

# School Staff Code of Conduct

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#### INTRODUCTION - Commitment Statement

Yeshivah College and Beth Rivkah Colleges (**the School**) is an Orthodox Jewish Independent School, providing Jewish and General education to school aged students. The School aims to provide students with a positive and enriching educational environment that promotes their religious, academic, social, physical and emotional development, based on Jewish heritage, commitment to Jewish Law (Halacha) and guided by the religious values (Hashkafa) of the Chabad movement.

The Board of Directors (**the Board**) of Yeshivah Beth Rivkah Schools Limited (**YBRSL)** ABN 614988911 is the governing body of **the School**.

The School and the Board are committed to the implementation of the Victorian Government Ministerial Order no. 870 - Child Safe Standards - Managing the risk of child abuse in schools. (<a href="https://www.vrqa.vic.gov.au/childsafe/Pages/documents/Min%20Order%20870%20Child%20Safe%20St">https://www.vrqa.vic.gov.au/childsafe/Pages/documents/Min%20Order%20870%20Child%20Safe%20St</a> andards.pdf). The School and the Board are committed to the wellbeing, safety and protection of all students and have a zero tolerance of child abuse.

The School employs best practice to ensure that all students in our school are safe at all times. This applies to all activities under the schools auspices and in all school environments, during and outside of school hours.

There is a requirement for all School staff at the School, and the Board, to understand the important responsibility they have to:

- protect our students from all forms of child abuse, bullying and exploitation;
- be alert to incidents of child abuse and neglect occurring outside the scope of the school environment that may have an impact on our students; and
- create and maintain a child safe culture that is understood, endorsed and put into action by all School staff.

Our Child Protection Policies and Procedures demonstrate our zero tolerance for child abuse. In doing so, the school and the Board will take into account the diversity of all students, including but not limited to, the needs of Aboriginal and Torres Strait islander children, children from culturally and linguistically diverse backgrounds, children with disabilities and children who are vulnerable, ensuring to make reasonable efforts to accommodate the needs of each of the above.

The School explicitly recognises that it has a wide range of Jewish students from a variety of backgrounds and Jewish communities and caters to students with varying levels of religious knowledge and commitment.

All allegations of child abuse will be treated seriously and vigorously pursued. The School acknowledges its legal and moral obligations to report promptly to appropriate authorities when a child has been abused or is at risk of being abused and to provide support for victims or potential victims. We will foster a culture of openness that supports all adults and students to safely disclose risks of harm to students.

The School and the Board strongly supports these measures and will ensure that they are implemented.

The School Board is committed to safeguarding our students from child abuse and neglect and all of the School's Child Protection Policies are approved and endorsed by the Board of Directors of the School.

All Child Protection Policies including, but not limited to this *Child Protection Policy and Procedure*, the *Child Abuse Reporting Policy*, and the *School Staff Code of Conduct*, will be made available on the school's website (<a href="https://www.ybr.vic.edu.au/ourpolicies.html">https://www.ybr.vic.edu.au/ourpolicies.html</a>), and staff intranet.

Developed to protect students enrolled in our school, this policy has been formally approved and endorsed by **the Board**. The Principal is responsible for implementation of this policy, and may further delegate aspects to his Senior Staff and Welfare Committee members where appropriate. The Principal is also responsible to report on implementation of this policy back to **the Board**.

This policy acts as a guide to all our School staff in meeting their responsibilities in this area. The School staff are required to identify, report and respond to any concerns about, or incidents of, child abuse or neglect towards our students. The School staff are required to respond to abuse or neglect perpetrated by staff or by other persons.

This policy must be read in conjunction with the Schools' *Child Abuse Reporting Policy*, the *Child Protection Policy and Procedure* and the *School Employment Policy*.

Wherever the Board is referenced in this document, the Board have delegated authority and responsibility of implementing Policy and Procedure to the College Principal. In doing so, the Board retains responsibility and oversight for the overall school compliance with this Policy and Procedure.

The Board will review this policy annually and after any serious, reportable incident or when recommended by the School Principal, Senior Staff Members or Welfare Committee members.

# Scope:

This policy applies to:

- a. Yeshivah College
- b. Beth Rivkah Ladies College
- c. All School staff of the School
- d. Activities within the School Environment

This policy relates to instances of alleged Child Sexual Abuse and matters of child safety as defined by obligations the Children, Youth **Families** Act 2005 reporting under (http://www.legislation.vic.gov.au/Domino/Web Notes/LDMS/PubStatbook.nsf/edfb620cf7503d1aca256d a4001b08af/15A4CD9FB84C7196CA2570D00022769A/\$FILE/05-096a.pdf). the Crimes Act 1958, (http://www.legislation.vic.gov.au/Domino/Web\_Notes/LDMS/PubStatbook.nsf/edfb620cf7503d1aca256d a4001b08af/15A4CD9FB84C7196CA2570D00022769A/\$FILE/05-096a.pdf), and Ministerial Order No. 870 - Child Safe Standards- Managing the risk of child abuse in schools.

