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Child Safeguarding Program

"Set an example for the believers in speech, in conduct, in love, in faith and in purity."

1 Timothy 4:12 (NIV)

Purpose

Killester College is committed to providing a safe physical, virtual and emotional environment where all of our students are respected and treated with dignity in an appropriate professional and caring manner, the risk of child abuse is minimised and a safe and supportive child safe environment is maintained. There is particular attention paid to the most vulnerable children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, children with a disability, children who are unable to live at home, international students, and LGBTIQA+ students.
Killester College Staff, Volunteers and Contractors hold a unique position of influence, authority, trust and power in relation to students at the College. As such, it is their duty, at all times, to maintain professional boundaries with students.
A breach of professional boundaries may in some circumstances be a criminal offence. The Crimes Act 1958 (Vic) includes certain offences for persons, including teachers, Direct Contact Volunteers and Direct Contact Contractors, whose position places them in a position of "care, supervision or authority", with a student. For more information, refer to Offences Under the Crimes Act 1958 (Vic).
The following policy and guidelines are designed to raise awareness of situations where professional boundary violations may occur and some strategies to minimise the risk of boundary violations.
The practice of protective behaviours at all times will also reduce the possibility of vexatious claims being brought against Staff.
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Scope
This Policy applies to:

- Kildare Education Ministries Board members

- all Killester Staff, including the Principal and the School Leadership Team, teaching and non-teaching Staff
- all Volunteers
- all Contractors

(together, referred to as "Staff" or “staff members” for the purposes of this Policy only). Their age does not matter.

The Staff and Student Professional Boundaries Policy applies in all Killester College environments. Killester College environments include, physical, virtual and online environments used during or outside school hours, as well as any environment (including those outside the College’s grounds) where College-related activities are occurring.

Killester College's Policy

All Killester College staff members must:

- follow the guidelines for professional boundaries set out below
- exercise their responsibilities in a way that recognises professional boundaries with regard to their relationships with students at all times
- identify, discourage and reject any advances of a sexual nature initiated by a student interact with students in a manner that is professional at all times, including inside and outside of school hours
- report conflict of interest issues to the Principal, or the Executive Officer of Kildare Education Ministries, as soon as practicable
- remove themselves from decision-making where a conflict has been identified
- give equal learning opportunities to each student without discrimination.

Staff members who are teachers registered with the Victorian Institute of Teaching (VIT) must also comply with principles set out in The Victorian Teaching Profession’s Code of Conduct (VIT Code of Conduct).

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Some staff members at Killester College may have other professional or occupational codes of conduct that regulate their profession or occupation. These codes of conduct must also be complied with. In the event that a staff member considers that there is a conflict between their professional or occupational code of conduct and the Staff and Student Professional Boundaries Policy in a particular matter, they must seek advice from their professional or occupational regulatory body and/or a Child Safety Leader, and must advise the Principal of their proposed course of action.

Killester College considers any breach professional boundaries to be a child safety incident. As a result, all staff members must report all breaches of this Policy internally to the College. Any breach that meets the threshold for external reporting must also be reported to the relevant external authority.

For more information, refer to our procedures for Responding to and Reporting Child Safety Incidents or Concerns.

What are Professional Boundaries?

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

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

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

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

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

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

Intimate Relationships

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

Such relationships have a negative impact on the teaching and learning of students and colleagues and may carry a serious reputational risk for the staff member and, in turn, the College.

The professional relationship between Staff and students may be breached by:

- flirtatious behaviour or dating
- development of an intimate personal relationship
- sexual relations
- the use of sexual innuendo, inappropriate language and/or material with students unwarranted and inappropriate touching
- unwarranted and inappropriate filming or photography
- deliberate exposure to sexual behaviour of others (e.g. pornography)
- having intimate contact without a valid context via written or electronic means (e.g. email, letters, telephone, text messages, social media sites or chatrooms)

- going out, whether alone or in company, to social events such as the movies or dinner exchanging gifts of a personal nature that encourages the formation of an intimate relationship.

