

## MSV Child Safety Code of Conduct

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### 1 Introduction

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- 1.1 Mastery Schools Victoria (**School**) is committed to promoting and protecting the interests, safety and wellbeing of children, young people and students. Mastery Schools Victoria has no tolerance for abuse to children and students.
- 1.2 Child safety at the School is of paramount importance. The School is committed to creating and maintaining a safe and nurturing learning environment where children and students can learn, grow, and thrive without fear of harm or neglect. The School recognises and upholds the responsibility to protect all children and students from harm, including physical, emotional, and psychological abuse.

- 1.3 This Child Safety Code of Conduct (**Code**) has been endorsed by the Board. It has been drafted considering the diversity of the School's environment, including but not limited to the needs of students with dyslexia, autism, Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children who are sexually and gender-diverse, children with disabilities, and other children who are vulnerable.

## 2 Purpose

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- 2.1 This Code has the purpose of promoting child safety and wellbeing in the School environment and safeguarding children, young people and students at the School against sexual, physical, psychological and emotional abuse, neglect, and family violence.
- 2.2 It aligns with the School's stance of no tolerance of child abuse.

## 3 Scope

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- 3.1 This Code applies to all employees, volunteers, contractors, coaches, students on placement at the School, external education providers, volunteers, and members of the Board (collectively referred to as 'Staff' or 'Staff Members') at the School.
- 3.2 Staff must comply with this Code at all times.
- 3.3 This Code must be read in accordance the School's Child Safety and Wellbeing Policy and Child Safety Reporting Procedure, the Staff Code of Conduct and any other applicable professional or occupational codes of conduct that regulate School Staff, such as the Victorian Institute of Teaching (VIT) Code of Conduct.
- 3.4 Students must comply with the Student Code of Conduct, and Parents or Carers of Students must comply with the Parent Code of Conduct. When Parents volunteer at the School, they are considered Staff and must comply with this Code as well as the Parent Code of Conduct.
- 3.5 This Code applies in all areas of the 'School Environment'. The School Environment includes any of the following:
- (a) the campus of the School;
  - (b) other areas of La Trobe University made available to students by the School;
  - (c) online or virtual School Environments made available or authorised by the School for use by children and students (including email, intranet systems, software applications, collaboration tools, and online services); and

- (d) any other locations provided by the School or through a third-party provider for a child or student to use, including, but not limited to, locations used for:
  - (i) camps;
  - (ii) approved homestay accommodation;
  - (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, competitions or other events.

3.6 This Code applies regardless of:

- (a) the location of where an interaction occurs, whether during or outside School grounds or during or outside School hours;
- (b) a student's age;
- (c) a student's consent;
- (d) the consent of parents/guardians and families; and
- (e) circumstances in which a student initiates an interaction or relationship with the Staff Member.

3.7 Staff must be conscious that their position places significant obligations on them including a requirement to maintain professional boundaries with students, including when interactions with students can extend beyond the School setting, including outside of normal School hours, outside of School grounds and by any medium of technology (including social media).

## **4 Required behaviours**

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4.1 To ensure the safety and wellbeing of children, young people and students, Staff must:

- (a) act as a role model to children and young people;
- (b) adhere to the School's Child Safety and Wellbeing Policy, Child Safety Reporting Procedure, this Code, and other applicable policies and procedures (as amended from time to time) at all times;
- (c) take all reasonable steps to protect the children, young people and students in the School's care from abuse and/or risk of harm;
- (d) abide by professional boundaries at all times;
- (e) promote cultural safety, and actively encourage and support the participation and empowerment of Aboriginal and Torres Strait Island children and students (for example, by never questioning an Aboriginal and Torres Strait Island child self-identification);
- (f) support and encourage Aboriginal and Torres Strait Island children and students to express their culture and enjoy their cultural rights;

