



MELBOURNE
GRAMMAR SCHOOL
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Child Safety Code of Conduct

Introduction

Melbourne Grammar School ("the School") is committed to promoting and protecting the interests, safety and wellbeing of children, young people and students. The School has no tolerance for abuse to children and students.

School is committed to providing a learning and working environment is safe for all children. a caring, safe, supportive and enriching environment which respects and fosters the rights and wellbeing of all children and young people with whom we have contact, and where every child and student has a place, a voice and their story is known.

This Child Safety Code of Conduct ("Child Safety Code") has been endorsed by our School Council drafted taking into account the diversity of the School's environment including, but not limited to, the needs of 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.

Above all, the Child Safety Code aims to protect children and reduce any opportunities for child abuse or harm to occur.

Purpose

It is the policy of Melbourne Grammar School that the learning and working environment is safe for all children in the School's care. The purpose of this Child Safety Code is to outline the School's commitment to child safety and wellbeing, and the staff of the School's responsibilities, whenever children are in the School's care.

This Child Safety Code has the objective of promoting child safety and wellbeing in the School environment and safeguarding children and students from child abuse and harm. It aligns with the School's stance of zero tolerance against child abuse.

The Child Safety Code also aims to help Staff to identifying and assessing child safety risks and understand how to minimise risk or harm to children.

Scope

This Child Safety Code applies to all Staff which includes School Staff, School Boarding Premises Staff and volunteers. For clarity, staff includes:

- All members of the school governing body being School Council and governing committees
- School Boarding Premises Staff, School Staff, and Volunteers
- all employees and volunteers of the School, including coaches, non-teaching staff and temporary or casual staff
- third party contractors engaged by the School
- people in religious ministry associated with the School
- external education providers of the School

Staff must always comply with this Child Safety Code. All School Advisory Council members, the Principal and all other staff, volunteers, contractors and clergy must sign and abide by Child Safe Code.

This Child Safety Code applies in all areas of the School Environment and the School Boarding Environment.

This Child Safety Code applies outside School grounds or during or outside school hours, in interactions beyond the School Environment or School Boarding Environment, including outside normal school hours, outside School premises and by any medium of technology (such as social media) regardless of:



MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety Code of Conduct

- a student's age
- a student's consent
- the consent of parents/guardians and families
- circumstances in which a Student initiates an interaction or relationship with the Staff Member.

This Child Safety Code must be read in accordance with the School's Child Safety and Wellbeing Policy, Child Safety and Wellbeing Reporting Procedure, the Staff Code of Conduct, any other professional or occupational codes of conduct that regulate particular staff at the School (such as the Victorian Institute of Teaching (VIT) Code of Conduct).

Students must comply with the Student Code of Conduct. Parents or Carers of Students must comply with the code of Conduct – Parents and Community Members.

Child Safety Code of Conduct

This Child Safety Code outlines appropriate standards of behaviour for all adults towards students and children. The Child Safety Code serves to protect children and students, reduce any opportunities for abuse or harm to occur, and promote child safety in the School Environment. It provides guidance on how to best support students and how to avoid or better manage risky behaviours and difficult situations. The Child Safety Code also provides guidance on interactions that uphold everyone's right to a safe School community that is connected, sincere and compassionate.

Where a Staff Member breaches the Child Safety Code, the School may take disciplinary action, up to and including the immediate termination of their employment or engagement.

Staff at the School hold a unique position of influence and trust that must not be violated or compromised.

The School has the following expectations of behaviours and boundaries for Staff interacting with children and students, and the Child Safety Code applies when using digital technology and social media. The following list includes examples of expected behaviour and no acceptable behaviour.