Non-reportable issues relating to Jewish cultural, ethical and religious concerns should be referred to the Principal for consideration. The Principal may choose to consult with the Rabbinic Sub-Committee of the Board if necessary. If the matter is not resolved, or it involves the Principal directly, it may be brought to the Chair of the Board's attention. The Chair will consult with the Rabbinic Subcommittee of the Board and will respond as appropriate. The Chair's decision is final.

# Purpose

The School's **Code of Conduct** addresses the major areas where School staff interact with students. The School has developed these code of conduct guidelines to promote child safety in the School and to help School Staff to safeguard students from child abuse or neglect.

# **Definitions**

Please refer to Appendix 1 at the end of this document for all definitions.

### School Conduct and Behaviour standards

The School expects the behavioural standards of School staff to exemplify Australian and Jewish values. These standards guide us in the way we conduct ourselves (manner of speech, dress and behaviour) and how we interrelate and respect others. As a school we strive to establish a safe environment for every student's physical, emotional and spiritual well-being.

School staff have a responsibility to act as a role models for students. School staff are required to uphold standards of behaviour during and beyond school hours, and these standards govern professional and private interactions with colleagues and students.

It is a condition of teachers and all staff employed at the School through YBRSL or CIVL to be cognisant of, and adhere to, the Victorian Institute of Teaching (VIT) Code of Conduct, irrespective if they are a teacher or not. The VIT Code of Conduct sets out expectations with regard to professional conduct, personal conduct and professional competence, in particular Principle 1.2, 1.5-1.8, 2.1, 3.1 & 3.2.

Breaches of the VIT Code of Conduct may result in disciplinary actions including notification to VIT and termination of employment.

Refer to Appendix 2 for a copy of the VIT Code of Conduct, or else a copy can be downloaded from the VIT website: www.vit.vic.edu.au

In addition, school staff behaviour must be sensitive to the religious values (Hashkafa) of the school and Jewish Law (Halacha).

These expectations also incorporate specific behaviours that relate to inappropriate touch and the exertion of inappropriate verbal, physical or psychological influence or control on students and/or School staff. Certain behaviours are regarded as incompatible with the goals and standards of the School and are always prohibited as per Child Safe Standard Conduct behaviour:

This Code of Conduct should be read in conjunction with:

- the specific requirements of your role as defined in your Roles and Responsibilities statement
- The relevant policy and procedure documents, including:
   the School's Commitment Statement as found in the Child Protection Policy and Procedures and Child Abuse Reporting Policy
- all applicable laws including but not limited to <u>Victorian Government Ministerial Order no. 870 Child Safe Standards Managing the risk of child abuse in schools</u>
- general community expectations, in relation to appropriate behaviour between adults and children.

As part of your individual commitment to observing these code of conduct guidelines you will be required to sign this policy as a formal commitment to the School's Code of Conduct.

Failure to observe these guidelines will be considered misconduct, and the School will take appropriate disciplinary action. Depending on the seriousness of the misconduct, disciplinary action may include suspension and/or dismissal. In addition to any internal disciplinary proceedings, the School, when required, will report to the appropriate regulatory authorities and/or the Police.

This Code of Conduct should be read in the context of the professional school environment. The School understands that within a tight knit community like ours, school staff may socially interact with school

families outside of the school environment. Keeping in mind we are a community school, school staff must be mindful as to when they are acting as a friend or relative, and when they are acting in their capacity as a school staff member.

In an emergency situation, it is crucial that you advise a Senior Staff member in advance, or as soon as possible after, any incident in which these guidelines may be breached or have been breached

# Implementation of Policy

The Board is responsible for monitoring the overall school compliance with this policy and its procedures. The Principal is responsible for implementation of this policy, and may further delegate aspects to his Senior Staff and Welfare Committee members where appropriate. These members are listed on the school's website.

The School Board will be appropriately advised annually by the Principal as to the implementation of this Policy and after any serious, reportable incident or when recommended by the School Principal, Senior Staff Members or Welfare Committee members.

All child safety matters, including, but not limited to, reports of concern or recommended policy changes must be reported according to the school's **Child Protection Policy and Procedures** and **Child Abuse Reporting Policy**.

