

Staff and Student Appropriate Conduct Policy

Purpose and Scope

The following policy and guidelines are designed to raise awareness of situations where professional boundaries between staff and students exist.

Responsibilities

The Knox School staff hold a unique position of influence, authority, trust and power in relation to students at the School. As such, it is their duty, at all times, to maintain professional boundaries with students.

The fact that School staff are in a unique position of trust, care, authority and influence with students means that there is always an inherent power imbalance that exists between them. It also means that professional boundaries must be established, maintained and respected at all times.

In most cases this power imbalance is clear, however sometimes it may be more difficult to recognise especially for younger staff members who may only be a few years older than their students.

Child safety is the responsibility of all adults within society and specifically within the community of The Knox School.

Authorities

The Principal remains the authority in all matters regarding appropriate or inappropriate conduct between a member of staff and students.

Compliance

This policy is designed to comply with the Victorian Child Safe Standards, specifically, standards 4, 5 and 6.

The policy also complies with its employees' obligations through:

- The Children, Youth and Families Act (2005)
- The Child Wellbeing and Safety Act (2005)
- The Education and Training Reform Act (2006)
- The Working with Children Act (2005)
- The Crimes Act (1958)
- The Family Violence Protection Act (2008)

Definitions

Victorian Child Safe Standards: A set of standards introduced in 2016 through Ministerial Order 870 in the wake of the findings from the Victorian Betrayal of Trust Inquiry.

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Child Protection Officer: A number of senior staff members are nominated as Child Protection Officers. Child Protection Officers receive additional specialised training with respect to child protection issues. They are the first point of contact for raising child protection concerns within the School. They are also responsible for championing child protection within the School and assisting in coordinating responses to child protection incidents.

Child Protection Program: The Knox School's Child Protection Program relates to all aspects of protecting children from abuse and establishes work systems, practices, policies and procedures to protect children from abuse.

Child Protection and Safety Policy: This policy is an overarching document that articulates The Knox School's approach to protecting children from child abuse.

Child abuse: Child abuse is defined in section 3 of the Child Wellbeing and Safety Act 2005 (Vic) as including:

- any act committed against a child involving a sexual offence or a grooming offence listed in the Crimes Act 1958 (Vic);
- the infliction of physical violence, serious emotional or psychological harm; and
- the serious neglect of a child.

A child is defined by the Act as a person who is under the age of 18 years.

Code of Conduct: The Knox School's Child Safety Code of Conduct establishes acceptable and unacceptable behaviours by members of the School community. It creates professional boundaries for employees of the School, ethical behaviour and the parameters of acceptable and unacceptable relationships.

Staff: Including all teaching and non-teaching staff (including casual and relief staff) as well as all volunteers who could potentially have direct unsupervised contact with students during the normal course of providing the volunteer service (including sport coaches, contract cleaners, grounds staff and maintenance workers) ('Direct Contact Volunteers').

Professional Boundaries: Professional boundaries are parameters that describe the limits of a relationship in circumstances where one person (a student) entrusts their welfare and safety to another person (a staff member), in circumstances where a power imbalance exists.

Policy

The Knox School is committed to providing a safe physical and emotional environment where all of our students are respected and treated with dignity in an appropriate professional and caring manner where the risk of child abuse is minimised and a safe and supportive child safe environment is maintained.

It is our policy that:

- staff exercise their responsibilities in a way that recognises the professional boundaries with regard to their relationships with students at all times;
- staff identify, discourage and reject any advances of a sexual nature initiated by a student;
- staff interaction with students is professional at all times, including inside and outside of school hours;
- conflict of interest issues must be reported to the Principal as soon as practicable;
- equal learning opportunities are given to each student without discrimination; and
- appropriate consequences will be applied to staff who breach professional boundaries.

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The following guidelines are not exhaustive, and given that sometimes “grey areas” may occur, it is expected that all staff (no matter their age or experience) use their own good judgment, think very carefully of the implications and potential consequences of engaging in certain behaviours with students, and always err on the side of caution.

When unsure about whether professional boundaries are being, or have been, breached, ask yourself:

- Would I modify my behaviour if a colleague was present?
- How would I feel about explaining my actions at a staff meeting?
- Am I sharing information for the student's benefit, or for my benefit?
- Am I dealing with this student differently from others in similar circumstances?
- Is my language or demeanor different from normal when dealing with this particular student?

