St Benedict's School Code of Conduct for Child Safety

Purpose

The purpose of the Code of Conduct is to describe minimum standards of conduct in all behaviour and decision making to ensure the safety and well-being of students.

Application

The Code applies to staff, students, volunteers, parents and guardians as applicable. The term 'parents' includes guardians.

Introduction

- You acknowledge the inherent vulnerability of the students in your care.
- You recognise that the safety and well-being of students depends upon your vigilance and diligence and the vigilance and diligence of all adults.
- The Code does not give you detailed professional advice on specific behaviour. Rather, it describes the minimum requirements expected of you.
- The Guidelines are illustrative and not an exhaustive list of the behaviours covered by the Code.
- If your behaviour varies from the standards described in this Code and Guidelines, you should be prepared to explain and justify your decisions and actions.
- While mandatory language such as 'must', 'shall' and 'will' is not used throughout the Code, there is a presumption the conduct described is mandatory and therefore not discretionary.
- The Principal expects you to conduct yourself personally and professionally in a way that maintains public trust and confidence in your school and the Church.
- You have a responsibility to students and their family, other members of the school community and the wider community to provide and support safe and competent education and care of students.
- You will do your best to support other members of the school community to comply with the Code.
- In cases of conflict between parts of the Code, between the Code and other school policies, or in any decision-making choices, you give priority to the outcome that will be in the best interests of the safety and well-being of the child.

Code Breaches

Breaches of the Code must be notified to the Principal and it is a Breach of the Code not to do so.

A Breach of the Code may constitute a failure to follow a lawful direction from the Principal and therefore the Principal will have the discretion as to what action to take, which may include counselling, professional development or sanctions under any agreement between you and the Principal. If you are a parent, volunteer or visitor, the Principal may take such action as is appropriate in your circumstances to maintain the safety and well-being of students.

The Principal must notify the appropriate authorities of any breach of the Code that was grooming behaviour: ie. deliberately undertaken with the aim of befriending and establishing an emotional connection with a student, to lower the student's inhibitions in preparation for engaging in sexual activity with the student.

Examples include:

- developing relationships that could be seen as favouritism (for example, the offering of gifts or special treatment for specific students)
- being alone with a student in circumstances where you are unseen or unlikely to be randomly interrupted
- initiating unnecessary physical contact with students or doing things of a personal nature that a student can do for themselves, such as toileting or changing clothes
- engaging in personal disclosures (including personal contact details), or exchanges containing sexual content with or in the presence of a student
- organising contact with a student or their family outside of school without the Principal's knowledge and/or consent (e.g. tutoring, sport coaching).
- having any non-curriculum related online contact with a student (including via digital media) or their family
- using any personal digital media account to contact students or their family
- photographing or videoing a student without the consent of the parent
- being in the presence of a student whilst under the influence of alcohol or non-medically prescribed drugs or offering either to a student

The Principal must notify the appropriate authorities of any breach of the Code that was sexual abuse of a child: ie sexual behaviour in circumstances where:

- the student is the subject of bribery, coercion, a threat, exploitation or violence;
- the student has less power than another person involved in the behaviour; or
- there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

Mr Darren McDonald
Principal

The 12 Conduct Statements

1. You act safely and competently.
2. You give priority to students' safety and well-being in all your behaviour and decision making.
3. You act in accordance with the values of the Gospel as defined in the Code of Ethical Conduct.
4. You conduct yourself in accordance with laws, agreements, policies and standards relevant to your relationship with the school community.
5. You respect the dignity, culture, values and beliefs of each member of the school community.
6. You treat personal information about members of the school community as private and confidential.
7. You give impartial, honest and accurate information about the education, safety and well-being of students.
8. You support all members of the school community in making informed decisions about students.
9. You promote and preserve the trust and privilege inherent in your relationship with all members of the school community.
10. You maintain and build on the community's trust and confidence in Catholic schools and the Church.
11. You act reflectively and ethically.
12. You allow students to have a voice in their education, safety and well-being.

Conduct Statement 1 - You act safely and competently.