Relationships with Former Students

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

For registered teachers, it is a breach of the VIT Code of Conduct for a teacher to have a sexualised relationship with a former student:

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- within two years of the learner completing their senior secondary schooling or equivalent; and
- in all circumstances, the former student must be at least 18 years old before a relationship commences.

In addition, if any staff member engages in a romantic/sexual relationship with a person who was previously a student at Killester College, this may generate concerns that the staff member previously crossed professional boundaries while the former student was under the care of the staff member. In particular, concerns may arise that the staff member engaged in grooming behaviour while the person was still a student.

Killester College will investigate any complaint that a staff member has abused their position and acted unprofessionally by engaging in a relationship with a former student. In considering whether there has been a breach of professional boundaries, the College may take the following factors into account:

- the nature of the relationship, including its closeness, dependence and significance the length of the relationship while the former student was attending the College any conduct the staff member undertook which gives cause for concern
- the length of time that has passed between when the person was a student at the College and the commencement of the relationship.

By ensuring that their relationships with Killester College students do not breach Staff and Student Professional Boundaries, a staff member who subsequently forms a relationship with a former student will be less likely to be considered to have breached professional boundaries in relation to that former student, provided that the former student is at least 18 years old and at least two years have passed between the time when the former student concluded their senior secondary schooling and the commencement of the relationship.

Personal Relationships

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

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

An established and expected professional relationship between Staff and students may be compromised by Staff:

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

Killester staff must recognise at all times that their role is not to be a 'friend' or 'parent' to a student.

Fair Learning Opportunities

The focus of teaching is effective student learning and as such teachers are expected to support their students with their professional expertise so as to offer them the best education in their individual circumstances. The quality of teaching and learning between teachers and students characterises their relationship.

Teachers should demonstrate their commitment to student learning by:

- maintaining a safe and challenging learning environment that promotes mutual respect recognising and developing each student's abilities, skills and talents by catering to their individual abilities and respecting their individual differences
- encouraging students to develop and reflect on their own values
- interacting with students without bias
- not engaging in preferential treatment
- not discriminating against any student on the basis of race, sex, gender, sexuality, disability or religious or political conviction
- always making decisions in students' best interests.

Electronic Communications between Staff and Students

It is expected that all Staff at Killester College will adhere to the following guidelines:

- all use of technology should be for educational purposes or for the organisation of co curricular activities
- all email communication between Staff and students should be via the College email system and reflect a professional Staff/student relationship
- Staff should not communicate with students via text message where it is not in a professional context
- Staff should not give out their personal telephone numbers or social media contact details

- Staff are not to accept or request students as 'friends' on social media or otherwise use social media to communicate in any way that is not condoned or approved by the College
- Staff should not exchange personal pictures with a student
- teachers are not expected or encouraged to respond to concerns of parents/carers or students on holidays, weekends or in the evening
- any student personal contact numbers or other personal contact details made available to the College should only be used for College communications.

Physical Contact with Students

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

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

Off-Campus Excursions and Camps

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

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

Managing Conflicts of Interest

Where personal relationships with students such as family relationships and close friendship networks exist, questions of conflicts of interest may arise.

This may be more prevalent in close or rural communities where professional boundaries may be tested due to the nature and size of the community. In these circumstances, Staff need to be far more diligent in developing and maintaining these boundaries.

Where a staff member feels that a conflict of interest may exist, they should notify the Principal, or the Executive Officer of Kildare Education Ministries if the conflict involves the Principal, and arrangements should be implemented to avoid the conflict situation if possible. For example, the teaching of students by a staff member with a conflict should be avoided.

Any significant decisions relating to these students in Killester College (such as the appointment of classes or selection in sports teams) should be referred to another staff member and endorsed by a supervisor.