- (g) respect the language, customs, religions and cultures of children, young people and students;
- (h) promote the empowerment of children, young people and students about their rights, and encourage and empower their participation in decisions affecting them;
- (i) Actively supervise students at all times, whether during class, break times, or extracurricular activities, to prevent accidents and identify potential risks or signs of distress;
- (j) promote the safety, participation and empowerment of children, young people and students with disabilities, students from culturally and linguistically diverse backgrounds, students who are unable to live at home, international students, and lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) students (for example, by having zero tolerance for discrimination, racist, bullying and phobic behaviour);
- (k) listen to the views and concerns of children, particularly if they say they speak about abuse of them or another person, or they are worried about their safety or the safety of another child;
- (l) swiftly report any allegations of abuse or risks of harm to children, young people or students (including bullying, discrimination and harassment) in accordance with the School's policies and procedures;
- (m) report any suspected breach of this Code to the Principal or Assistant Principal immediately.
- (n) respect the confidentiality and privacy of children, young people and students and act in accordance with the School's Privacy Policy;
- (o) exercise prudent judgement and intervention consistent with the School's Student Behaviour Management Policy when students engage in harmful behaviour towards others (e.g., bullying, harassment, discrimination or vilification);
- (p) establish and maintain a child-safe environment in the course of their work;
- (q) be professional in their actions and maintain strict impartiality at all times;
- (r) comply with relevant professional and employment obligations, including any professional or occupational code of conduct (such as the VIT Code of Conduct);
- (s) only interact with students online using the School's technology systems, and only for educational or pastoral purposes or for the organisation of co-curricular events, and in compliance with the School's policies and procedures;
- (t) immediately notify the Principal if they become the subject of any investigation in relation to their conduct towards children, charged with

- any offence related to children or family violence, or are named as a respondent in a family violence or personal safety intervention order;
- (u) exercise prudent judgment and sensitivity regarding appropriate physical interactions with children, students and young people, and only engage in physical interactions with students where it may be necessary, a required part of their education, and beneficial and/or supportive;
  - (v) comply with any lawful and reasonable direction by the School; and
  - (w) cooperate with any investigation by the School or any regulatory authority.

## **5 Unacceptable behaviours**

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### 5.1 Staff must not:

- (a) engage in any form of abuse or harm towards any child or student, including behaviour that could constitute grooming;
- (b) ignore or disregard any suspected or disclosed child abuse or risk of harm to a child or student;
- (c) discourage any person from reporting a complaint or concern of child abuse or risk of harm to children;
- (d) engage in any behaviour with students that could be seen as grooming or favouritism (e.g., offering of gifts or special treatment to a student, unless the Staff Member is a parent, guardian or relative of the student);
- (e) attend parties or socialise with students outside of organised School events unless the School has provided permission and the parent, carer or guardian of the student is present at all times;
- (f) have contact with a student or their family outside of School without knowledge and consent of the Principal (for example, unauthorised after-hours tutoring, private instrumental/other lessons or sport coaching) excluding accidental contact with a student or their family;
- (g) drive a student in their car unless they have the express consent of the Principal and the parent, carer or guardian, preferably with two adults present at all times;
- (h) take a student to their home or encourage meetings outside School activities (including online or via social media);
- (i) engage in, or encourage, conduct towards or in the presence of children or students which may be construed as unnecessarily physical (e.g. sitting on laps, rough physical games, holding, massaging, kissing, cuddling or touching children in an inappropriate and/or culturally insensitive way, and doing things of a personal nature that a child or student can do for themselves, such as toileting or changing clothes);

- (j) communicate with a child or student in a way that could reasonably be perceived as threatening, intimidating, derogatory, demeaning, or humiliating;
- (k) subject a child or student to any form of corporal punishment or physical violence;
- (l) put a student at risk of harm or abuse (for example, by locking doors);
- (m) engage in discussions of a personal, over-familiar or adult nature in the presence of a student (unless you are related to that child);
- (n) use inappropriate or sexualised language towards in the presence of students (e.g., swearing, sexualised jokes or conversations etc, including online);
- (o) discuss sexual activities with a student unless it is a specific job requirement, and the person is qualified or trained to discuss these matters;
- (p) be naked in the presence of a student (unless you are the parent or guardian of that student);
- (q) share or expose a child or student to sexually explicit materials (e.g., magazines, photographs, images, online material, cards, videos, films etc.);
- (r) possess, access, solicit, transmit, or produce child abuse material;
- (s) sleep in the same bed, sleeping bag, tent or cabin with a student;
- (t) expressing personal views on culture, race, gender identity or sexual orientation in the presence of a student;
- (u) discriminate against any student because of a protected attribute, including because of their gender identity, race, sexual orientation, sex or disability;
- (v) have any online contact with a student (including by social media, email, instant messaging, etc.), unless that contact is limited to providing information about the School, or is connected directly to the School work of the enrolled student;
- (w) use any personal communication channels/device such as a personal email account, social media or instant messenger account to contact students;
- (x) exchange personal contact details students such as phone numbers, social networking sites or personal email addresses;
- (y) become 'friends' with, follow or add a student on any social media platform (unless the Staff Member is the parent, carer or guardian of that student);
- (z) photograph or video a student without the consent of the School and the student's parent or guardians (unless the Staff Member is the parent, carer or guardian of that student);

