

Policy

Child Safety and Wellbeing Code of Conduct

1. Policy Statement

Scotch College (the College) is committed to maintaining an environment where each child or young person feels a sense of belonging and trust, and all have confidence in their relationships with College personnel.

2. Rationale

This Code of Conduct (Code) outlines behaviours which the College deems to be acceptable and unacceptable with respect to staff interactions with children and young people. The Code serves to establish an environment of safety and promote a culture where the safety and wellbeing of children and young people is the highest priority.

The Code has been developed in accordance with the requirements of *Ministerial Order 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises*, and with certification requirements of the Australian Childhood Foundation¹. Adopted by the College and authorised by the College Council, this Code serves to strengthen the safeguarding culture of Scotch College.

3. Scope

All personnel of Scotch College are required to adhere to this Code. Personnel is defined to include members of the College Council, teaching staff, non-teaching staff, coaches, contractors and volunteers.

This document should be read and understood in conjunction with

- Individual position description statements
- Related documents as outlined at Section 7 of this Code
- Professional requirements / codes of ethics and conduct as relevant, including those of the Victorian Institute of Teaching, the Associated Public Schools of Victoria, and those of governing bodies for Nurses and Psychologists.

The Code applies to all of the College's environments, defined as any of the following physical, online or virtual places, used by students during or outside school hours as part of school authorised activities:

- a) the College boarding facilities;
- b) a campus of the College;
- c) online or virtual school environments made available or authorised by the College for use by a student (including email, intranet systems, software applications, collaboration tools, and online services); and
- d) other locations provided by the College or through a third-party provider for a student to use including, but not limited to, locations used for:
 - i. camps;
 - ii. accommodation of students (approved accommodation providers);
 - iii. delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school; or
 - iv. sporting events, excursions, trips, competitions or other events.

4. Expectations

Acceptable behaviours are outlined over. All personnel are expected to:

¹ The College has been a certified organisation with the Australian Childhood Foundation since 2018.

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- Treat all children and young people with respect
- Be a positive role model to children and young people
- Promote the safety, welfare and wellbeing of children and young people in all school environments
- Maintain professional boundaries and standards of behaviour and communication in all environments, regardless of the setting or location or purpose of activity
- Provide adequate, age-appropriate care and supervision of all children and young people in all school environments
- Comply with policies, procedures and guidelines published by the College with respect to child protection, safety and wellbeing
- Respect the privacy of children and young people in sensitive areas such as toilet areas, change rooms, swimming facilities, camping situations and boarding
- Support and respond to children and young people who are considered vulnerable, either as self-reported, identified by the College, or as referred or identified by a government agency, funded family service or family violence service
- Pay particular attention to the needs of, and promote the safety, participation and empowerment of children and young people:
 - Of Aboriginal and Torres Strait Islander descent
 - Living with disability
 - From culturally and linguistically diverse backgrounds
 - Who are unable to live at home
 - Who are in Australia on a student visa
 - Who are lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+)
- Use positive and affirming language towards children and young people
- Ensure any physical interactions with a child or young person are based on the needs of the child or young person (e.g. to comfort, assist with fitting of sporting or safety equipment)
- Encourage children and young people to 'have a say' and then listen to them with respect
- Respect cultural, religious and political differences
- Help provide an open, safe and supportive environment for all children and young people to interact, and socialise
- Intervene if children or young people are engaging in bullying behaviour towards others or acting in a humiliating or vilifying way
- Report any breaches of this Code or concerns about child safeguarding to the College's Child Protection Officer
- Ensure that your obligations (including legal) to report allegations internally and externally are met
- Where an allegation of child abuse is made, ensure as quickly as possible that the child or young person involved is safe
- Respect the privacy of children and young people and their families and only disclose information to people who have a need to know
- Call the Police on 000 if you have concerns for a child or young person's immediate safety.

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Unacceptable behaviours are outlined below. Personnel must not:

- Engage in any form of unprofessional behaviour towards children or young people or expose children or young people to such behaviour
- Use language that is intended to threaten or frighten, or is derogatory, belittling or negative (e.g. calling a child a 'loser' or 'fat')
- Express discriminatory or disrespectful personal views on cultures, ethnicity, sexuality or disability in the presence of children or young people or discriminate against any child or young person based on culture, ethnicity, sexuality or disability
- Engage in open discussions of a personal or adult nature when in the presence of children or young people
- Engage in any form of sexual conduct with a child or young person including making sexually suggestive comments and sharing sexually suggestive material
- Engage in unnecessary physical conduct or behaviours including doing things of a personal nature that a child or young person can do for themselves (such as toileting or changing clothes) or touching buttocks, breasts or genitals in any circumstances outside the delivery of medical or allied health services
- Engage in any form of physical violence towards a child or young person including rough physical play
- Use physical means or corporal punishment to discipline or control a child or young person (having regard to the College's Restraint of Students Policy)
- Discipline children or young people in a way that could reasonably be considered as degrading, cruel, frightening or humiliating – language and tone of voice used should provide clear direction
- Engage in any form of behaviour that has the potential to cause a child or young person serious emotional or psychological harm
- Develop 'special' relationships with children or young people that could be seen as favouritism (for example, the offering of gifts or special treatment for specific students)
- Engage in private meetings with a child or young person outside the school environment. One-on-one meetings within the school environment, where these cannot be avoided, should be conducted in open spaces and in the potential line of sight of other personnel (this may include line of sight through an open or glass-panelled door)
- Engage in personal communications with a child or young person which are outside the requirements of the professional relationship, through any medium, including online
- Communicate with children or young people via text message where it is not in a professional context
- Give out personal telephone numbers or social media contact details to a child or young person
- Accept or request children or young people as 'friends' or 'follow' children or young people on social media or otherwise use social media to communicate in any way that is not condoned or approved by the College
- Publish (including online) photos, movies or recordings of a student without parent / guardian consent unless it has been authorised for educational purposes at Scotch
- Post online any information about a child or young person that may identify them such as their full name, age, email address, telephone number, residence, school, or details of a club or group they may attend.

