Leader or a member of the Local Leadership Team.

Particular attention is required when working with students one-to-one and where one-to-one sessions occur these should preferably be held:

- a) in an open space;
- b) in line of sight of another adult; and
- c) if the session is held in a room, then if possible, the door should be left open.

### **Compliance with professional or occupational codes of conduct**

3.6 Abiding by professional boundaries and ensuring compliance with any and all applicable professional or occupational codes of conduct, including *HR-P-013 Code of Conduct*.

3.7 Upholding MacKillop Education's commitment to child safety at all times by adhering to this Code, our *VIC-EDU-P-001 Child Safety and Wellbeing Policy* and other applicable policies and procedures at all times.

3.8 Exercising prudent judgement and sensitivity regarding appropriate physical interactions:

- a) staff should only engage in physical interactions with students where it may be necessary, a required part of the educative process, beneficial and/or supportive;
  - staff should seek the student's consent, or if that is not possible, inform the student of any physical interactions which may be necessary to support the student;
- b) physical interventions and restraint holds will only be applied when reasonable, proportionate and necessary;
  - these practices and interventions will be implemented in accordance with Therapeutic Crisis Intervention (TCI) principles and the *VIC-EDU-P-059 Assault Violence Prevention and Managing Violent Situations Procedure*.

3.9 Only interacting with students online using MacKillop Education's technology systems and only for educational purposes and in compliance with the *VIC-EDU-P-006 IT Acceptable Use Policy*.

3.10 Respecting the confidentiality, and privacy of students and acting in accordance with MacKillop Education's Privacy Policy.

3.11 Immediately notifying the Group Director, MacKillop Institute and Education (Group Director)/Deputy Executive Principal, Campus Principal/Program Leader if they become the subject of any child safety investigation or become charged with any offence related to child safety.

### **Responding to child safety concerns**

3.12 If an allegation of child abuse is made, ensuring as quickly as possible that the student(s) are safe and protected from harm.

3.13 Reporting any allegations of child abuse or other child safety concerns to the Group Director, Campus Principal/Program Leader or another member of the Local Leadership Team in accordance with the *VIC-EDU-P-003 Child Safety Responding and Reporting Obligations Policy and Procedure* and the *PROTECT: Four Critical Actions*.

- 3.14 Understanding and complying with all reporting and disclosure obligations (including mandatory reporting) in accordance with our *VIC-EDU-P-003 Child Safety Responding and Reporting Obligations Policy and Procedure* and the *PROTECT: Four Critical Actions*.
- 3.15 Understanding and complying with all obligations as they relate to the reportable conduct scheme including reporting allegations of reportable conduct in accordance with the *VIC-EDU-P-007 Reportable Conduct Policy*.

## 4. Unacceptable behaviours

As MacKillop Education staff, volunteers, contractors, service providers and members of our school community involved in child-connected work, we must not:

### Child safety reporting obligations

- 4.1 Ignore or disregard any concerns, suspicions or disclosures of child abuse or harm.
- 4.2 Ignore an adult's overly familiar or inappropriate behaviour towards a student.

### Interactions with students

- 4.3 Develop any 'special' relationships with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, the offering of gifts or special treatment for specific students).
- 4.4 Treat a student unfavourably because of their age, culture, disability, ethnicity, gender, race, sexuality or vulnerability.
- 4.5 Display behaviours or engage with students in ways that are not justified by the educational or professional context.
  - a) Interactions with students which may be construed as unnecessarily physical (for example, inappropriate sitting on laps).
  - b) Initiate unnecessary physical contact with students or do things of a personal nature that a student can do for themselves, such as changing clothes.
  - c) Discuss intimate topics or use sexualised language, except when needed to deliver the school curriculum or professional guidance.
  - d) Engage in open discussions of a mature or adult nature in the presence of students (for example, personal social activities).
  - e) Express discriminatory views on cultures, religion, race or sexuality.
- 4.6 Subject any student to any form of corporal punishment.
- 4.7 Drive a student in a work or approved private vehicle without both:
  - a) Campus Principal/ Program Leader approval; and
  - b) parental/guardian/carer consent.