- (aa) share or request any photographs, videos, recordings or personal information about students without the School's consent, including on any of their own social media platforms;
- (bb) engage in any conduct to change or suppress a child or student's gender identity or sexual orientation;
- (cc) work with a student while under the influence of illegal drugs or alcohol;
- (dd) consume illegal drugs or alcohol at the School or at School events in the presence of children or students;
- (ee) supply any student with illegal drugs or alcohol;
- (ff) spend time alone with a student unless there is a line of sight to other adults.

## **6 Use of electronic communications**

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- 6.1 Electronic communication between a Staff Member and a student and/or their families should only occur for reasons relating to the School community and for educational or pastoral purposes, unless the Staff Member is the parent, carer or guardian/a relative of the student, or consent has been obtained from the Principal.
- 6.2 All Staff must:
  - (a) continually seek to identify and minimise risks of harm in the online environment without compromising a child or student's right to privacy, access to information, social connections and learning opportunities; and
  - (b) never to post images of students on School communication channels with personal information (i.e., personal addresses, phone numbers, email address and instant messaging names).

## **7 Professional Boundaries**

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- 7.1 All Staff must maintain professional boundaries at all times, including outside School hours and activities.
- 7.2 The School strongly discourages any connections or relationships with ex-students. The School is entitled to consider that the Staff Member's actions in developing a relationship with an ex-student as an abuse of that Staff Member's position at the School.

## **8 Physical Contact / Touching**

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- 8.1 Staff must avoid all forms of physical contact with students where possible.
- 8.2 Physical contact may be required in an emergency to quickly remove children and students from danger (or threat of danger). This physical contact is only

permitted to the extent it is reasonable in all the circumstances and no more force is used than is absolutely necessary.

- 8.3 Regarding any physical contact or touching with students, Staff must:
- (a) consider the child or student's age, developmental level, maturity and level of care required, for example, touching a child to gain their attention, guiding or comforting a distressed child or student;
  - (b) work in an open environment wherever possible (e.g., in confidential interviews or a one-to-one meeting, the door should be open with visual access);
  - (c) be alert to cues from children about how comfortable they are in your proximity and respect their need for personal space;
  - (d) be sensitive when interacting with children and students who have experienced trauma;
  - (e) be cautious about physical contact in games or practical instruction. If physical contact is required for demonstrations, explain the activity and what you will do, maintain a safe and appropriate distance, and if a child or student expresses a concern or caution about physical contact, then consider alternative options; and
  - (f) only make physical contact in a way that makes children and young people feel comfortable, for example, shaking hands, a congratulatory pat on the back or rub on the side of their arm for reassurance.

## **9 Photos and images**

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- 9.1 Staff must not use images of children as screen savers or backgrounds on personal electronic devices unless you are a relative/the parent, carer or guardian of those students or children.
- 9.2 The collection and storage of photographs or images of students must be for educational or professional purposes consistent with the Staff Member's role.
- 9.3 Use of social media and posting of student images by students, employees, contractors, volunteers or members of the Board must be consistent with the School's Social Media Policy;

## **10 Personal relationships with students**

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- 10.1 Where personal relationships with students exist, (such as family relationships and close friendship networks) questions of conflict of interest may arise and professional boundaries may be tested.
- 10.2 Where such a situation may arise, Staff must:
  - (a) be diligent in developing and maintaining professional boundaries;
  - (b) take steps to ensure any potential conflict of interest is avoided;

- (c) be aware that the giving and receiving of awards, giving extra attention, accepting a different standard of behaviour from a student, and having 'special time' with student, must be appropriate and justified as a strategy to meet teaching and learning outcomes consistent with the Staff Member's role and directions of the School;
- (d) obtain prior permission from the School and parents when meeting with students for activities outside of School hours for any reason;
- (e) comply with the School's policies to make relevant disclosures and reports as soon as possible; and
- (f) comply with a reasonable direction of the Principal to end that relationship with the student and/or family.