Standards of Conduct

Acceptable behaviours

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

- conduct themselves in a manner consistent with their position and behave as a positive role model that models appropriate behaviour to children and students
- take all reasonable steps to protect the child, young people and students in the School's care from abuse and/or the risk of harm, including by being vigilant and proactive
- always abide by professional boundaries, be professional in their actions and always maintain strict impartiality
- comply with relevant professional and employment obligations, including any professional or occupational code of conduct, such as the VIT Code of Conduct for registered teachers
- provide age-appropriate supervision for students
- interact with students online using only the School's technology systems, and only for educational or pastoral purposes, or to organise co-curricular events
- adhere to the School's Child Safety and Wellbeing Policy, this Child Safety Code and other applicable policies and procedures at all times
- promote cultural safety, and actively encourage and support the participation and empowerment of Aboriginal and Torres Strait Islander children and students
- support and encourage Aboriginal and Torres Strait Island children and students to express their culture and enjoy their cultural rights
- respect the language, customs, religions, political differences and cultures of children, young people and students
- promote the safety, participation and empowerment of children, young people and students with disabilities,



MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety Code of Conduct

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, racism, bullying and phobic behaviour)

- ensure all students have access to fair learning opportunities by recognising and developing each student's abilities, skills and talents by catering to their individual abilities and respecting their individual differences
- establish and maintain a child-safe environment in the course of their work, including by using positive and affirming language towards students
- promote the empowerment of children, young people and students about their rights, and encourage and empower their participation in decisions affecting them. This includes encouraging students to 'have a say' and participate in matters that are important to them, and encouraging friendships and peer support
- listen to the views and concerns of children, particularly if they disclose that they or another child has been abused or that they are worried about their safety/the safety of another child
- exercise prudent judgement and intervention consistent with the School's Student Behaviour Management Policy (and this Child Safety Code regarding physical contact) when students are engaging in harmful behaviour towards others (including bullying, harassment, discrimination vilification)
- obtain prior permission from the School and parents when meeting with a student for activities outside of school hours for any reason
- report any suspected breaches of this Child Safety Code to the Headmaster, Deputy Headmaster, relevant Head of School
- swiftly report any allegations of abuse or risks of harm (including concerns about child safety, bullying, discrimination and harassment) according to the School's policies and procedures
- where an allegation of child abuse is made, ensure as quickly as possible that the student involved is safe
- call 000 if you have serious or immediate concerns for a student's safety
- respect the privacy of children, young people, students and their families and act in accordance with the School's Privacy Policy
- immediately notify the Headmaster, Deputy Headmaster, relevant Head of School, if they become the subject of any investigation in relation to their conduct towards children, are 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
- 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
- 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, learning, or pastoral outcomes consistent with the Staff Member's role and directions of the School
- comply with any lawful and reasonable direction by the School
- cooperate with any investigation by the School or any regulatory authority.

Unacceptable behaviours

Staff must not:

- ignore or disregard any suspected or disclosed child abuse or risk of harm to a child or student (which includes concerns or suspicions of child abuse or risk of harm)
- discourage any person from reporting a complaint or concern of child abuse or risk of harm to children
- engage in behaviour with students that could be seen as grooming or favouritism (such as offering gifts or special treatment of a student) unless the Staff Member is a parent, guardian or relative of the student
- attend parties, socialise with students outside organised School events, or engage in meetings with a student who is not your child, unless the School has provided permission and the parent, carer or guardian of the student is always present
- have contact with a student or their family outside of school without the knowledge and consent of the Headmaster, Deputy Headmaster, relevant Head of School (for example, unauthorised after-hours tutoring, private lessons or coaching) excluding accidental contact with a student or their family

COMMERCIAL IN CONFIDENCE

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Page 3 of 9
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MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety Code of Conduct