Guidelines

1) You are expected to put the safety of students ahead of every other relevant but secondary consideration.
2) In doing so, you are expected to act within the scope of your expertise and role within the school community.
3) If the safety and well-being of a student requires skills and experience outside your core competency, you must refer the student to the appropriate expert.
4) You are personally responsible within the context of your position in the school community for the provision of safe and competent student education. It is your responsibility to maintain the competence necessary to fulfil your role. Maintenance of competence includes participation in ongoing professional development to maintain and improve knowledge, skills and attitudes relevant to your role in your school.
5) You recognise that the Principal, staff, parents and students assess your ability to act safety and competently based on your behaviour and decision making, and you do likewise in your assessment of them. You are responsible for conducting yourself in all things such that there is no speculation, doubt or ambiguity that you do so in the best interests of students. You must take reasonable steps to avoid situations where your decisions or behaviour could be interpreted as putting students at risk. You must also notify the Principal as soon as possible if you found yourself in such a position of ambiguity so that you can explain the circumstances.
6) You recognise each student's and their parents' right to receive accurate information; be protected against foreseeable risk of harm; and be involved in and informed about decisions in relation to their education.
7) You perform your role in the school within your professional or industry competency and according to school policies and any standards or codes applicable to your profession or industry.
8) You notify an appropriate person or the Principal of any information relevant to maintaining student safety and well-being, or any observation of questionable, unethical or unlawful behaviour, including breaches of this Code, and intervene to safeguard the student if the circumstances require it.
9) You ensure that any information you receive relevant to the safety and well-being of students is either acted upon by you in the best interests of the student if you are the relevant decision maker, or passed to the relevant decision maker for them to act.

10) You perform your work in a safe and competent manner that is not compromised by personal health limitations, including the use of alcohol or other substances that may alter your capacity to act safely. If your health threatens your ability to work safely and competently, you have a responsibility to seek assistance to address your health needs. This may include making a confidential report to an appropriate authority.

11) You perform duties in partnership with parents and school staff and in accordance with the standards of your profession or industry (e.g. Teachers Registration Board).

12) You perform duties in accordance with wider standards relating to safety and quality in education and student care and responsibility for a safe school, such as those relating to occupational health and safety, mandatory and critical incident reporting, and participation in incident analysis and formal open disclosure procedures.

13) You make decisions about students based on their age, ability, and in the best interests of the student's sense of security, and physical, social, emotional and mental safety.

14) You seek advice, assistance and second opinions from experts and Principal as necessary.

<u>Conduct Statement 2</u> - You give priority to students' safety and well-being in all your behaviour and decision making.

<u>Guidelines</u>

1) You accept that you and all adults have individual and joint responsibility for the safety and well-being of students.

2) You ensure the safety and well-being of students are the primary focus of your actions and decisions and take precedence over any other considerations including the reputation of the school and your own needs.

3) You support the safety, health and well-being of each student, promoting and supporting decisions and behaviour that contribute to the student's self-confidence, safety and well-being.

4) You do not behave in any way that risks creating ambiguity about whether you are acting in the best interests of a student.

5) You respectfully communicate in plain language and in a way the student and those supporting their education can understand so they may fully participate in that education.

6) You support informed decision making by advising the student as appropriate and those supporting their education about education options, and assist the student and their supporters to make informed decisions about that education.

7) You endeavour to ensure the voice of the student is heard as appropriate, taking into account age and circumstances.

8) You seek out, welcome, and learn from information relevant to the safety and well-being of students in any form, including advice, disclosures, complaints, criticisms, feedback and performance reviews. You look for opportunities to engage in formal and informal group and self-reflection and professional development about your own and others' decisions so that you and the school can learn and continuously improve.

9) You recognise that all information about students collected by school staff is done so on behalf of the Principal and for the benefit of the student. Therefore, all information is disclosed to and accessible by all who have a need to know it in order to support the education, safety and well-being of the student.

10) You respectfully advocate for the safety and well-being of students above all other considerations.

11) You recognise the importance that students' education continues without interruption or disturbance.

12) You disclose to the Principal any information that a reasonable person would recognise may be relevant to the safety and well-being of students so that the Principal may make appropriate decisions to manage any risk to them. This includes any relationship with any person who may have been accused of harming children or acting unsafely towards them.

