

Child Safety Code of Conduct

Includes: Staff, Volunteers, Contractors, Visitors, Clergy
and Board Directors,

At De La Salle College, we are committed to our faith, our educational community and our spirit of service. Our Lasallian charism guides, nurtures, challenges and encourages all of our endeavours. We value our role in the international Lasallian network and strive for meaning, relevance and creativity to deliver a quality education for our young men in a 21st century learning environment. We are committed to ensuring the safety of all children and young people in our care.

This Child Safety Code of Conduct has a specific focus on promoting child safety and wellbeing in the school environment and safeguarding children and young people at De La Salle College, Malvern and Malvern East against sexual, physical, psychological and emotional abuse or neglect. It is intended to complement other professional and occupational codes.

All students enrolled at De La Salle College have the right to feel safe and be safe. The wellbeing of children in our care will always be our priority, and we do not and will not tolerate child abuse. We aim to create a child-safe and child-friendly environment where children are free to enjoy life to the full without any concern for their safety.

All personnel, volunteers, contractors, visitors, clergy and Board Directors at De La Salle College are expected to actively contribute to a school culture that respects the dignity of its members and affirms the Gospel values of love, care for others, compassion and justice. They are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children and young people, as noted below.

All personnel are responsible for supporting the safety of children and young people by:

- Adhering to the College's Child Safety and Wellbeing Policy and upholding the College's statement of commitment to child safety at all times;
- Taking all reasonable steps to protect children and young people from abuse;
- Understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the *Crimes Act 1958*;
- Reporting any child safety concerns to the Principal, College Executive or any member of the Child Safety Team;
- Adhering to relevant legislation, in particular Ministerial Order No. 1359.

School **staff** means an individual working in a school environment who is:

- a) directly engaged or employed by a school governing authority;
- b) a minister of religion.

Key Requirements:

Sexual misconduct

- Under no circumstances is any form of sexual behaviour to occur between, with, or in the presence of children or young people participating in any of our activities, programs, services and / or facilities. Engaging in sexual behaviour with children and young people participating (or former clients/members) in our organisation is prohibited even if the young persons involved may be above the legal age of consent;
- Sexual behaviour needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:
 - **contact behaviour** - such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution;
 - **non-contact behaviour** - such as flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

Physical contact

- Any physical contact with children and young people must be appropriate to the delivery of our activities, programs and services, and based on the needs of the child or young person rather than on the needs of our personnel;

- Under no circumstances should any of our personnel have contact with children or young people participating in our activities, programs and services that:
Involves touching
 - of genitals;
 - of buttocks;
 - of the breast area (female children and young people);
 - that is 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 – as is, for example, wrestling, horseplay, tickling or other roughhousing;
- is unnecessary – as is, for example, assisting with toileting when a child does not require assistance;
- is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child/young person 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 themselves or others;
 - Such incidents must be reported to management as soon as possible.
- Our personnel are required to report to management any physical contact initiated by a child or young person that is sexual and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the child or young person, our personnel and any other participants.

Adhering to professional role boundaries

Our personnel should not, of their own volition or at the request of a service user, act outside the confines of their duties (as specified in their position description) when helping to deliver our programs and services.

Personnel:

- must not provide unauthorised transportation to children and young people engaged in our organisation;
- must not engage in activities with children or young people who are engaged in our organisation outside authorised school activities;
- must not provide any form of support to a child or young person or their family, unrelated to delivery of school sanctioned programs, for example, offering tutoring or babysitting services;
- must not seek contact (in an online or physical environment) with children or young people for non-school related purposes, for example, meeting with students outside of school hours for non-school activities, becoming friends with students on social media platforms;
- must not accept an invitation to attend any private social function at the request of a child or young person currently enrolled at the College – or at the request of their family. Social is defined as a get-together, meeting, party or gathering that is non-work related, this can be in the physical or online environment. Exceptions should be discussed with the Child Safety Officer – e.g. family members enrolled as current students;
- must not develop any special relationships with children and young people that could be seen as favouritism;
- must not engage in open discussions of a mature or adult nature in the presence of children and young people, for example, discussions regarding personal social lives etc;
- 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 our organisation's usual service, they should at the earliest opportunity; seek advice from management, refer the matter or child or young person to an appropriate support agency, or contact the child or young person's parent/care giver.

Supervision

Personnel are responsible for actively supervising students to ensure all children and young people:

- engage positively with staff, students and the community;
- behave appropriately toward one another, as per the College's Positive Student Behavior Policy;
- are in a safe environment and are protected from external threats.