- drive a student in their car unless they have the express consent of the Headmaster, Deputy Headmaster, relevant Head of School, and the parent, carer or guardian of the student
- take a student to their home or encourage meetings outside School activities (including online or via social media)
- engage in, or encourage, conduct towards or in the presence of children or students which may be construed as unnecessarily physical (including sitting on laps, rough physical games, holding, massaging, kissing, cuddling or touching children in an inappropriate, unnecessary or culturally insensitive way, and doing things of a personal nature that a student can do for themselves, such as toileting or changing clothes)
- communicate with a child or student in a way that could reasonably be perceived as threatening, intimidating, derogatory, demeaning or humiliating
- subject a child or student to any form of corporal punishment or physical violence
- put a student at risk of harm or abuse (for example, by locking doors)
- engage in discussions of a personal, over-familiar or adult nature in the presence of a student (unless you are related to that child)
- use inappropriate or sexualised language towards or in the presence of students (including swearing, sexualised jokes or conversations)
- discuss sexual activities with a student unless it is a specific job requirement, and the person is qualified or trained to discuss these matters
- be naked in the presence of a student (unless you are the parent or guardian of that student)
- share or expose a child or student to sexually explicit materials (e.g. magazines, photographs, images, online material, cards, videos, films etc.)
- possess, access, solicit, transmit, or produce child pornography
- sleep in the same bed, sleeping bag, tent or cabin with a student unless the Staff Member is a parent or relative of the student
- photograph or video a student without the consent of the School and the student's parent or guardian (unless the Staff Member is the parent, carer or guardian of the child)
- express personal views on culture, race, gender identity or sexual orientation in the presence of a student
- discriminate against any student because of a protected attribute, including because of their gender identity, race, sexual orientation, sex or disability
- 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 schoolwork of the enrolled student
- use any personal communication channels or software such as a personal email account, social media or instant messenger accounts to contact students
- exchange personal contact details with students such as phone numbers, social networking sites or personal email addresses (unless the Staff Member is a relative of the student)
- initiate out of hours contact with a student or their parent or guardian, including online contact, unless it is in the context of an emergency or with the consent of the Headmaster, Deputy Headmaster, relevant Head of School
- post images of students on School communication channels with personal information (i.e. personal addresses, phone numbers, email address and instant messaging names)
- become 'friends' with, follow, accept or add a student on any social media platform (unless the Staff Member is the parent, carer or guardian of that student)
- share or request any photographs, videos, recordings or personal information about students without the School's consent, including on any social media platforms
- engage in any conduct to change or suppress a child or student's gender identity or sexual orientation
- work with a student while under the influence of illegal drugs or alcohol
- consume or be under the influence of illegal drugs or alcohol at the School or at School events in the presence of children or students
- supply any student with illegal drugs or alcohol or
- spend time alone with a student unless there is a line of sight to other adults.



MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety Code of Conduct

Use of Electronic Communications

Electronic communication between Staff and students (and their families) must occur only for reasons relating to the School and for educational or pastoral purposes, unless the Staff Member is the parent, carer, guardian or relative of the student, or has consent from the Headmaster, Deputy Headmaster, or relevant Head of School.

Staff must 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.

The use of images of children as screen savers or backgrounds on personal electronic devices is not appropriate unless you are a parent, carer, guardian, or relative of the student or child. The collection and storage of photographs or images of students must be for educational or professional purposes consistent with the Staff Member's role. Staff cannot store images of students on their personal devices. Use of social media and posting of images by Staff must be consistent with the School's Social Media and Internet Policy.

Physical Contact

Physical contact may be required in an emergency to remove children, and students quickly from danger or threat of danger, but only to the extent that physical contact is reasonable in all the circumstances and no more force is used than is absolutely necessary. Where physical restraint or intervention is needed for the safety of students and Staff, accurate and timely records should be kept by Staff of the physical contact.

Physical contact for sport, drama and dance instruction is acceptable in a class situation, when it is appropriate and takes into consideration the below requirements. Physical contact for sport, drama or dance instruction is not appropriate in a 1:1 situation.