13) You recognise that students and their parents are entitled to assume that the sole focus of your engagements with students is to educate them within a safe environment that puts their well-being above all else. You understand that this trust by parents and students puts the onus on you to use your relationship with students solely for their education. You use all engagements with students and their parents, whether in person, through a third party, or via digital media for the purpose of teaching the curriculum.

14) You do not accept gifts or benefits that could be viewed as a means of influencing your objective decision making.

<u>Conduct Statement 3</u> - You act in accordance with the values of the Gospel as defined in the Code of Ethical Conduct.

<u>Guidelines</u>

1) You are mindful that your decisions and behaviour are opportunities for students and others to see Gospel values in action and how faith integrates with life. Therefore, you are responsible for educating yourself and anyone you lead on the content of those values, and their practical application in your decision making.

2) You acknowledge that as a member of a Catholic school community, you are required to strive to develop and live out your relationships with all people in a manner that is based on Gospel values as defined in the CECWA Code of Ethical Conduct.

3) You accept that as a member of a Catholic school community, your conduct reflects on Catholic Education and the Church, and therefore you must strive to uphold the letter and spirit of the Code of Ethical Conduct.

4) You are called upon by the Code of Ethical Conduct act in a manner that is:

   a. Based on Christian ethics
   b. Professional
   c. Timely
   d. Contextually appropriate

5) The Code of Ethical Conduct requires you to take an ethical approach based on the living out of Gospel values which find expression in:

   a. Respect for the dignity of each person
   b. Acknowledgment of the giftedness of each person
   c. Commitment to building positive relationships
   d. Confidentiality
   e. Accountability

6) Respecting dignity is based on:

   a. A conscious appreciation of the sacredness of the individual's creation
   b. A sensitivity to the fact that each individual has emotions, fears, hopes and an innate goodness which flows from creation in the image of God

7) Recognising the giftedness of others involves:

   a. Discerning these gifts
   b. Naming and acknowledging these gifts
   c. Empowering individuals and groups to use their gifts

8) Fostering positive relationships which flow from being:

   a. Welcoming and open
   b. Honest and loyal
   c. Trusting and trustworthy
   d. Willing to share knowledge, skills, resources and insights

9) Committing to appropriate confidentiality based on:

   a. Respect for others
   b. Professionalism

10) Committing to:

   a. The Mandate of the Bishops of Western Australia
   b. The acceptance of responsibility for any action or initiative at a personal and professional level.

Conduct Statement 4 - You conduct yourself in accordance with laws, agreements, policies and standards relevant to your relationship with the school community.

Guidelines

1) Your relationship with other members of the school community is defined by whatever written or verbal agreement has given rise to that relationship. If you are a member of staff, it is your employment agreement. If you are a parent or acting in a parental capacity, it is the student's enrolment agreement. If you are a member of the school board, it is your school board constitution. If you are a visitor, it is in accordance with the permission of the Principal to be on school grounds on condition that you act safely and competently.
2) If you witness the unlawful or unsafe conduct of any other member of the school community, or breaches of policy or this Code, whether in teaching, administration, school support services, or while engaging with students in person or via digital or other media, you have both a responsibility and an obligation to notify such conduct to the Principal or an appropriate authority and take other action as necessary to protect students.
3) Where you notify the Principal or a delegate of unsafe conduct, including breaches of this Code, and that notification fails to produce an appropriate response in the circumstances, you may take the matter to an appropriate external authority.
4) You respect both the person and property of students and their families, and of other members of the school community, and the property and finances of the school.
5) You use school property and resources responsibly and for the purposes of the school.

Conduct Statement 5 - You respect the dignity, culture, values and beliefs of each member of the school community.

Guidelines

1) You respect both the person and capacity of each member of the school community, treat them with dignity, show respect for their culture, values, and beliefs.
2) You interact with members of your school community in an honest and respectful manner.
3) You perform your duties and conduct your relations with students and members of the school community with fairness and justice. This includes taking appropriate action to ensure the safety and quality of the education and care of students are not compromised because of harmful or prejudicial attitudes about culture, ethnicity, gender, sexuality, age, religion, disability, spirituality, political, social or health status.
4) In planning and providing education and school support services, you uphold the standards of culturally safe and competent care. This includes according due respect and consideration to the cultural knowledge, values, beliefs, personal wishes and decisions of each member of the school community. You acknowledge the changing nature of families and recognise that families can be constituted in a variety of ways.
5) You do not express racist, sexist, homophobic, ageist and other prejudicial and discriminatory attitudes and behaviours toward any member of the school community. You take appropriate action when observing any such prejudicial and discriminatory attitudes and behaviours.
6) In making professional judgements in relation to the interests and rights of a member of the school community, you do not contravene the law or breach the human rights of any person.

