



CHILD SAFETY STANDARD 3: Child safety code of conduct — acceptable and unacceptable behaviour

www.vrqa.vic.gov.au

Introduction

Registered schools have an important responsibility for keeping children safe. Schools already take steps to protect children from abuse.

Standard three (clause nine of the Ministerial Order) requires that the school governing authority develop, endorse and make publicly available a code for all school staff.

The standard has four specific requirements. They are that the code of conduct:

1. has the objective of promoting child safety in the school environment
2. sets standards about the ways in which school staff are expected to behave with children
3. takes into account the interests of school staff (including other professional or occupational codes of conduct that regulate particular school staff such as registered teachers), and the needs of all children, and
4. is consistent with the school's child safety strategies, policies and procedures as revised from time to time.

Please note that the Ministerial Order defines some terms broadly. Some examples are included at the end of this information sheet. A full list of definitions is available at www.vrqa.vic.gov.au/childsafe.

Purpose

This information sheet provides information about requirement two, including details of acceptable and unacceptable behaviours in dealing with children. It will assist with the protection of children from abuse and provide clarity to school staff who work with children by clarifying acceptable and unacceptable behaviour by staff.

The information sheet *Child Safety Standard Three: Code of Conduct* addresses developing a code of conduct.

This information should be read in conjunction with a school's child safety strategies, policies and procedures. This advice does not replace any legislative or regulatory obligations or other professional or occupational codes of conduct that regulate particular staff at the school. For example, the Victorian Institute of Teaching (VIT) *Victorian Teaching Profession Codes of Conduct and Ethics* provides clarity regarding professional behaviour expected of teachers at all times. The code specifies behaviour unacceptable for a professional relationship between a teacher and a student. The VIT code provides a useful guide to appropriate behaviour for all school staff.

Principles for adult's behaviour in undertaking child-connected work

Some simple principles should guide an adult's behaviour when undertaking child-connected work such as:

- the adult/child relationship should be professional at all times
- an adult's response to a child's behaviour or circumstance should be commensurate with the child's age and vulnerability and the adult's responsibility for the care, safety and welfare of the child
- an adult should not be alone with a child unless there is line of sight to other adults
- an adult should not initiate or seek physical contact or contact with children outside school.

Acceptable and unacceptable behaviours

The following lists provide examples of statements about acceptable and unacceptable behaviours which could be included in a school's code of conduct. The lists are not intended to be exhaustive, but may assist schools when customising their codes of conduct to the expectations and needs of their own communities.

Acceptable behaviours

All staff, volunteers and board/school council members are responsible for supporting the safety of children by:

- adhering to the school's child safe policy and upholding the school's statement of commitment to child safety at all times
- taking all reasonable steps to protect children from abuse
- treating everyone in the school community with respect
- listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another 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 self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- ensuring as far as practicable that adults are not alone with a child
- reporting any allegations of child abuse to the school's leadership (or child safety officer if the school has appointed someone to this role)
- understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the *Crimes Act 1958*
- reporting any child safety concerns to the school's leadership (or child safety officer if the school has appointed someone to this role)
- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe
- reporting to the Victorian Institute of Teaching any charges, committals for trial or convictions in relation to a sexual offence by a registered teacher, or certain allegations or concerns about a registered teacher.

Unacceptable behaviours

Staff and volunteers must not:

- ignore or disregard any suspected or disclosed child abuse
- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example inappropriate sitting on laps)
- put children at risk of abuse (for example, by locking doors)
- initiate unnecessary physical contact which children or do things of a personal nature that a child can do for themselves, such as toileting or changing clothes

- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child, including because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
- have contact with a child or their family outside of school without the school's leadership or child safety officer's (if the school has appointed someone to this role) knowledge and/or consent or the school governing authority's approval (for example, unauthorised after hours tutoring, private instrumental/other lessons or sport coaching). Accidental contact, such as seeing people in the street, is appropriate.
- have any online contact with a child (including by social media, email, instant messaging etc) or their family (unless necessary eg by providing families with e-newsletters or assisting students with their school work)
- use any personal communication channels/device such as a personal email account
- exchange personal contact details such as phone number, social networking sites or email addresses
- photograph or video a child without the consent of the parent or guardians
- work with children whilst under the influence of alcohol or illegal drugs
- consume alcohol or drugs at school or at school events in the presence of children.