All School staff, are required to adhere to the School Staff Code of Conduct,

# Supervision

School staff are responsible for supervising the students in their care to ensure they:

- engage positively with educational programs
- behave appropriately towards one another
- are in a safe environment and are protected from external threats

School staff must not be in a locked room alone with a student or students When in a room with students, the doors must be either be equipped with windows, which must remain unobstructed to permit external viewing, or the door must be open

# Positive guidance (Discipline)

The School strives to ensure that students are aware of acceptable limits of behaviour. At times School staff may be required to use appropriate techniques and behaviour management strategies to ensure:

- · an effective and positive environment
- · the safety and wellbeing of students and School staff.

The School requires School staff to use strategies that are fair, respectful and appropriate to the developmental stage of the students involved. Students need to be provided with clear directions and given opportunities to redirect their behaviour in a positive manner.

School staff may not take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening, obviously humiliating or contrary to the Victorian Institute Teaching Code of Conduct and the Education and Training Reform Act

# Physical contact with students

Any inappropriate physical force other than to safeguard against immediate physical danger or for emergency health reasons (e.g. administering first aid), is prohibited.

Any inappropriate physical conduct, such as massaging, pinching, punching, pushing and physical assault or any other inappropriate touching is prohibited

# Transporting children directly related to the delivery of school programs

With the exception of emergencies, individual School Staff should not travel with students, unless a parent has given permission and the Principal or Head of School has been advised.

# Camps, Local and International Excursions

Camps, local and international excursions are to occur only with the authorisation of the Heads of School and of the parents of the students involved and may only be run once a risk assessment has been completed. This assessment will identifying potential risks ranging from the impact of the physical environment, activities and how it affects the supervision of School staff and students.

Practices and behaviour by School staff during an overnight stay must be consistent with the practices and behaviour expected during delivery of our school programs at other times.

School staff may not sleep in a room with a student / students.

# **Change Rooms**

Individual school staff should not enter an area where students are getting changed. If entry is required, a second School staff member should be present.

Male school staff should only go into male change areas and female school staff should only go into female change areas. Female School Staff may enter Pre-School or Junior Primary Boys change areas. Furthermore School staff should monitor the change area when non-school staff or members of the public are present. School staff should be vigilant to protect against anyone improperly using a recording device.

School staff should not change in the presence of students.

# Parents and other Volunteers

Parents and others may volunteer to assist in various school activities, including but not limited to appearing as guest speakers, excursion supervision, reading help, etc. Volunteers must remain in the same room, or remain within clear visibility of a School staff member.

All volunteers are required to adhere to our Child Protection Policies before starting voluntary activities and sign the Volunteer Code of Conduct.

# Photographs of students

- The School recognises that families often wish to have photographic and/or video recordings of their
  children's activities throughout their schooling. Simultaneously, the School recognises the need to protect
  students from inadvertent or unwanted publication of photos and videos, both online or hard copies,
  which may cause embarrassment or harm to students and their families.
- The School recognises the educational value of the use of photos and videos in the School's teaching and learning, while similarly wishing to protect students from unwanted or embarrassing publication.

# Online Image Use Policy

The School has a clear policy on the posting of student images on line, which applies to all members of School staff or community members acting on behalf of the school. This policy directs:

- Parental permission is required for the use of students' images, provided via the Student Records
   Form
- · No names are to be used with the images
- · Images that do not comply with Tzniut (Jewish Modesty) are not permitted

# **Local Image Use Policy**

The School differentiates between images used within the School community and those used to promote the school to the wider world. Some publications, including but not limited to the school newsletter, handbooks and year books are considered internal, so, while the use of images needs to be appropriate, however, specific parent permission is not required.

# Marketing Image Use Policy

Use of images in marketing material, such as newspapers, prospectus, billboard advertising etc. requires parental permission.

Parents can give 3 levels of permissions including a) Yes (always approve),b) No (never approve) and c) Call each time (where the parents can decide depending on the use)

# Use of language and tone of voice

Language and tone of voice used in the presence of students should:

- · provide clear direction, boost their confidence, encourage or affirm them
- not be harmful to children i.e. language that is:
  - discriminatory, racist or sexist
  - derogatory, belittling or negative
  - threatening or frightening

# Use of electronic communications

School staff should only communicate with students for school approved purposes. Further, emails to students should be sent from the School staff's work email address to the students' school email address.

School staff should not communicate with individual students through social media such as WhatsApp, Facebook or Instagram etc. except as approved by the Head of School or Principal

All School staff, and students are required to follow the School's 'IT Acceptable Use' policy in relation to browsing websites on School computers.