Conduct Statement 6 - You treat personal information about members of the school community as private and confidential.

Guidelines

1) You use personal information in accordance with your school Privacy Policy.
2) You have ethical and legal obligations to treat personal information as confidential. You protect the privacy of each member of the school community by treating the information gained in the relationship as confidential, restricting its use and disclosure to the purposes defined in your school Privacy Policy.
3) If a third party asks for access to personal information, you must take reasonable steps to confirm the identity of the third party, and that it is lawful to disclose the information to them. You must inform the member of the school community that you have disclosed their personal information unless you are satisfied that there are legal reasons for not doing so.

4) You seek advice if you identify a conflict between protecting personal information and any resulting risk to the safety and well-being of a student.

5) You create and keep accurate records of conversations about significant decisions involving the safety and well-being of students.

Conduct Statement 7 - You give and seek the best, honest and most accurate information about the education and care of students.

Guidelines

1) You give and seek accurate advice relevant to the education, safety and well-being of students, based on primary rather than secondary sources.

2) You fully explain the advantages and disadvantages of any options so all involved can participate constructively in decision making to deliver the best results for the student.

3) You accurately represent the role you play in the education, safety and well-being of students.

4) Where the education, safety or well-being of a student requires expert knowledge or experience, you seek these out for the benefit of the student.

5) You seek out first hand sources of information directly from parents, colleagues and experts, or in documents and policies when making decisions or giving advice rather than relying on hearsay, opinion, rumour or assumptions.

Conduct Statement 8 - You support all members of the school community in making informed decisions about students.

Guidelines

1) You recognise that parents are the first educators of their children and equal partners in the education of students.

2) You understand that each member of the school community has skills, experience and knowledge that may be a unique resource that can be directed to towards the safety and well-being of students.

3) You actively share information about students with their parents and the Principal so that they may make informed decisions about students. You listen to everyone with courtesy and respect.

4) You treat the opinions of parents and school staff about the education and well-being of students with respect and dignity, even if you do not agree with it or believe it is misinformed or misguided.

5) You use plain language with appropriate style, tone and level in your written or verbal communication, particularly when expressing technical or expert advice, and you actively seek confirmation that you have been understood.

6) You engage with all parents equally and fairly, regardless of their relationship status, mindful that, in the absence of court orders to the contrary, each parent has equal and joint parental responsibility for their child. You do not allow your opinion about the behaviour of parents to prevent you from engaging openly and honestly with each of them about their child's education.

7) You continue to inform and engage with a parent about the education and well-being of their child on the assumption that it is in the student's best interests to do so, regardless of the parent's level of engagement with you or the child. You respect any decision by a parent to disengage with you or their child, and you remain open to re-engage in the future.

8) You act to strengthen, preserve, restore and promote positive relationships between the student and their parents, family members, and those significant to the student, regardless of any breakdown in these relationships.

9) You do not use the behaviour of either parent as a reason for denying them or their child access to information or support from the school that are in the best interests of the student, unless doing so would place the student or school community at risk of harm.

Conduct Statement 9 - **You promote and preserve the trust and privilege inherent in your relationship with all members of the school community.**