In addition to meeting core functions, duties and responsibilities as outlined, all personnel are required to:

- Undertake ongoing Child Safety and Wellbeing training as required by the College
- Maintain valid VIT or WWCC documentation

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- Report to the Principal any criminal charges or convictions received during the course of employment or volunteering that may indicate a possible risk to children and young people, including any such charges or convictions prior to employment.

5. Breaches

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

ACTIONS OUTSIDE THE CODE OF CONDUCT

Scotch College personnel may only act outside the requirements of the Code where they feel compelled to do so due to a reasonable belief that a child or young person's welfare is at risk. In such circumstances:

- Personnel must act within the limits of the law
- Wherever possible, authorisation should be obtained from the Principal before taking such action
- At the earliest opportunity, the incident must be logged on the Safeguarding Reporting System and the Principal notified of the circumstances in which the Code has been breached.

REPORTING

There are criminal offences in Victoria for failing to act on child safety issues within the College:

- **'Failure to protect'**: a person in a position of authority within the College who negligently fails to take appropriate action to address the risk that a child may become the victim of a sexual offence committed by an adult associated with the College may be charged with the criminal offence of 'failing to protect'.
- **'Failure to disclose'**: if an adult reasonably believes a sexual offence has been committed by an adult against a child under the age of 16, they must report it to Victoria Police. Failure to disclose the information may be a criminal offence.

All Scotch College personnel must make a report before the end of their session of work if they become aware of a breach of the Code, including if they:

- become aware of any allegation of child abuse
- have a concern for the safety of a child or young person in the College's services
- notice any Scotch College personnel whose practice or behaviour is contrary to the expectations of behaviour set out in this Code.

A report may be logged via the Safeguarding Reporting System, or made verbally to the Child Protection Officer or a Vice Principal of the College². The report will be managed in accordance with the College's Safeguarding Incident Management Policy.

ACTION IN RESPONSE TO VICTORIA'S REPORTABLE CONDUCT SCHEME

The Principal will be informed of any allegation of child abuse or misconduct towards children against a worker or volunteer. Upon receiving the allegation, the Principal will:

- Take immediate action to protect children from further potential for abuse
- Report the allegation to the CCYP. In circumstances where an allegation of criminal conduct is made, Victoria Police will be informed as the first priority

² Reports made verbally will be logged in the Safeguarding Reporting System by the recipient.

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- Ensure investigation of the allegation occurs, that action is taken as necessary, and that records of the outcome are retained in accordance with the College's Records Management Policy
- Report the finding and reasons for the outcome to the CCYP at the conclusion of the investigation
- Report to the Victorian Institute of Teaching any conduct deemed to have violated its Codes of Conduct and Ethics
- Not disclose details or share information of the allegation internally except when assistance from the Child Protection Officer is required by the Principal in the administration of the reportable conduct reporting procedures and obligations.

6. Review and Monitoring

This Policy must be reviewed at least once every two years or following any significant incident, audit or legislative changes.

7. Related Documents

1. Scotch College Safeguarding Children and Young People Policy
2. Scotch College Inclusion Statement
3. Scotch College Safeguarding Reporting Policy
4. Scotch College Staff and Student Professional Boundaries Policy (Staff Policy Portal only)
5. Scotch College Boarding Staff Handbook (Staff access only)
6. Scotch College Safeguarding Incident Management Policy (Staff Policy Portal Only)
7. Scotch College Safeguarding Reportable Conduct Policy (Staff Policy Portal only)
8. Scotch College Restraint of Students Policy (Staff, Parent and Student Policy Portals only)
9. Scotch College Supervision Policy (Staff Policy Portal only)
10. Scotch College Photography, Filming, Recording of Students Policy (Staff, Parent and Student Policy Portals only)
11. Scotch College Overseas Students Policy (Staff, Parent and Student Policy Portals only)
12. Scotch College Working With Children Checks Policy (Staff Policy Portal only)
13. Scotch College Records Management Policy (Staff Policy Portal only)