School staff are required to ensure appropriate monitoring of students when they use the School's electronic communication equipment, to ensure that they do not place themselves at risk of abuse or exploitation via social networking sites, gaming sites or web searches, or through inappropriate email communication.

# Use, possession or supply of alcohol or drugs

While on duty, School staff must not:

- · use, possess or be under the influence of an illegal drug
- use or be under the influence of alcohol (except in circumstance of religious doctrine/practice and within extreme moderation, i.e. making Kiddush on a shabbaton)
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs School staff must never supply alcohol or drugs (including tobacco) to students.

# Giving and receiving gifts

The Principal or Head of School/Head of Faculty is to set guidelines with respect to gifts between students and School staff.

#### Recommended behaviours

All School staff and Board Members are responsible for supporting the safety of students by:

- adhering to the School's Child Protection Policy and Procedure at all times
- taking all reasonable steps to protect students from abuse
- treating everyone in the school community with respect
- listening and responding to the views and concerns of students, particularly if they concern the abuse or safety of a child
- promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children (for example, by never questioning an Aboriginal and Torres Strait Islander child's selfidentification)
- promoting the cultural safety, participation and empowerment of students with culturally and/or linguistically diverse backgrounds

- promoting the safety, participation and empowerment of students with a disability
- recognising the fundamental importance of the Jewish religion and culture in the lives of our students and their families, noting that our school caters to a wide range of Jewish students from a variety of backgrounds and Jewish communities with varying levels of religious knowledge and commitment.
- promoting Jewish heritage, commitment to Jewish Law (Halacha) and the religious values (Hashkafa) of the School.
- reporting any allegations of child abuse to the school's leadership as per the School's Child Abuse
   Reporting Policy
- understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the Crimes Act (1958)
- If an allegation of child abuse is made, ensuring as quickly as possible that the students are safe
- School staff should communicate with students for school approved purposes.

# Unacceptable behaviours

School staff and Board Members must not:

- ignore or disregard any suspected or disclosed child abuse
- develop any 'special' relationships with students that could be seen as favouritism (for example, the
  offering of gifts or special treatment for specific students)
- exchange personal contact details with students such as phone number, social networking sites or email addresses (unless prior authorisation from the Head of School or Principal has been received)
- consume alcohol or illegal drugs at school or at school events in the presence of students (except in circumstance of religious doctrine/practice and within extreme moderation, i.e. making Kiddush on a shabbaton)
- be alone with any students in an area that potentially cannot be seen or observed by other faculty members or adults (vehicles included)
- be in a locked room alone with a student
- Be in a room where doors are not equipped with windows to permit external viewing of the room which must remain unobstructed at all times, or the door must remain open
- denigrate students publicly or privately or from attempts to control or manipulate students through psychological means
- forbid students to share conversations or information with parents or School staff, nor instruct students to "keep secrets" from their parents
- express personal views on cultures, race or sexuality in the presence of students
- discriminate against any student, including because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
- engage in sexual attention towards others
- display, distribute nor share any demeaning, suggestive, objectionable or pornographic material
- directly or indirectly invite to engage in inappropriate, suggestive or sexual activities which may or may not include a promise to reward for complying, or a threat of reprisal for not complying

Behavioural best practice outlined in this Code of Conduct applies whether in person, on the telephone or through any form of electronic media. Any concerns, suspicions or allegations of abuse, harassment or a

violation of the behavioural standards should be promptly brought to the attention of the relevant Senior Staff Member or the School Principal.

# Child protection

All School staff are required to participate in mandatory Child Protection workshops and Professional Development sessions offered by the school. In addition, all School staff are to ensure they are up to date with, and agree to abide by, all the School's Child Protection Policies. This includes understanding when to approach someone if you have a concern over a child's safety and well-being, who to approach, and your legal responsibilities as a School staff member.

All School staff are also required to report to the Principal, or their Head of School, any criminal conviction or charge that indicates that they present a potential risk to any student at the school. Failure to do so will be considered misconduct, with the consequences as outlined on Page 5 of this document.

The collective understanding, adherence and monitoring of behavioural standards outlined in this Code of Conduct, and all the School's Child Protection Policies, will help achieve the goal of providing a safe environment for every student enrolled in the School.

# School staff acknowledgment:

I acknowledge I have access to the School Staff Code of Conduct, the Child Protection Policy and Procedure and the Child Abuse Reporting Policy. I have read them and I understand that by accepting employment / continued employment in the Colleges, I agree to adhere to these standards.