Procedure

Intimate Relationships

Staff must not initiate or develop a relationship with any student that is or can be misinterpreted as having a romantic or sexual, rather than professional basis. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents / guardians.

The professional relationship of staff and students may be breached by:

- flirtatious behaviour or dating;
- development of an intimate personal relationship;
- sexual relations;
- the use of sexual innuendo, inappropriate language and/or material with students;
- unwarranted and inappropriate touching;
- unwarranted and inappropriate filming or photography;
- deliberate exposure to sexual behaviour of others (e.g. pornography);
- having intimate contact without a valid context via written or electronic means (e.g. email, letters, telephone, text messages, social media sites or chatrooms);
- going out, whether alone or in company, to social events such as the movies or dinner; and
- exchanging gifts of a personal nature that encourages the formation of an intimate relationship.

Staff should also be aware that developing or encouraging romantic or sexual relationships with recent former students (over 18 years of age) may violate professional boundaries and are strongly discouraged from doing so.

The imbalance of power and authority that exists in the staff/student relationship does not suddenly disappear after the student finishes their schooling. Staff should not assume that they will be protected from disciplinary action by claiming that a relationship began only after the student left the School as there may be a reasonable belief that the emotional intimacy of the relationship developed while the staff/student relationship existed.

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Personal Relationships

Staff must not initiate or develop a relationship with any student that is or can be perceived or misinterpreted as having a personal rather than professional element. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents or guardians.

It is the student's perception of staff behaviour and not the intention of the staff member that is important.

The professional relationship of staff and students may be compromised by:

- attending parties or socialising with students outside of organised School events (without parental/guardian permission);
- sharing personal details about their private lives with students; or
- meeting with students outside of school hours without permission from the School.

Staff must recognise at all times that their role is not to be a “friend” or “parent” to a student.

Electronic Communications between Staff & Students

Electronic communication between staff and students at The Knox School should be in keeping with the nature of the relationship between staff and students and remain professional. The School recommends that staff do not provide students with their mobile telephone number and instead chose to utilise alternative forms of communication such as e-mail or SEQTA. In circumstances where a telephone number is required for reasons of safety, the School will issue staff with a school mobile telephone to use.

As a guide to online communication, the School believes that appropriate professional distance be established and maintained in the following manners:

- all use of technology should be for educational purposes or for the organisation of co-curricular activities
- all email communication between staff and students should be via the School email system and reflect a professional staff/student relationship
- staff and student contact through social media should be limited to platforms condoned and approved by the School and for educative purposes only
- staff should not exchange personal pictures with a student;
- any student personal contact numbers or other personal contact details made available to the School should only be used for school communications.

Physical Contact with Students

All staff should be aware that situations may arise that can be perceived in a manner that was not intended. For this reason, all staff at the School should adhere to the following guidelines for contact with students both in and outside of School grounds:

- staff should avoid unnecessary physical contact with students;
- minimal, non-lingering, non-gratuitous physical contact in the context of the situation is acceptable (e.g. congratulatory pat on the back or handshake); and
- contact for sport, drama and dance instruction is acceptable in a class situation but not in a 1:1 situation. If physical contact is required for specific technical instructions, it must be brief and only with the consent of the student. Note that a student may withdraw consent for this contact either verbally or gesturally and staff must remain vigilant whilst engaging in necessary contact situations. Once the consent has been withdrawn no further contact can be or should be made.

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Off-Campus Excursions and Camps

During off-campus excursions or camps, the same physical contact guidelines apply as well as the following:

- checking of sleeping arrangements, or supervising of students changing should be done, where possible, with another staff member present and always in a manner that respects students' privacy and personal space;
- always knock and advise of presence prior to entering a bedroom or dormitory; and
- ensure that while in a bedroom or dormitory a strict staff/student relationship is upheld and that inappropriate behaviour, such as sitting on a student's bed, is not undertaken.

Where a staff member breaches this policy The Knox School may take disciplinary action, including in the case of serious breaches, summary dismissal.

Associated Forms

The Staff and Student Appropriate Conduct Policy is a component of the Child Protection Program and its implementation is in conjunction with, and linked to, the following internal policies, documents and processes:

- Duty of Care – Crimes Act 1958 Vic Policy
- Mandatory Reporting
- Child Safety Code of Conduct
- Child Protection and Safety Policy
- Child Abuse Response Plan
- Human resource practices

Further Information

This policy is reviewed and maintained by the Wellbeing Committee on a triennial cycle.

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