## **11 Transportation and off-site events**

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- 11.1 Other than in an emergency or other situation where no other option could be reasonably foreseen, it is not acceptable to transport students without the permission of the School and of their parent, carer or guardian.
- 11.2 Students should be transported directly to their destination. No stops should be made other than those that are reasonably scheduled for meals or comfort stops.
- 11.3 Unless impossible in the circumstances (for example, due to necessary staff ratios), two adults must be present in a vehicle transporting students at all times.
- 11.4 It is prohibited to have students spend the night at the residence of the Staff Member without the prior approval of the School and parent or guardian.
- 11.5 Changing and showering facilities or arrangements for adults must be separate from facilities or arrangements for students and Staff Members must not shower or change in front of students.

## **12 Confidentiality**

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### **Disclosing Information to Employees, Volunteers, Contractors and Board Members**

- 12.1 When a child or student communicates with a Staff Member, that interaction is confidential to the School and not to the individual. This means the Staff Member can talk with another Staff Member in a way that identifies the child or student (e.g., for the purpose of discharging the duty of care).
- 12.2 Wherever possible, the privacy of the student should be respected. This means not sharing confidential information with other Staff Members unless necessary (e.g., for safety or duty of care).
- 12.3 Staff can seek guidance from the Child Safety Officer and/or Privacy Officer.

## **Disclosing Information to People External to the Organisation**

- 12.4 Staff must **not** discuss confidential matters about students with people outside the School in a way that identifies that student except when they have the express consent of the child or student, their parent or guardian, or the disclosure complies with legal or reporting obligations (such as mandatory reporting, the Reportable Conduct Scheme and the Child Information Sharing Scheme).

## **13 Reporting**

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- 13.1 The Child Safety and Wellbeing Policy includes information on how to identify key risk indicators of child abuse.
- 13.2 The Child Safety Reporting Procedure includes how to report child abuse concerns.
- 13.3 Any person who is concerned that a child may be subject to abuse or risk of harm is strongly encouraged to contact one of the School's Child Safety Officers or relevant authorities outlined in the School's Child Safety and Reporting Procedure.

## **14 Breach of this Code**

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- 14.1 The School takes its child safety and wellbeing obligations very seriously. All Staff must abide by this Code.
- 14.2 Any Staff Member who breaches this Code may be subject to disciplinary action, including and up to termination of their employment or engagement.
- 14.3 Individuals who are aware of a suspected breach of this Code should refer to the School's Child Safety Reporting Procedure and make a report to the Principal or Assistant Principal as soon as possible. All reports will be treated seriously and confidentially, and responded to swiftly.
- 14.4 The School may be required to report concerns to other agencies, including the Police, VIT, the Commission for Children and Young People and/or the Department of Families Fairness and Housing.

## **15 Review**

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- 15.1 The Board will review this Code annually and after any significant child safety incident.
- 15.2 The Board is responsible for ensuring this policy is reviewed and updated as needed and endorsing this Code.

## **16 Related policies, procedures and legislation**

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- 16.1 This Code should be read in conjunction with the following related documents:

- (a) Child Safety and Wellbeing Policy;
- (b) Student Code of Conduct;
- (c) Parent Code of Conduct;
- (d) Child Safety and Wellbeing Procedure; and
- (e) Student Safety Policy;
- (f) Social Media Policy;
- (g) School's Statement of Commitment to Child Safety;
- (h) Code of Conduct;
- (i) VIT Code of Conduct.

16.2 Related legislative instruments:

- (a) *Education and Training Reform Act 2006* (Vic);
- (b) Ministerial Order 1359;
- (c) *Crimes Act 1958* (Vic);
- (d) *Child Wellbeing and Safety Act 2005* (Vic);
- (e) *Children, Youth and Families Act 2005* (Vic);
- (f) Child Safe Standards Victoria; and
- (g) *Victorian Institute of Teaching Act 2001* (Vic).