Employee Name	Employee Position
Employee Signature	Date

Cc: HR individual School staff file; Relevant School Files

#### References

- VRQA CHILD SAFE STANDARDS
  - http://www.vrqa.vic.gov.au/childsafe/Pages/default.html
- VRQA Definitions
  - https://www.vrqa.vic.gov.au/childsafe/Pages/schools.aspx#tab-schools-4
- DEPARTMENT OF EDUCATION VICTORIA
  - http://www.education.vic.gov.au/about/programs/health/protect/Pages/childsafestandards.aspx
- VIT:
  - https://www.vit.vic.edu.au/professional-responsibilities/investigations/notifying-the-institute-about-teacher-concerns
  - https://www.vit.vic.edu.au/ data/assets/pdf file/0018/35604/Code-of-Conduct-2016.pdf
- Ministerial Order No. 870 Victorian Government, Education & Reform Act 2006, Gazette No. S2, January 2016, Child Safe Standards – Managing the Risk of Child Abuse in Schools, http://www.gazette.vic.gov.au/gazette/Gazettes2016/GG2016S002.pdf

#### **Related Documentation**

These documents can be found on our School Website: <a href="https://www.ybr.vic.edu.au/ourpolicies.html">https://www.ybr.vic.edu.au/ourpolicies.html</a>

Yeshivah Beth Rivkah Colleges Child Protection Policy and Procedure

Yeshivah Beth Rivkah Colleges Child Abuse Reporting Policy

Yeshivah Beth Rivkah Colleges Employment Policy

Yeshivah Beth Rivkah Colleges Volunteer Code of Conduct Agreement

Yeshivah Beth Rivkah IT Acceptable Use Policy

This policy and associated polices will be reviewed after any serious incident, otherwise at the review date.

Status of Policy	
Reviewed:	October 2018
Last Reviewed:	February 2019
Next Reviewed:	February 2020
Approved by:	YBRSL Board
Approval Date:	4 February 2019

#### **APPENDIX 1:**

## Definitions (as per Ministerial Order No. 870)

In the Ministerial Order:

ETR Act means the Education and Training Reform Act 2006 as amended from time to time.

Child means a child enrolled as a student at the school.

**Child-connected work** means work authorised by the School governing authority and performed by an adult in a School environment while students are present or reasonably expected to be present.

#### Child abuse includes-

- a) any act committed against a child involving
  - i. a sexual offence; or
  - i. an offence under section 49B(2) of the Crimes Act 1958 (grooming); and
- b) the infliction, on a child, of
  - i. physical violence; or
  - ii. serious emotional or psychological harm; and
- c) serious neglect of a child.

**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 incidents or allegations of child abuse.

minister of religion has the same meaning as in the Working with Children Act 2005.

**proprietor,** in relation to a school, means the person who is ultimately responsible for the way the school is managed and conducted:

- a) in the case of a Government school, the Secretary;
- b) in the case of a non-Government school, the proprietor of the school.

For the purposes of our School, the Proprietor is the Board of Directors

**school environment** means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- a) a campus of the school;
- b) online school environments (including email and intranet systems); and
- c) other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).

#### school governing authority means:

- a) the proprietor of a school, including a person authorised to act for or on behalf of the proprietor; or
- b) the governing body for a school (however described), as authorised by the proprietor of a school or the ETR Act; or
- c) the principal, as authorised by the proprietor of a school, the school governing body, or the ETR act

For the purposes of our School, the School Governing Body is the Board of Directors

#### school staff means:

- a) in a Government school, an individual working in a school environment who is:
  - (i) employed under Part 2.4 of the ETR Act in the government teaching service; or
  - (ii) employed under a contract of service by the council of the school under Part 2.3 of the ETR Act; or
  - (iii) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary).
- b) in a non-Government school, an individual working in a school environment who is:
  - (i) directly engaged or employed by a school governing authority;
  - (ii) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary); or
  - (iii) a minister of religion.
- (1) The following terms have the same meaning as in the ETR Act (as amended from time to time):
  - (i) child abuse;
  - (ii) government school;
  - (iii) government teaching service;
  - (iv) non-Government school;
  - (v) parent;
  - (vi) principal;
  - (vii) registered school;
  - (viii) school; and
  - (ix) the Secretary.

#### Other Definitions:

Behaviour that causes emotional or psychological harm includes severe or sustained instances of:

- Verbal abuse
- Coercive or manipulative behaviour
- Hostility towards, or rejection of, a child
- Humiliation, belittling or scapegoating

#### Bullying - verbal, physical and cyber

Bullying involves the inappropriate use of power by one or more persons over another less powerful person or group and is generally an act that is repeated over time. Bullying has been described by researchers as taking many forms which are often interrelated and include:

- Verbal
- Physical
- Social
- Psychological

**Children's (or students') rights** – have the right to be safe and protected.

**Emotional or Physical Harm:** Emotional or psychological harm may be caused by severe or sustained instances of the following behaviours:

- Verbal abuse
- Coercive or manipulative behaviour

- Hostility towards, or rejection of, a child
- Humiliation, belittling or scapegoating

Emotional or psychological harm may also be caused where an existing mental health disorder such as anxiety or depression has been exacerbated.