One-to-one supervision

- Our personnel are required to avoid one-to-one unsupervised situations (including unsupervised online activities, such as one-to-one online tutorials or meetings) with children and young people to whom we provide services, and (wherever possible) are to conduct all activities and/or discussions with children and young people in view of other personnel.

Transport

- Children and young people are to be transported in private only as per the College's Transporting Students Policy and First Aid Policy;
- Children and young people are to be transported only with prior authorisation through the College's excursion and camps/trips application process, and from the child and young person's parent/care giver. Gaining approval involves providing information about the proposed journey, including:
 - the form of transport proposed, such as private car, taxi, self-drive bus, bus with driver, train, plane or boat;

- the reason for the journey;
- the route to be followed, including any stops or side trips;
- details of anyone who will be present during the journey other than our staff members.

Positive guidance

- We strive to ensure that children and young people participating in our activities, programs, services and / or facilities are aware of the acceptable limits of their behaviour so that we can provide a positive experience for all participants. Children and young people are encouraged to feel safe and be safe and have positive relationships and friendships with their peers;
- Children and young people are informed of their rights and are encouraged to have their say and participate in all relevant organisational activities and decisions, particularly in relation to matters affecting them. Children and young people are given information about the behaviour our organisation expects from them, the behaviour they can expect from our personnel, their right to safe participation in activities and access to information about child abuse prevention programs;
- However, there are times when personnel may be required to use appropriate techniques and behaviour management strategies to ensure:
 - an effective and positive environment;
 - the safety and wellbeing of children, young people or personnel participating in our activities, programs, services and / or facilities.
- We require our personnel to use strategies that are fair, respectful and appropriate to the developmental stage of the children or young people involved. The child or young person needs to be provided with clear directions and given an opportunity to redirect their misbehaviour in a positive manner;
- Under no circumstances are our personnel to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

Promoting equity and diversity

- Personnel must ensure that their approach and interactions with children and young people are sensitive, respectful and inclusive of all backgrounds and abilities. Our personnel must actively anticipate children and young people's diverse circumstances and respond effectively to those with additional vulnerabilities;
- Where our organisation has involvement with children and young people who are Aboriginal or Torres Strait Islander, from culturally and/or linguistically diverse backgrounds, have a disability, LGBTQI+ and those who are unable to live at home, our personnel will promote their safety (including cultural safety), participation and empowerment;
- Our organisational culture is inclusive and respectful of the different ways that families are formed and structured. Our personnel are to respect decisions that people make about their gender identity and consult and support children and young people to feel, and to be, safe.

Discrimination

We expect personnel to treat all children and young people fairly, equally and with dignity. Our organisation abides by the *United Nations Convention on the Rights of a Child*. All actions and behaviours from our personnel must be non-discriminatory and always in the best interests of the child or young person.

Everyone has the right to feel safe and be free from discrimination. No one within our organisation will be discriminated based on age, gender, race, colour, language, disability, religion, political or other opinion, sexual orientation, national or social origin or their ability to live at home.

Our organisation does not tolerate discriminatory behaviours, and prejudiced attitudes will be challenged. Our personnel must have working knowledge of our complaints handling processes to provide support and access to information should any child, young person or family in our service require it.

Language and tone of voice

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 harmful to children and young people – in this respect, avoid language that is:
 - discriminatory, racist or sexist;
 - derogatory, belittling or negative, for example, by calling a child a loser or telling them they are too fat;
 - intended to threaten or frighten;
 - profane or sexual.

Electronic and online communication

- Where a parent/care giver is not included in the communication, personnel must only do so with the consent of the child and young person's parent/care giver. With this consent, personnel may communicate digitally with children and young people using De La Salle College's equipment or, where necessary or appropriate, personal devices (e.g. cameras or mobile phones), for the purpose of organisation related activities. In doing so, personnel must comply with De La Salle College's Privacy Policy, Acceptable Use of ICT Policy, Safeguarding Children and Young People Form and Child Safety Risk Assessment Policy and must ensure that:

