



PROTECTIVE PRACTICES POLICY

1. RATIONALE

St Hilda's Anglican School for Girls is committed to fostering mutual trust and respect between students and adults who make up our community. This document provides advice to staff about the requirements made of them in their interactions with students.

The intent of these guidelines is to encourage staff to continue relating to students with warmth, honesty and respect. They are also intended to provide clarity about when, and in what ways, interactions with students can cause harm. The need for this document is supported by the guiding principles of the relevant legislation.

2. SCOPE

The guidelines set out below require a commitment from all staff:

- to ensure that student safety and wellbeing are paramount within our community;
- to contribute to a culture of staff safety and wellbeing.

3. BACKGROUND

In any school context, Duty of Care is a common law concept that refers to the responsibility of staff to provide students with an adequate level of protection against harm. It is usually expressed as a duty to take reasonable care to protect students from all reasonably foreseeable risk of injury. The question of what constitutes reasonable care in any given case will be determined objectively by a court and will depend on the individual circumstances of each case.

The courts have found that the duty of care owed by teachers to students is extremely high. In their relationships with students, staff are required to ensure that the physical and emotional welfare of students are safeguarded, and that their own behaviour with students is always regulated by this duty of care both within and beyond the school setting.

In promoting a safe and supportive environment, Australian schools aim to ensure that the roles and responsibilities of all members of the school community are explicit, clearly understood, and disseminated to take action to protect children from all forms of abuse and neglect, and affirm the right of all school community members to feel safe at school.

4. DEFINITIONS

Staff: employees and paid workplace participants.

5. LEGISLATION

Nil.

6. RELATED POLICIES & PROCEDURES

School Community Code of Conduct
Child Protection Policy
Code of Conduct – Staff Policy
Dress Code – Staff Policy

7. GUIDELINES

7.1 Maintaining professional boundaries with students.

It is recognised that schools are places where all staff can have significant influence in students' lives. The staff member is responsible for maintaining a professional role with students. This means establishing clear professional boundaries with students that serve to protect everyone from misunderstandings or a violation of the professional relationship. The relationship of an adult staff member and student can be characterised by differing roles and an imbalance of power based on a number of factors including age, authority and gender.

The School considers that communication between students and staff via the various electronic social networks, such as Facebook, Instagram, Snapchat, sits outside the professional boundaries referred to above. Staff are therefore asked not to have students listed as 'friends' with entry rights to their personal sites, and staff are asked not to be listed as 'friends' on students' sites.

Appropriate, professional dress is also an important part of the clarity of relationship and boundaries (*see Dress Code – Staff Policy*).

The following examples will assist staff in establishing and maintaining appropriate professional boundaries.

Example of violation

- Communication of inappropriate comments about a student's appearance including excessive flattering comments;
- Inappropriate conversation or enquiries of a sexual nature (e.g. questions about a student's sexuality);
- Use of inappropriate pet names;
- Vilification or humiliation;
- Jokes or innuendo of a sexual nature;
- Obscene gestures and language;
- Facilitating access to pornographic or overtly sexual material;
- Failing to stop sexual harassment between students;
- Correspondence of a personal nature including letters, email, phone, SMS text and other forms of electronic communication (this does not include class postcards, bereavement cards, etc.);
- Discussion of personal details relating to lifestyle of self or others. However, some disclosure may be appropriate and necessary at times to draw on relevant personal life experiences when teaching;
- Sharing of personal information about other staff or students;
- Physical contact - unwarranted, unwanted and/or inappropriate touching of a student personally or with objects (e.g. pencil or ruler);
- Initiating or permitting inappropriate physical contact by a student, e.g. massage, tickling games;
- Attending students' homes or social gatherings for personal reasons;
- Being alone with a student outside of a staff member's responsibilities;
- Driving a student unaccompanied;
- Targeting individual students;
- Tutoring (outside educational sectors' directives);
- Personal gifts and special favours;
- Adopting a welfare role that is the responsibility of another staff member e.g. Counsellor, or doing so without the knowledge of key staff members.

Professional boundary violations by a staff member represent a breach of trust and a failure to meet the duty of care to students. When staff violate boundaries they risk:

- harmful consequences for the student;
- seriously undermining the learning process;
- seriously undermining the professional reputation of the staff member;
- disciplinary action for the staff member.

Staff members may also fail to maintain professional boundaries by operating beyond the responsibilities of their role, and beyond their expertise.

Students who raise significant personal problems with a staff member they trust need to be referred, preferably with their knowledge, to a person on staff with specialised skills, for example, the School Counsellor or one of the pastoral care staff. The staff member can continue to play a supportive role with the student in collaboration with specialist staff.

7.2 Good practice in managing professional boundaries

The following self-assessment questions may assist staff members in assessing their application of professional boundaries:

- Am I dealing in a different manner with a particular student than with others under the same circumstances?
- Is my dress/availability/language different from the normal with a particular student?
- Would I do or say this if a colleague were present?
- Would I condone my conduct if I observed it in another adult?
- Are the consequences of my actions likely to have negative outcomes for students?
- If I were a parent would I want an adult behaving this way towards my own children?