#### **Family violence**

Family violence is a specific form of emotional or psychological abuse. Family violence is s violence between members of a family or extended family or those fulfilling the role of family in a student's life. Exposure to family violence places children and young people at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

Grooming as defined by the Crimes Amendment (Grooming) Act 2014 is:

The offence of grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time.

The offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.

Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time.

The sexual conduct must constitute an indictable sexual offence. This includes offences such as sexual penetration of a child, indecent assault and indecent act in the presence of a child. It does not include summary offences, such as upskirting and indecent behaviour in public.

**Halacha** means Jewish Law according to the Shulchan Aruch (Code of Jewish Law). The Rabbinic Sub-Committee of the School Board shall be the final arbiters of Halacha for the School.

**Hashkafa** means religious values of the Chabad movement. The Rabbinic Sub-Committee of the School Board shall be the final arbiters of Hashkafa for the School.

**Neglect** occurs when a worker or volunteer does not meet their obligations and responsibilities to keep a child safe and well. This may include:

- Supervisory neglect, which is the absence or inattention of a worker or volunteer which places the child at risk of physical harm or injury, sexual abuse, or allows other criminal behaviour towards the child
- Physical neglect, which is the failure to provide basic physical necessities for a child such as adequate food, clothing and housing

Parent includes the child's biological parent or legal guardian

**Physical Contact/Physical Violence:** Intentional or reckless physical force against, with or in the presence of a child without a lawful reason, which has the ability to cause injury or harm to the child, including hitting, punching, kicking, pushing or throwing something that strikes a child or another person

Reportable conduct is defined in the Child Wellbeing and Safety Act 2005 to include:

a sexual offence committed against, with or in the presence of, a child

- sexual misconduct committed against, with or in the presence of, a child
- physical violence committed against, with or in the presence of, a child
- any behaviour that causes significant emotional or psychological harm to a child
- Significant neglect of a child. Significant means in relation to emotional or psychological harm or

neglect, refers to harm that is more than trivial but need not be as high as serious and need not have a lasting permanent effect.

**Senior Staff Member** includes Head of Students, Head of Teaching and Learning, Co-ordinator/Head of Jewish Studies, Campus Rabbi Pastoral, Head of School, Deputy / Assistant Principal or Principal, or any other member of the Senior Management Team (SMT). In relation to all student welfare and safety matters it also includes members of the Welfare Committee who may not be SMT members (see Welfare Committee definition).

#### **Sexual Exploitation**

Sexual exploitation occurs when children are forced into sexual activities that are then recorded in some way and/or used to produce pornography. Such pornography can be in the form of actual photos or videos or published on the internet.

**Sexual misconduct** captures a broader range of inappropriate behaviours of a sexual nature that are not necessarily criminal. It refers to conduct that:

- · Amounts to misconduct
- Is of a sexual nature, and
- Occurred against, with, or in the presence of a child

#### Sexual Offences include

- Sexual assault
- Indecent acts
- Possession of child abuse material
- 'grooming' a child in order to commit a sexual offence

**Student** means a child within the School's care including children who are enrolled in the school, and children attending on a trial basis or short term placement.

#### Student to Student Peer Abuse (Student Sexual Offending)

Student sexual offending refers to sexual behaviour that is led by a student 10 years and over which may amount to a sexual offence.

A sexual offence includes rape, sexual assault, indecent acts and other unwanted sexualised touching, all of which are offences under the *Crimes Act 1958*.

**Welfare Committee:** The Welfare Committee is a cross-campus body, committed to the wellbeing of all students. The Welfare Committee is an active extension of the School and is committed to safeguarding children through communication, support and comprehensive policies. The responsibility of the Welfare Committee is to promote the safety of all students and to foster academic, emotional, social, spiritual and physical development. See <a href="https://www.ybr.vic.edu.au/welfarecommittee.html">https://www.ybr.vic.edu.au/welfarecommittee.html</a>

## **APPENDIX 2:**

#### VIT Code of Conduct



The Code of Conduct has been developed for and by the Victorian teaching profession; it identifies a set of principles, which describe the professional conduct, personal conduct and professional competence expected of a teacher by their colleagues and the community.