The School encourages professional contact between staff and children or students. When engaging with children and students, Staff should:

- 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
- 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) noting that exceptions may apply for professions with strict confidentiality requirements
- be alert to cues from children about how comfortable they are in your proximity and respect their need for personal space
- be sensitive when interacting with children and students who have experienced trauma
- 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
- understand that physical contact should be minimal, non-lingering and made 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
- remember that a student may withdraw consent for physical contact either verbally or gesturally and Staff must remain vigilant while engaging in necessary physical contact. Once consent is withdrawn, no further contact can be made
- all forms of physical contact should be avoided where possible. The School has a Pastoral Care team who bring appropriate qualifications in addressing the mental, physical, spiritual and emotional needs of students.

Teachers

Teachers are also required to abide by the principles relating to relationships with students as set out in the Victorian Teaching Profession's Code of Conduct published by the VIT. These principles include:



MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety Code of Conduct

- knowing their students well, respecting their individual differences and catering for their individual abilities
- working to create an environment which promotes mutual respect
- modelling and engaging in respectful and impartial language
- protecting students from intimidation, embarrassment, humiliation and harm
- respecting a student's privacy in sensitive matters
- interacting with students without displaying bias or preference
- not violating or compromising the unique position that a teacher holds of influence and trust in their relationship with students.

Psychologists and school counsellors

In their dealings with students, psychologists and school counsellors should also consider their professional obligations as set out in a code of ethics or practice to which they are bound, including because of their membership of:

- the Australian Health Practitioner Regulation Agency
- the Australian Counselling Association
- Speech Pathology Australia.

Sports and recreation

Coaches, staff members and volunteers involved in coaching, training or assisting students during sporting and recreation activities should adopt practices that assist children to feel safe and protected, including:

- using positive reinforcement and avoiding abusive, harassing or discriminatory language
- coaching students to be 'good sports'
- explaining the reason for the contact and asking for the student's permission if physical contact with a student by a coach or other adult is necessary during a sporting or other recreational activity
- avoiding (where possible) situations where an adult may be alone with a student such as in a dressing or change room, first aid room, dormitory or when the student needs to be transported in a vehicle.

Transportation and Facilities

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.

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.

It is prohibited to have students spend the night at the residence of a staff member without the prior approval of the School and parent or guardian.

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.

Staff must always knock and advise of their presence prior to entering a bedroom or dormitory of students. While in a bedroom or dormitory, Staff must uphold and maintain a strict approach to this Child Safety Code, for example, maintain a strict professional manner by not sitting on a student's bed.

Privacy and Confidentiality

Disclosing Information to Staff

When a child or student communicates with a Staff Member in connection with their role at the School, that interaction is confidential to the School and not to the individual. This means Staff can talk with another Staff Member in a way that identifies the child or student. Wherever possible, the privacy of the student should be respected.



MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety Code of Conduct

When considering interfering with a student's privacy, who and how many people are told should be based on the best interests of the student. In all cases, guidance should be sought from a CSO.

Disclosing Information to People External to the Organisation

Staff should not discuss confidential matters about students with people outside of the School in a way that identifies a 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, including the Child Safety and Wellbeing Policy and Child Safety and Wellbeing Procedure.

Breaches

If the School becomes aware of a breach or suspected breach of this Child Safety Code, the Policy, or the Procedure, it will take immediate steps to ensure the safety and wellbeing of any Student or child who may be at risk.

Staff must immediately report any breaches of this Child Safety Code to the Headmaster, Deputy Headmaster, relevant Head of School, or when on an excursion or School trip, to the responsible CSO.

A breach of this Child Safety Code, the Policy, or the Procedure may result in disciplinary action (up to and including the immediate termination of engagement or employment with the School and the withdrawal of permission for them to be on the School premises).

Suspected breaches will be investigated in accordance with the Policy, the Procedure, and any relevant legislation (for example, the Reportable Conduct Scheme), and in a manner which is child-focused and provides procedural fairness.

At all times and in all decisions relating to a breach or potential breach of this Child Safety Code, the Policy, or the Procedure, the safety of children and Students is paramount.