Further information

Victorian Registration and Qualifications Authority

Child safe standards website (all schools): www.vrqa.vic.gov.au/childsafe

Government Schools

Website: www.education.vic.gov.au/childhood/providers/regulation/Pages/childsafestandards

Email: child.safe.schools@edumail.vic.gov.au

Catholic Schools

CECV Industrial Relations (03) 9267 0228

Catholic Education Melbourne, Student Wellbeing Information Line (03) 9267 0228

Catholic Education Office Ballarat, Child Safety (03) 5337 7135

Catholic Education Office Sale, Child Protection Officer (03) 5622 6600

Catholic Education Office Sandhurst, Child Safe Officer (03) 5443 2377

Website: www.cecv.catholic.edu.au

Seventh-day Adventist Schools

Adventist Schools Victoria Office (03) 9264 7730

Website: www.asv.adventist.edu.au

Lutheran Schools

Contact the regional office via phone (03) 9236 1250 or email operations@levnt.edu.au.

Independent Schools who are members of Independent Schools Victoria

Telephone: (03) 9825 7200

Email: enquiries@is.vic.edu.au

Website: www.is.vic.edu.au

The Victorian Institute of Teaching

For *Victorian Teaching Profession Codes of Conduct and Ethics* and information about employer responsibilities to report action taken against registered teachers in response to allegations and concerns about registered teachers.

Website: www.vit.edu.au

Acknowledgements

The VRQA would like to acknowledge the following organisations whose resources were consulted in the preparation of this information sheet.

- State Government of Victoria, Commissioner for Children and Young People, Version 2, 2015 [*A Guide for Creating a Child Safe Organisation*](#)
- Moores and ourcommunity.com.au, Institute of Community Directors Australia 2016, [*Child Protection Toolkit: What Every Not-for-Profit Organisation Must Do Now*](#)
- Child Wise, [*12 Steps to Building Child Safe Organisations*](#)
- State Government of Victoria, Department of Health and Human Services, 2015 [*Code of Conduct: Toolkit Resource Three*](#)
- Victorian Institute of Teaching, [*Victorian Teaching Profession Codes of Conduct and Ethics*](#)

Definitions

A full list of definitions for Ministerial Order No. 870 is available at www.vrqa.vic.gov.au/childsafte.

Child abuse includes—

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

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

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.

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 campus of the school
- online school environments (including email and intranet systems)
- 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 staff means:

- in a government school, an individual working in a school environment who is:
 - employed under Part 2.4 of the *Education and Training Reform Act 2006* (ETR Act) in the government teaching service or
 - employed under a contract of service by the council of the school under Part 2.3 of the ETR Act or
 - a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary).
- in a non-government school, an individual working in a school environment who is:
 - directly engaged or employed by a school governing authority
 - a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary)
 - a minister of religion¹.
- **school governing authority** means:
 - the proprietor of a school, including a person authorised to act for or on behalf of the proprietor; or
 - the governing body for a school (however described), as authorised by the proprietor of a school or the ETR Act; or
 - the principal, as authorised by the proprietor of a school, the school governing body, or the ETR Act.

Explanatory note: There is a wide variety of school governance arrangements. Depending on the way a school is constituted and operated, the governing body for a school may be the school board, the school council, or some other person or entity. The school governing authorities may share or assign responsibility for discharging the requirements imposed by this Order, in accordance with the school's internal governance arrangements.

¹ **minister of religion** has the same meaning as in the *Working with Children Act 2005*.