7.3 Responding to inappropriate/sexual behaviour of staff towards students.

Staff at St Hilda's are mandated notifiers and are therefore required under the relevant legislation to report behaviours that heighten concerns about child sexual abuse to the Mandatory Reporting Service (DCP), open 24 hours a day, 7 days a week.

The complexities of these situations are acknowledged. Nevertheless, staff must be supported in managing their sensitivities or discomforts because their duty of care to the student remains their paramount responsibility. Staff are encouraged to discuss these issues and procedures as part of their mandatory notification training.

Staff may also observe behaviours in colleagues that they view to be inappropriate rather than abusive or that sit on the border of violating a professional boundary. Staff must ensure, through the Principal or a member of the Executive Leadership Team that the adult concerned is made aware of the potential of their actions to impact negatively on students, and on themselves. Professional advice of this kind may be particularly valuable to young or newly appointed staff. The Principal or ELT member will document what is discussed.

All staff must take action if students disclose information about inappropriate behaviours of other adults at St Hilda's. It is not acceptable to minimise, ignore or delay responding to such information. For the wellbeing of all members of the community, the Principal or Executive Leadership Team member must be informed as a matter of urgency.

7.4 Managing boundaries for staff in specialist roles.

In some situations in performing their professional role with students, staff may be required to work in a one-to-one situation with a student. Examples are counselling, conducting educational/physical assessments, conducting home visits, providing health care, mentoring, coaching or tutoring. All work of this kind must occur as an authorised school activity so that arrangements can be put in place that minimise risk. The main considerations to be made of one to one work are location, time and parental consent/knowledge:

- **Location:** The more visible, public and busy the location the better. Where home visiting cannot be avoided parents should be present, or staff should visit in pairs.
- **Time:** Using normal school hours, or Prep time allocated for the Boarders, is preferable to out of school hours. Length of one to one contact should not generally exceed an hour and a half.
- **Consent/knowledge:**
Other than the areas discussed below, it is essential that parents be informed with consent to activities that involve their daughter in one to one unsupervised contact with staff provided.

n.b. Volunteers are similarly subject to the supervision policies.

7.5 Counsellor/Student Wellbeing Staff

Counselling and student care and support roles rely in different ways on providing privacy for students.

Adolescents in particular will often seek as much privacy as possible when they access adult advice or intervention. Students reporting harassment or bullying or disclosing serious issues of a personal nature often expect and assume a high level of confidentiality. For these reasons, St Hilda's staff need to find a careful balance of respecting the sensitive and private nature of counselling and the duty of care obligations for the safety and wellbeing of the student.

Generally, unlocked rooms/office with part-glass doors that are located near staff traffic areas will help minimise risk. While parental consent is not always applicable in these situations, good practice for schools is to provide all parents with information about their counselling and student care staff and the wellbeing service they provide to students.

7.6 Appropriate physical contact by a staff member to assist or encourage a student.

At times, staff members will be required to give practical assistance to a student who is hurt or needs particular assistance or encouragement. The following examples of physical contact that are acceptable are:

- Administration of first aid or helping a child who has fallen;
- Assisting with the toileting and personal care needs of a disabled student (n.b. an individual plan for students with these needs must have been negotiated with parents/carers);
- Non-intrusive gestures to comfort a student who is experiencing grief and loss;

- Non-intrusive gestures, e.g. congratulating a student by shaking hands. Staff should remember the importance of accompanying such gestures with positive and encouraging words.

7.7 Good practice with school age children

- Seeking students' permission to touch (keeping in mind that a highly distressed student may be incapable of expressing her wishes).
- Avoiding touching a student anywhere other than the hand, arm, shoulder, or upper back.
- Avoiding being with a student in a one-to-one, out of sight situation, and never touching a student in such a situation.
- Not presuming that a hug or a touch is acceptable to a particular student. Even non-intrusive touch may be inappropriate if students indicate they do not wish to be touched.
- Respecting and responding to signs that a student is uncomfortable with touch.
- Using verbal directions rather than touching, e.g. asking a student to turn this way, rather than physically placing the child in the required position. Where possible, use this approach for demonstrations in dance, sport, music and drama. If touch is essential for safety reasons, e.g. with aquatic or gymnastic instruction, always tell the student that you need to hold her in a particular way and seek permission to do so.
- In some circumstances, staff may need to discourage younger children from unnecessary reliance on touching such as holding hands or wanting to have hugs or cuddles. This should be done gently and without embarrassment or offence to the child.

7.8 Cultural Considerations

Different cultures have different attitudes and traditions surrounding the concept of appropriate touch. Staff have a responsibility to become as familiar as possible with the values of the various cultural groups enrolled at St Hilda's. It is important that staff appreciate culturally specific expectations regarding touch so that embarrassment or offence can be avoided for everyone, and particularly for students.

7.9 Past Students

Staff (and their families) must maintain a respectful and professional relationship with past students. Staff are strongly encouraged not to maintain links of a 'personal' nature with past students, including social networking activities.

8. BREACH

If staff breach this policy, staff may be subject to disciplinary actions.

Responsibility: Principal
Review Date: January 2019
Next Review Date: January 2020