Declarations of Staff/Student Interactions

To enable Killester College to be aware of appropriate and inappropriate interactions between Staff and students, and to provide context in situations where an allegation of unprofessional conduct may be made, the College encourages Staff to declare any interactions with students outside the College context. These interactions may include situations where the staff member is:

- related to the student
- friends with the student's parents or family
- given parental consent to interact with the student for academic purposes outside of school hours and the parent/carer has notified the College.

Declarations by Staff about a relationship with students and their families outside of Killester College context or about interactions that occur with the consent of the parent/carer must be verified by the parent/carer of the student.

Killester College maintains records of all declarations made by staff members related to their interactions with students, or relationships with students, that exist outside of school hours or College premises. These records are made available to the parents/carers of a student on request.

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These records are kept in accordance with our Child Safeguarding Record Keeping and Human Resources Management policies.

Staff and Student Professional Boundaries and Reportable Conduct

Our Child Safeguarding Codes of Conduct outline expected standards of behaviour for all Staff at Killester College. However, breaches of these Codes of Conduct will not always be Reportable Conduct. For example, a Volunteer accepting a social media 'friend' request from a student would be a breach of our Child Safeguarding Codes of Conduct but may not amount to Reportable Conduct.

These kinds of breaches of our Child Safeguarding Codes of Conduct can be dealt with at the College level and Killester College does not need to report them to the Commission for Children and Young People.

For more information, refer to our Reportable Conduct policies and procedures.

Consequences for Breaching the Staff and Student Professional Boundaries Policy

Where a staff member breaches this Policy, Killester College may take disciplinary action that may include (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- suspension or
- in the case of serious breaches, termination of employment, contract or engagement.

Implementation

These guidelines are implemented through a combination of:

- staff training and development in professional conduct
- student and parent/carer education and information
- effective management of teachers engaging in inappropriate relationships with students effective management of conflicts of interest
- effective communication and incident notification procedures

- effective record keeping procedures
- initiation of corrective actions where necessary

Report Any Concerns

Whenever there are concerns that a child or young person is in immediate danger, call the Police on 000.

Staff

It is Killester College's policy that any breach of this Professional Boundaries Policy is a child safety incident. Therefore, all Staff, Direct Contact and Regular Volunteers, and Direct Contact and Regular Contractors who witness, or suspect, any breach of professional boundaries must report their concern internally to a Child Safety Leader or the Principal. Where the child safety incident or concern involves the Principal, internal reports should instead be made to the Executive Officer of Kildare Education Ministries by emailing eo@kemboard.org.au or phoning 03 9682 2973 and asking for the KEM Executive Officer..

Our Child Safeguarding Program includes information for Staff about how to identify key indicators of child abuse or other harm and detailed procedures about when and how to report child safety incidents or concerns to relevant external authorities. For more information, refer to our procedures for Procedures for Responding to and Reporting Child Safety Incidents or Concerns.

Students

Students who are the victim of, or who witness or suspect a breach of staff and student professional boundaries can:

- disclose the child safety incident or concern to any staff member. This might be done:
    - verbally
    - in writing

    - through electronic means (such as email)
    - indirectly (such as in written assignments, in artworks or in any other way)
- Students have access to My Wellbeing through the College Website that provides them with the contact details for all external organisations such as Headspace, Kids Helpline, etc:.
- Students are anonymously surveyed throughout the year

Parents/Carers, Family Members or Other Community Members

Parents/carers, family members or other community members who witness or suspect that there has been a breach of professional boundaries, or have concerns that a child or young person associated with Killester College may be subject to abuse or harm from a staff member, should contact:

- the College's Child Safety Leader, the Principal, by phoning (03) 9457 5000 or emailing principal@killester.vic.edu.au ; or
- if the concern relates to the Principal, the Executive Officer of Kildare Education Ministries.

Communications will be treated confidentially on a 'need to know basis'.

Whenever there are concerns that a child or young person is in immediate danger, the Police should be contacted on 000.

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