It is based on the values set out in the accompanying Code of Ethics - integrity, respect and responsibility - and draws on the Australian Professional Standards for Teachers as well as codes of conduct for teachers and early childhood teachers developed by other registration and education authorities.

The Code of Conduct applies to all teachers and early childhood teachers registered with the Victorian Institute of Teaching.

#### PURPOSE

The Code of Conduct codifies what is already common practice within the teaching profession.

Its purpose is to

- · promote adherence to the values teachers see as underpinning their profession
- provide a set of principles to guide teachers in their everyday conduct and assist them to solve ethical dilemmas
- · affirm the public accountability of the teaching profession
- promote public confidence in the teaching profession.

The Code of Conduct is not a disciplinary tool, nor will it cover every situation. There may be policies or procedures set down by a sector or education setting in which a teacher works, or there may be specific issues covered by an industrial agreement or award.



#### Section 1 Professional conduct

Teachers' professional conduct is characterised by the quality of the relationships they have with their learners, the parents / carers of their learners, and families, communities and their colleagues.

#### **RELATIONSHIPS WITH LEARNERS**

# PRINCIPLE 1.1 TEACHERS PROVIDE OPPORTUNITIES FOR ALL LEARNERS TO LEARN

The main focus of teaching is the learning of those being taught. Teachers demonstrate their commitment to learning by

- knowing their learners well, respecting individual differences and catering for individual abilities
- maintaining a safe and challenging learning environment
- accepting professional responsibility for the provision of quality teaching
- having high expectations of every learner, and recognising and developing individual's abilities, skills and talents
- considering all viewpoints fairly
- communicating well and appropriately with their learners.

# PRINCIPLE 1.2 TEACHERS TREAT THEIR LEARNERS WITH COURTESY AND DIGNITY

#### Teachers

- work to create an environment which promotes mutual respect
- model and engage in respectful and importial language
- protect learners from intimidation, embarrassment, humiliation or harm
- enhance learner autonomy and sense of self worth, and encourage learners to develop and reflect on their own values
- respect a learner's privacy in sensitive matters, such as health or family problems, and only reveal confidential matters when appropriate

#### That is

- if the learner has consented to the information being used in a certain way
- to prevent or lessen a serious threat to life, health, safety or welfare of a person (including the learner)
- as part of an investigation into unlawful activity
- if the disclosure is required or mandated by law
- to prevent a crime or enforce the law
- refrain from discussing learners' personal problems in situations where the information will not be treated confidentially
- use consequences commensurate with the offence when disciplining learners.

#### PRINCIPLE 1.3 TEACHERS WORK WITHIN THE LIMITS OF THEIR PROFESSIONAL EXPERTISE

In fulfilling their role, teachers carry out a wide range of responsibilities. They support learners by knowing their strengths and the limits of their professional expertise.

#### Teachers

- seek to ensure they have the physical, mental and emotional capacity to carry out their professional responsibilities
- are aware of the role of other professionals and agencies as well as when learners should be referred to them for assistance
- are truthful when making statements about their audifications and competencies.

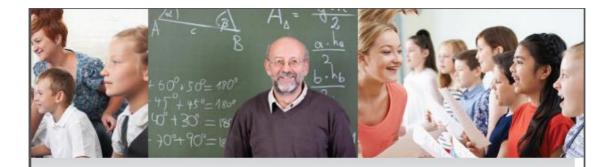
# PRINCIPLE 1.4 TEACHERS MAINTAIN OBJECTIVITY IN THEIR RELATIONSHIPS WITH LEARNERS

In their professional role, teachers do not behave as a friend or parent / carer.

#### They

- interact with learners without displaying bias or preference
- make decisions in learners' best interests
- do not draw learners into their personal agendas
- do not seek recognition at the expense of professional objectivity and goals.

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# PRINCIPLE 1.5 TEACHERS ARE ALWAYS IN A PROFESSIONAL RELATIONSHIP WITH THEIR LEARNERS, WHETHER AT THE EDUCATION SETTING WHERE THEY TEACH OR NOT

Teachers hold a unique position of influence and trust that should not be violated or compromised. They exercise their responsibilities in ways that recognise there are limits or boundaries to their relationships with learners. The following examples outline some of those limits.

A professional relationship will be violated if a teacher

- has a sexual relationship with a learner
- uses sexual innuendo or inappropriate language and / or material with learners
- touches a learner without a valid reason
- holds conversations of a personal nature or has contact with a learner via written / electronic means (including email, letters, telephone, text messages or chat lines) without a valid context
- accepts gifts, which could be reasonably perceived as being used to influence them, from learners or their parents / carers.