- The content of communication is relevant to the organisation's activity and does not contain any inappropriate or offensive comments or images. In particular, do not communicate anything that a reasonable observer could view as being of a sexual nature;
- A plan for moderating and removing any inappropriate or offensive content has been developed and documented;
- All users are educated that what they share is on a public platform and can be seen and screenshotted by people unknown to them. All users are educated in identifying and reporting harmful or inappropriate content;
- No unnecessary identifying details about or images of individuals are shared;
- Only engage through organisational or approved accounts, not personal or unapproved ones.
- All our staff and students are required to follow the College's Acceptable Use of ICT Policy in relation to browsing websites on our organisation's computers;
- Our personnel are required to ensure appropriate monitoring of children and young people when they use our organisation's online and electronic communication equipment to prevent exposure to pornographic material and to ensure that they do not inadvertently place themselves at risk of abuse or exploitation via social networking sites, gaming sites or through web searches, or inappropriate email communication;
- Personnel must not communicate with students from a private or personal email address, and any child and young person-initiated private or direct communications on social media or from a non-College device or address must be reported to the Child Safety Officer immediately.

Photography and images

Students of the College are to be photographed (or filmed) only if:

- permission has been sought from the child or young person and their parent/care giver prior to being photographed or filmed;
- the context is directly related to participation in College life;
- the child is appropriately dressed and posed;
- the image is taken using official College equipment. Personal equipment is not to be used when photographing or filming children and young people in our service;
- the image is taken in the presence of other personnel;
- images are not to be distributed (including as an attachment to an email) to anyone outside our organisation other than the child photographed or their parent/care giver without management knowledge and approval.

Overnight stays and sleeping arrangements

Overnight stays are to occur only with the authorisation of the College's Camps and Overseas Trips Committee and of the parents/care givers of the children or young people involved.

Factors to consider, prior to departure for individual participation in overnight stays include:

- the length of time away from home is appropriate to the age, developmental stage and education level of the attending participants;
- participants feel comfortable and the stay is in their best interest;
- participants behavioural issues, medical conditions, cultural and language barriers, separation issues or a history of abuse that may impinge on their ability to cope or speak out if they are feeling unsafe or uncomfortable.

Conduct by our personnel during an overnight stay must be consistent with the practices and behaviours expected during delivery of our activities, services and programs and use of our facilities at other times.

Standards of conduct that must be observed by our personnel during an overnight stay include:

- providing children and young people with privacy when bathing and dressing;
- observing appropriate dress standards when children and young people are present – such as, no exposure to adult nudity;
- not allowing children or young people to be exposed to pornographic material, for example, through movies, television, the internet or magazines;
- not leaving children and young people under the supervision or protection of unauthorised persons such as hotel staff or friends;
- not involving sleeping arrangements that may compromise the safety of children and young people such as, unsupervised sleeping arrangements, or an adult sleeping in the same bed as a child or young person;
- the right of children and young people to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay;
- parents expecting that their children can, if they wish, make contact.

Bathroom / change room arrangements

Personnel are required to supervise children and young people in bathrooms and / or change rooms while balancing that requirement with a child or young person's right to privacy.

In addition:

- personnel should avoid one-to-one situations with a child or young person in a bathroom and / or change room area;

- personnel are not permitted to use the change room area to, for example, undress, while children and young people are present;
- personnel need to ensure adequate supervision in public bathrooms /change rooms when they are used;
- personnel need to provide the level of supervision required for preventing abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child's or young person's privacy;
- when monitoring bathroom and / or change room area, personnel are to knock loudly / identify themselves prior to entering the area and where possible take another supervising adult;
- female personnel are not to enter male bathrooms / change room and male personnel are not to enter female bathrooms / change rooms;
- personnel are to use bathrooms and change rooms specific to their identified gender.

Gift Giving

- The practice of personnel giving gifts to children and young people participating in our service is strongly discouraged and should not be common or frequent in occurrence;
- Personnel are not to give gifts of a personal nature that encourages children and young people to think they have an individual and special relationship;
- The singling out of an individual child or young person within our organisation to give a gift to, is not permitted.

Use, possession or supply of alcohol or drugs

While on duty, personnel must not:

- use, possess or be under the influence of an illegal drug;
- use, possess or be under the influence of alcohol;
- supply or purchase alcohol or drugs (including tobacco and tobacco related products) or restricted substances to children or young person within our organisation;
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs.