Definitions

"**Staff**", "**Staff Members**" means School Staff, School Boarding Premises Staff and Volunteers.

"**School Boarding Premises Staff**", which means any individual working in a School Boarding Environment who is:

- directly engaged or employed by the School
- a contracted service provider (whether a body corporate or any other person as an intermediary) engaged by the School Boarding Premises Governing Authority to perform child-related work (within the meaning of the Worker Screening Act 2020 (Vic)) or
- a minister of religion, a religious leader or an employee or officer of a religious body associated with the School

"**School Staff**", which means any individual working in a School Environment who is:

- directly engaged or employed by the School (including employees and designated care givers)
- a contracted service provider (a body corporate or any other person) engaged by the School to perform child-related work (within the meaning of the Worker Screening Act 2020 (Vic)) or
- a minister of religion, a religious leader or an employee or officer of a religious body associated with the School

"**School Environment**" includes:

- a campus of the School
- 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
- any other locations provided by the School or through a third-party provider for a child or student to use,



MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety Code of Conduct

including, but not limited to, locations used for:

- i. camps
- ii. delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school or
- iii. sporting events, excursions, competitions or other events.

"School Boarding Environment" includes any physical, online or virtual space made available or authorised by the School Boarding Premises Governing Authority for a child or student boarding at a school boarding premises to use at any time, including:

- Creswick House, School House, and Perry House
- online or virtual school boarding environments (including email, intranet systems, software applications, collaboration tools, and online services) and
- other locations provided by the provider of school boarding services or through a third-party provider for a child or student to use including, but not limited to, locations used for:
 - i. camps
 - ii. delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school or
 - iii. sporting events, excursions, competitions or other events.

"Volunteer", which means any person who performs work without remuneration or reward for the School in the School Environment or the School Boarding Environment.

"School Boarding Premises Governing Authority" is the School Council and is defined by Ministerial Order 1359 as:

- the provider of the School's boarding services
- the governing body for the School's boarding premises (however described) as authorised by the provider of the School's boarding services or the Education and Training Reform Act 2006 (Vic) ("ETR Act").

"School Council" means the board of Directors of Melbourne Grammar School.

"School Governing Authority" is the School Council and is defined by Ministerial Order 1359 as:

- a proprietor of the School, including a person authorised to act for or on behalf of the proprietor
- the governing body for the School (however described), as authorised by the proprietor of the School or the ETR Act or
- the principal, as authorised by the proprietor of the School, the School Governing Body, or the ETR Act.

"Child" or **"children"** means a child or young person under the age of 18 years, unless otherwise defined by law or noted in this Policy or Procedure. A young person is a child aged 10-17 years old.

"Child Safety" encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures, or allegations of child abuse.

"Child abuse" means:

Any act committed against a child involving:

- a sexual offence or
- grooming and

The infliction, on a child, of:

- physical violence or
- serious emotional or psychological harm and
- the serious neglect of a child.



MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety Code of Conduct

Further Information

Requests for further information concerning any aspect of this Child Safety Code may be directed to the Headmaster, Deputy Headmaster.

Related Polices and Documents

- Child Safety and Wellbeing Policy
- Child Safety and Wellbeing Procedure
- Staff Code of Conduct
- **Recruitment and Screening Procedure**
- Historical Sexual Abuse Policy
- Recordkeeping, Retention and Destruction Policy
- Equal Opportunity and Respectful Workplace Policy
- Privacy Policy
- ICT Responsible Use Agreement
- Social Media and Internet Policy
- Student Passenger Policy

Applicable Legislation

The legislation relevant to the concepts discussed in this policy includes:

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Crimes Act 1958 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Victorian Institute of Teaching Act 2001 (Vic)

Policy Sign Off & Acceptance

Reviewed by: Director of Human Resources
Approved/Signed Off by: Headmaster,
Endorsed by: School Council