A professional relationship may be compromised if a

- attends parties or socialises with learners
- invites a learner or learners back to their home, particularly if no-one else is present.

# RELATIONSHIPS WITH PARENTS / CARERS, FAMILIES AND COMMUNITIES

PRINCIPLE 1.6 TEACHERS MAINTAIN A PROFESSIONAL RELATIONSHIP WITH PARENTS / CARERS

Teachers should be respectful of, and courteous to, parents and carers.

#### Teachers

- consider parents / carers' perspectives when making decisions which have an impact on the education or wellbeing of a learner
- communicate and consult with parents / carers in a timely, understandable and sensitive manner
- take appropriate action when responding to parental concerns.

#### PRINCIPLE 1.7 TEACHERS WORK IN COLLABORATIVE RELATIONSHIPS WITH LEARNERS' FAMILIES AND COMMUNITIES

Teachers recognise their learners come from a diverse range of cultural contexts, and seek to work collaboratively with learners' families and communities within those contexts.

#### RELATIONSHIPS WITH COLLEAGUES

# PRINCIPLE 1.8 COLLEGIALITY IS AN INTEGRAL PART OF THE WORK OF TEACHERS

Teachers demonstrate collegiality by

- · treating each other with courtesy and respect
- · valuing the input of their colleagues
- using appropriate forums for constructive debate on professional matters
- sharing expertise and knowledge in a variety of collaborative contexts
- · respecting different approaches to teaching
- providing support for each other, particularly those new to the profession
- sharing information relating to the wellbeing of learners.

CODE OF CONDUCT

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# Section 2 Personal conduct

PRINCIPLE 2.1 THE PERSONAL CONDUCT OF A TEACHER WILL HAVE AN IMPACT ON THE PROFESSIONAL STANDING OF THAT TEACHER AND ON THE PROFESSION AS A WHOLE

Although there is no definitive boundary between the personal and professional conduct of a teacher, it is expected that teachers will

- be positive role models in education settings and in the community
- respect the rule of law and provide a positive example in the performance of civil obligations
- not exploit their position for personal or financial gain
- ensure their personal or financial interests do not interfere with the performance of their duties
- act with discretion and maintain confidentiality when discussing workplace issues.

# Section 3 Professional competence

PRINCIPLE 3.1 TEACHERS VALUE THEIR PROFESSIONALISM, AND SET AND MAINTAIN HIGH STANDARDS OF COMPETENCE

#### Teachers

- · are knowledgeable in their areas of expertise
- are committed to pursuing their own professional learning
- complete their duties in a responsible, thorough and timely way.

PRINCIPLE 3.2 TEACHERS ARE AWARE OF THE LEGAL REQUIREMENTS THAT PERTAIN TO THEIR PROFESSION. IN PARTICULAR, THEY ARE COGNISANT OF THEIR LEGAL RESPONSIBILITIES IN RELATION TO

- · discrimination, harassment and vilification
- negligence
- mandatory reporting
- privacy
- · occupational health and safety
- teacher registration.

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# THE VICTORIAN TEACHING PROFESSION CODE OF ETHICS

As teachers, we use our expert knowledge to provide experiences that inspire and facilitate the learning of those we teach.

We are a significant force in developing a knowledgeable, creative, productive and democratic society. The values that underpin our profession are **integrity**, **respect** and **responsibility**.

We hold a unique position of trust and influence, which we recognise in our relationships with learners, parents / carers, colleagues and the community.

#### WE DEMONSTRATE OUR INTEGRITY BY

- · acting in the best interest of learners
- maintaining a professional relationship with learners, parents / carers, colleagues and the community
- · behaving in ways that respect and advance the profession.

#### WE DEMONSTRATE OUR RESPECT BY

- · acting with care and compassion
- treating learners fairly and impartially
- · holding our colleagues in high regard
- · acknowledging parents and carers as partners in the education of their children.

#### WE DEMONSTRATE OUR RESPONSIBILITY BY

- providing quality teaching
- · maintaining and developing our professional practice
- · working cooperatively with colleagues in the best interest of our learners.

#### THE PURPOSE OF THIS CODE IS TO

- · state the value that guides our practice and conduct
- enable us as a profession to affirm our public accountability
- promote public confidence in our profession.

The Code sets out the ideals to which we aspire.

CODE OF CONDUCT

Victorian Institute of Teaching Level 9 628 Bourke Street, Melbourne VIC 3000 PO Box 531, Collins Street West VIC 8007 t. 1300 888 067 (general enquiries) t. 1300 977 263 (early childhood hotline) | 1300 650 375 (principal hotline) f. (03) 8601 6101 e. vit@vit.vic.edu.au w. vitvic.edu.au