Examples of acceptable behaviours are considered to be:

- Adhering to the College's Child Safety and Wellbeing Policy and upholding the College's Statement of Commitment to Child Safety and Wellbeing at all times;
- Promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children and young people (for example, by never questioning an Aboriginal and Torres Strait Islander child's self-identification);
- Promoting the cultural safety, participation and empowerment of children with culturally and linguistically diverse backgrounds (for example, by having a zero-tolerance for discrimination);
- Promoting the safety, participation and empowerment of children and young people with a disability (for example, during personal care activities);
- Acting in a professional and courteous manner in all correspondence with children and young people and their families and the community;
- Treating everyone in the College community with respect;
- Listening and responding to the views and concerns of children and young people, particularly if they are telling you that they or another child has been abused or that they are worried about their safety or the safety of another child;
- Using non-aggressive and professional language at all times when speaking to students;
- Encouraging appropriate behaviour between peers;
- If an allegation of child abuse is made, ensuring as quickly as possible that the child or young person is safe;
- Ensuring as far as practicable that adults are not alone with a child;
- Acknowledging that the School Psychologists and First Aid Officers have different professional standards which necessitate the need for closed door conversations;
- Reporting to the Victorian Institute of Teaching any charges, committals for trial or convictions in relation to a sexual offence or allegations/concerns about a registered teacher as per VIT reporting obligations;
- Reporting to the Department of Justice and Regulation any charges, committals for trial or convictions in relation to a sexual offence by a non-teaching staff member, or certain allegations or concerns about a non-teaching staff member that would affect a Working with Children Check.

Examples of unacceptable behaviours are considered to be:

- Ignoring or disregarding any suspected or disclosed child abuse;
- Suggesting, initiating or engaging in any intimate or sexual contact with students;
- Making physical contact with students in any manner that may be deemed to be violent, aggressive, sexual in nature, or otherwise inappropriate or unwelcome;
- Developing any 'special' relationships with children and young people that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children/young people or fostering close relationships outside of professional duties);
- Discriminating against any child, including but not limited to: age, gender, race, culture, vulnerability, sexuality, ethnicity or disability;

- Discussing intimate personal details with students;
- Using language that is demeaning, abusive or belittles the student;
- Ignoring or disregarding any disclosed or suspected child abuse;
- Using a personal mobile phone to take photos of students;
- Using an unauthorised camera to take photos of students without College approval;
- Accessing and storing inappropriate material, images or videos on College devices both during term time and whilst on school holidays or leave;
- Befriending or engaging with students (or former students within two years of leaving the College) on social media, via personal email, mobile device or websites;
- Allowing students to view inappropriately rated and contextually inappropriate visual/audio material;
- Expressing personal views on cultures, race or sexuality in the presence of children and young people;
- Consuming alcohol on any College tour, camp, retreat or activity, any time students are present or in staff care;
- Using illicit drugs on any College tour, camp, retreat or activity, any time students are present or in staff care;
- Supplying alcohol or drugs (including tobacco) to children and young people participating in College; tours, camps, retreats or activities;
- Using bathroom facilities other than those designated for adults/staff or using bathroom facilities while children and young people are present;
- Female staff members must not be present in change rooms when students are changing;
- Privately tutoring De La Salle students outside of the normal teaching duties for money;
- Driving students in a private car unless sanctioned by the College and approved by the parent/guardian, as per our Transporting Students Policy.

No document can cover every possibility or be all inclusive of all acceptable/unacceptable behaviours, please refer any concerns to a member of the College Executive Team.

It is a requirement that all personnel sign off the Child Safety Code of Conduct on an annual basis, and/or with every new contract, which will be facilitated by the Human Resources Manager. Failure to do so will result in escalation to the Principal.

Breaches of the Code

De La Salle College staff who are alleged to have breached this Child Safety Code of Conduct will be referred to the Principal who will manage the issue in accordance with Clause 13 of the VCMEA 2018, Managing Employment Concerns.

Any allegations of a breach of the Child Safety Code of Conduct should be reported to the Principal unless the matter relates to the Principal, then report the matter to a member of the Executive Team or the College Board.

Where any other member of the school community, including volunteers and contractors, is suspected of breaching this code, the College will take appropriate action, including (if applicable) in accordance with the *PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools* policy.

Approval:

Responsible officer:	Principal
Approval body:	College Executive / College Board
Approval date:	27.10.2021 / 26.10.2021
Amended:	23.06.2022
Previous approval:	17.02.2021 / 15.02.2021
Next scheduled review:	October 2024

In line with Ministerial Order 1359 requirements, please sign the note of acceptance below and retain a copy for your records. This must be signed in conjunction Commitment to Safeguarding Children and Young People Form.

Acceptance

I, _____, confirm I have been provided with a copy of the above Child Safety Code of Conduct.

Signed: _____ Date: _____