Guidelines

1) You promote and preserve the trust inherent in your relationship with students and with their parents.
2) You recognise that an inherent power imbalance exists within your relationship with students that may make the students and their family vulnerable and open to exploitation. You actively preserve the dignity of all people through practised kindness and by recognising the potential vulnerability and powerlessness of each student and their family. You recognise that the power relativities between you and a student can be significant, particularly where the student is very young, has a disability, a difficult family background, has cultural differences, or experiencing emotional turmoil. This vulnerability creates a power differential in your relationship with students that must be recognised and managed with care.
3) You take reasonable measures to establish a sense of trust to protect the physical, psychological, emotional, social and cultural well-being of each student. You protect students who are vulnerable, including but not limited to students with disability, from exploitation and harm.
4) You have a responsibility to maintain appropriate boundaries with students and to actively support other adults to do likewise, including bringing to their attention any failure to do so.
5) You may have personal or recreational relationships outside your school role with students' families and friends, or with school staff. You are aware that dual relationships may compromise student care and well-being. In cases of overlap or conflict between your dual relationships, you act with the primary intent of the safety and well-being of the student, which may require you to withdraw from a social relationship.
6) You do not engage in any behaviour with a student that could be interpreted by a reasonable person as being a friendship.
7) You do not engage in any behaviour with a student that a reasonable person could interpret as creating an opportunity to engage in emotional, physical or sexual intimacy with a student.
8) You recognise that the power imbalance between you and students means that the onus is on you to avoid any ambiguity or misunderstanding by a student or third party about your intent in your behaviour towards them.
9) You understand that the power imbalance between you and students means a student is unable to give their consent to engaging in emotional, physical or sexual intimacy with you, regardless of the legal age of consent, or the student's age or maturity. You must therefore not seek nor rely on such express or implied consent from a student to engage in an intimate relationship.
10) You understand that the power imbalance between you and students may continue to influence students' choices beyond the date when they cease to be students at your school. You must therefore not engage in emotional, physical or sexual intimacy with a former student within two years of them ceasing enrolment at your school, or them turning 21, whichever occurs latest.
11) You take all reasonable steps to ensure the safety and security of the possessions and property of students and their families that are in your care.
12) You do not knowingly mislead parents or make misrepresenting statements to them, or withhold information relevant to their ability to make informed decisions about their children unless required by law.
13) You recognise that there may be rare exceptions to full disclosure to parents. Such disclosure of information may compromise law enforcement or other risk management processes, or the privacy and reputation of those involved. You seek legal or other expert advice in resolving such situations, recognising that parents have the right to know about any risk to their children.

Conduct Statement 10 - **You maintain and build on the community's trust and confidence in Catholic schools and the Church.**

Guidelines

1) Your conduct maintains and builds public trust and confidence in your school, other members of the school community, and the Church.

2) Any unlawful and unethical actions in your personal life risk adversely affecting both your own and the school's reputation in the eyes of the public. If the good standing of either you or the school was to diminish, this might jeopardise the inherent trust between the school and parents, as well as the community more generally, necessary for effective relationships and the best education of students.

3) You notify the Principal of your involvement in any criminal investigation or other legal process that may undermine trust and confidence in your judgement or care of students.

4) You consider the interests of the school and the Church when exercising your right to freedom of speech and participating in public, political and academic debate, including publication.

5) You never place the reputation of the school above the safety and well-being of students.

Conduct Statement 11 - You act reflectively and ethically.

Guidelines

1) You engage with the school reflectively and ethically to ensure that you consciously put student safety and well-being at the forefront of your behaviour and decisions.

2) You develop and maintain appropriate and best practice advice, support and care for each student and their family.

3) You evaluate your conduct and competency according to this Code, the terms and conditions of your relationship with the school, and school policies.

4) You contribute to the professional development of school staff as appropriate.

5) You contribute to continuous improvement by supporting opportunities to record, assess and learn from incidents involving student safety and well-being.

6) You advise the Principal of any reduction in your capacity to act in the best interests of the safety and well-being of students due to health, social or other factors, while you seek ways of addressing the deficiency.

7) You take care of the safety and well-being of all members of the school community so that you all may fully contribute and cooperate in providing for the safety and well-being of students.

Conduct Statement 12 - You allow students to have a voice in their education, safety and well-being.

Guidelines

1) You recognise that while you and all adults have responsibility for the safety and well-being of students, students have opinions and ideas about their education and well-being.
2) You allow age-appropriate opportunities and forums for students to reflect on and express their opinions and ideas and you treat those expressions with respect and care.
3) You regularly invite students to participate in decision making about their education and well-being and offer them constructive feedback on their ideas and opinions.
4) You encourage students to inform you or the Principal of any concerns they have about their own or other students' education, safety or well-being. You follow up those concerns and keep students informed of how they are resolved.