### Alcohol and illicit drugs

- 4.8 Work with students whilst under the influence of alcohol or illicit drugs.
- 4.9 Consume alcohol or take illicit drugs in the school environment or at school events where students are present.
- 4.10 Supply any student with drugs or alcohol:
  - a) only prescribed medication may be administered;
  - b) non-prescribed medication (e.g. Panadol) may be administered with parent/guardian/carer consent.

## Use of information technology/social media

- 4.11 Engage with a student such as providing activities or services outside of school hours without the written consent of the Campus Principal/Program Leader and/or the school's Local Leadership Team (for example, this includes unauthorised after hours tutoring, private instrumental/other lessons or sport coaching); this does not include accidental contact, such as seeing people in the street.
- 4.12 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 schoolwork or extra-curricular activities or where there is a safety concern or other urgent matter.
- 4.13 Become 'friends' with, follow or add a student, parents/guardians/carers or a recent ex-student on any social media platform.
- 4.14 Photograph or video a student:
  - a) in a school environment without the consent of the parents/guardians/carers except where required for duty of care purposes;
  - b) using a personal device.
- 4.15 Share or request any photographs, videos, recordings or personal information about students without MacKillop Education's consent, including on any of their own social media platforms.

## 5. Breaches to the Child Safety Code of Conduct

### Reporting Code of Conduct breaches

All breaches and suspected breaches of the *VIC-EDU-P-002 Child Safety Code of Conduct* must be reported to the Campus Principal/Program Leader.

If the breach or suspected breach relates to the Campus Principal, the Deputy Executive Principal or Program Leader, contact the Group Director.

If the breach or suspected breach relates to the Group Director, contact the Chief Executive Officer, MacKillop Family Services.

### Responses to Code of Conduct breaches

All MacKillop Education staff, volunteers, contractors, service providers and any other member of the school community involved in child-connected work who breach this *VIC-EDU-P-002 Child Safety 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. The MacKillop Family Services HR unit will provide support for this process.

MacKillop Education is required to report to the Victorian Institute of Teaching any charges, committals for trial or convictions in relation to a sexual offence by a registered teacher or certain allegations or concerns about a registered teacher.

MacKillop Education may also be required to report concerns to the Police, Commission for Children and Young People, Melbourne Archdiocese Catholic Schools and/or the Department of Families, Fairness and Housing.

## 6. Related legislation, policy, guidelines and resources

Ministerial Order No. 1359 *Implementing the Child Safe Standards - Managing the risk of child abuse in schools and school boarding premises*. 31 January 2022

## MacKillop Education & MacKillop Family Services Policies and Procedures

- HR-P-013 Code of Conduct
- VIC-EDU-P-001 Child Safety and Wellbeing Policy
- VIC-EDU-P-003 Child Safety Responding and Reporting Obligations Policy and Procedure
- VIC-EDU-P-005 Complaints Policy
- VIC-EDU-P-006 IT Acceptable Use Policy
- VIC-EDU-P-007 Reportable Conduct Policy
- VIC-EDU-P-020 Privacy Policy
- VIC-EDU-P-059 Assault Violence Prevention and Managing Violent Situations Procedure

### Resources

- eSafety Toolkit for School Tips for staff using social media
- PROTECT: Four Critical Actions: Responding to Incidents, Disclosures and Suspicions of Child Abuse.

## 7. Approval and Review Details

Approval and Review	Details
Approval Authority	MacKillop Family Services' Board
Approval Date	December 2022
Recommended to Approval Authority by	Board Governance Committee
Next Review Date	December 2024
Version	2

Approval and Amendment History	Details
Superseded documents	Child Safe Code of Conduct, Safeguarding Children and Young People, October 2019
Notes	Major review and rewrite of policy to align with the new Victorian Child Safe Standards and Ministerial Order 1359

## 8. Declaration

I confirm that I have been provided with a copy of the above *VIC-EDU-P-002 Child Safety Code of Conduct*.

I confirm that I have read and understood the Code and understand that I am required to comply with the Code. I acknowledge that if I breach the Code, I may be subject to disciplinary action, including termination of my engagement with MacKillop Education.

Name:

Signed:\_\_\_\_\_

Date: