

# OUR COMMITMENT:

Creating environments for children  
and young people to thrive



## CODE OF CONDUCT

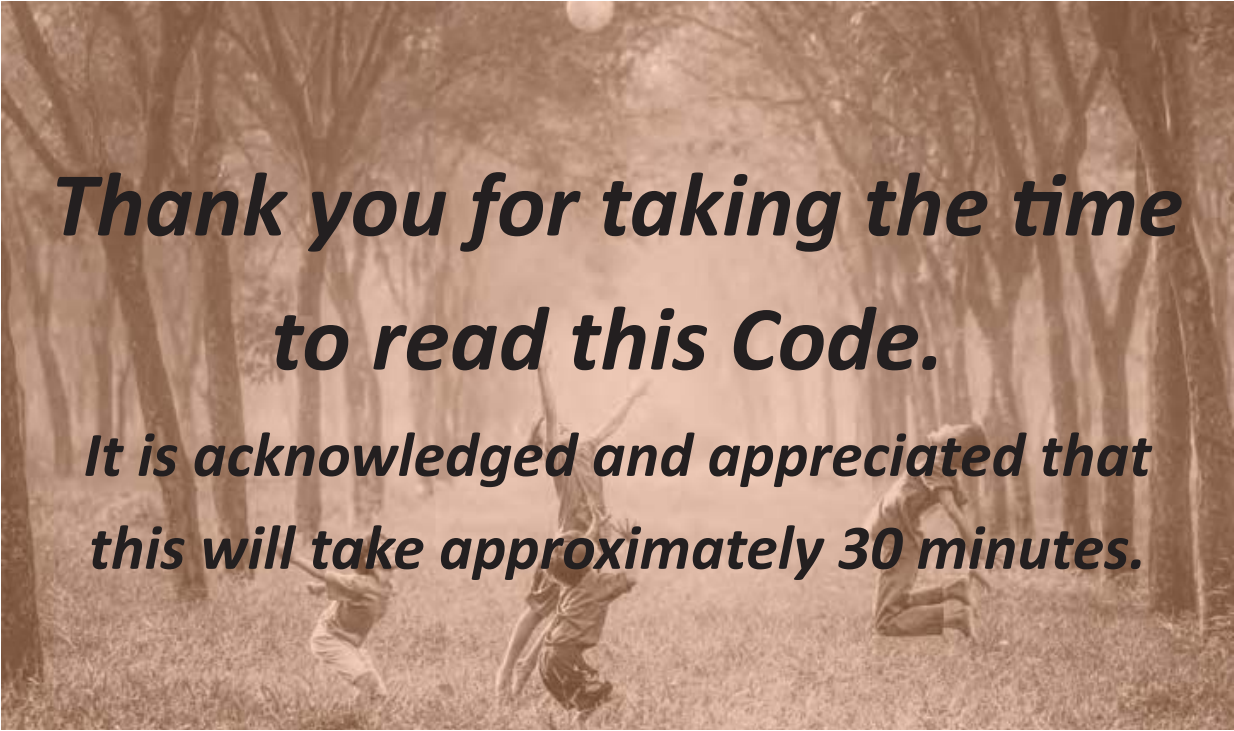
for Anglican Schools and  
Education & Care Services

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***Thank you for taking the time  
to read this Code.***

***It is acknowledged and appreciated that  
this will take approximately 30 minutes.***

## **1. CONTEXT OF THIS CODE**

### **1.1 SAFE MINISTRY TO CHILDREN CANON 2017**

The Anglican Church Southern Queensland (ACSQ) adopted the *Safe Ministry to Children Canon 2017* (SMCC). The SMCC sets national benchmarks for safe ministry to children.

One of the key areas covered by the SMCC is the Code of Conduct. Section 5 of *Faithfulness in Service* is prescribed as the Code of Conduct for all ministry to children across the Anglican Church of Australia, unless the Standing Committee of the General Synod Anglican Church of Australia, determines a **Church body** has a Code of Conduct containing equivalent standards of conduct for observance and guidelines for conduct to be followed. An appropriately adapted Code of Conduct gives substantial effect to the standards of conduct and guidelines for conduct contained in Section 5 of *Faithfulness in Service*.

*Our Commitment: Creating environments for children and young people to thrive* — *Code of Conduct for Anglican Schools and Education & Care Services* (this Code) has been adapted for Anglican **Schools** and **Education & Care Services**, and has been developed to comply with the requirements of the SMCC.

## **1.2 FAITHFULNESS IN SERVICE**

The General Synod of the Anglican Church of Australia adopted *Faithfulness in Service* as the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers. *Faithfulness in Service* is intended to identify the personal behaviour and practices of pastoral ministry that enable clergy and church workers to serve faithfully those among whom they minister; supporting communities to be safe places for everyone, where integrity is honoured, accountability is practised, and forgiveness encourages healing and does not conceal misconduct.

As such, *Faithfulness in Service* has been used as a foundation to build this Code.



## **1.3 WORKING WITH CHILDREN (RISK ASSESSMENT AND SCREENING) ACT 2000 AND REGULATION 2011**

Queensland's *Working with Children (Risk Management and Screening) Act 2000* and *Regulation 2011* require Schools and Education & Care Services to develop and implement a written strategy for employment practices and procedures that:

- promotes the wellbeing of children affected by each type of regulated employment or business undertaken as part of the School/ECS; and
- protects children from harm.

Each strategy is required to be reviewed annually and include specific matters, such as the requirement to have a code of conduct for interacting with children.

This Code has been developed to assist Anglican Schools and Education & Care Services in meeting that requirement.

## **1.4 ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE**

Commencing in 2013, the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was constituted as an inquiry for the Commonwealth, and each of the states and territories. The Royal Commission made findings and recommendations to better protect children against sexual abuse and alleviate the impact of abuse when it occurs.

Releasing their Final Report in December 2017, the Royal Commission made a number of recommendations relevant to Anglican Schools and Education & Care Services, including that “staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children” (part of recommendation 6.6). Furthermore, recommendation 7.8 of the Royal Commission states “institutions should have a clear code of conduct that:

- outlines behaviours towards children that the institution considers unacceptable, including concerning conduct, misconduct or criminal conduct;
- includes a specific requirement to report any concerns, breaches or suspected breaches of the code to a person responsible for handling complaints in the institution or to an external authority when required by law and/or the institution’s complaint handling policy; and
- outlines the protections available to individuals who make complaints or reports in good faith to any institution engaging in child-related work”.

In addition to this, the Royal Commission specifically recommends the code of conduct includes use of the online environment (recommendation 6.6, standard 8).

This Code has been developed to comply with these recommendations.



## 2. ABOUT THIS CODE

### 2.1 WHO DOES THIS CODE APPLY TO?

This Code applies to all **staff** and **volunteers** within the Diocese of Brisbane's Anglican Schools and Education & Care Services (ECS). This includes any business or institution associated with the School/ECS, for example: international colleges, boarding houses, home stay services or sporting clubs.

Other Anglican Schools and ECS in Queensland have approval from the Anglican Schools Commission, ACSQ to use this Code of Conduct.

### 2.2 WHEN DOES THIS CODE APPLY?

This Code applies to staff and volunteers undertaking their role within a relevant School/ECS. This includes, but is not limited to:

- behaviour that includes, relates to, or impacts upon a person who the staff member or volunteer has contact with as part of their role within the School/ECS; and
- behaviour that occurs in a physical or online environment.

*Reference to **children** and **young people** within this Code applies when the staff member or volunteer's relationship with a child or young person is as a result of their role at the School/ECS.*

## 2.3 RELATIONSHIP WITH OTHER CODES OF CONDUCT, SIMILAR REQUIREMENTS OR LAW

It is recognised that staff and volunteers may be subject to more than one Code of Conduct or similar requirement. For example:

- *Faithfulness in Service in Schools (Codes for School Principals and Members of Governing Bodies of Schools)*
- *Faithfulness in Service* and its application to Clergy
- *Code of Ethics for Teachers in Queensland*
- *Australian Professional Standards for Teachers*
- *Australian Professional Standard for Principals*
- *Early Childhood Australia (ECA) Code of Ethics*
- *Queensland Guidance and Counselling Association Code of Ethics*
- *Rugby Australia's Code of Conduct* and its application to players, coaches, administrators, volunteers, parents and spectators

If an apparent contradiction occurs between this Code and any other code or requirements (e.g. legislation, policy, procedures etc.), advice can be sought from the Anglican Schools Commission, ACSQ. If there is a contradiction with law, the legislation will prevail.

*As a general rule, the requirement that provides the greater protection to children and young people's safety and wellbeing applies.*

Where Schools and ECS have a pre-existing Code of Conduct that applies to staff and/or volunteers it is replaced with this Code.

Role specific requirements not detailed in this Code, are to be captured by the School/ECS in supporting documentation.



## 2.4 FORMAT AND PRESENTATION

The relevant sections of this Code consist of three parts:

*The Preamble* introduces the section.

*The Standards* state the expectations for personal behaviour and the provision of service.

*The Guidelines* explain and illustrate best practice, highlighting practical ways to achieve this.

Throughout the Code, all Key Terms appear in **bold text** the first time they appear, with Key Terms defined in Section 6.

## 3. IMPLEMENTING THIS CODE

### PREAMBLE

**3.1** This Code will only be effective if it is widely known and available throughout each School and Education & Care Services (ECS), implemented, and practised.

**3.2** The absence of any reference to particular conduct in this Code does not imply that that conduct is acceptable for staff or volunteers.

**3.3** All staff and volunteers have a responsibility to act when behaviour within the School/ECS is inconsistent with this Code.

**3.4** Where a staff member or volunteer does not meet the **standards** of this Code, this will indicate an area requiring redress. This may result in formal disciplinary action as a breach of employment conditions.

**3.5** Staff and volunteers are encouraged to follow the **guidelines** of this Code. Where this is impractical, an exercise of judgement will be required to ensure the safety and wellbeing of those with whom they work and themselves. Disregard of the guidelines may indicate an area where staff and volunteers require guidance and specialised help, or may indicate a breach of the standards and be managed as such.

## STANDARDS

**3.6** It is the responsibility of each staff member and volunteer to be aware of and meet the standards of this Code.

**3.7** If you have **appropriate authority** in a School/ECS, ensure all staff and volunteers for whom you are responsible are made aware of this Code.

**3.8** Do not penalise, discriminate or take action against other staff or volunteers because of any action taken in good faith under this Code.

## GUIDELINES

**3.9** If you are aware of behaviour of a staff member, volunteer or visitor to the School/ECS, or of a child or young person that leads to you or others feeling uncomfortable or concerned, speak with an appropriate authority.

If you have reason to believe a member of staff or a volunteer has not met a standard or guideline of this Code, always inform an appropriate authority if you consider:

- a) a person (other than a child) may have suffered harm or has been placed at risk of harm; or
- b) the staff member or volunteer is persisting in disregarding the standard or guideline.

Where neither a) nor b) apply, you can approach the staff member or volunteer and identify the concern.

*Note: This section does not apply to matters where a child or young person may have suffered or is at risk of harm. Matters of children and young people's safety are addressed in 4.15 of this Code.*



## 4. CONDUCT WITH CHILDREN AND YOUNG PEOPLE

### PREAMBLE

**4.1** Children and young people are entitled to be safe and protected. They have the right to be respected, listened to and their particular needs addressed in all School or Education and Care Service (ECS) activities.

**4.2** Service provision where children and young people are involved, requires absolute trustworthiness.

**4.3** Staff and volunteers with appropriate authority in a School/ECS have a responsibility that cannot be delegated, for the implementation and maintenance of proper systems for the safety and welfare of children and young people.

**4.4** When they are exercising a **service** in a School/ECS, staff and volunteers have responsibility for the safety and welfare of children and young people in their care.

**4.5** Any form of **child abuse** is always wrong (refer to information in Key Term 'Abuse'). Staff and volunteers have authority over children and young people because of their position, and power because of their greater age, maturity, physical size and life experience. Abuse arises from the misuse of authority or power.

**4.6** Due to the inherent imbalance of power, children and young people are incapable of giving valid consent to abuse.

**4.7** Appropriate physical contact is important for children's healthy development.

A photograph of a man lifting a young child into the air. The man is seen from behind, wearing a dark t-shirt, with his arms extended upwards. The child, with curly hair and wearing a dark shirt and pants, is smiling and looking down. The background consists of a light-colored brick wall and a tree trunk on the right. The entire image has a blue tint.

*“Children and young people are entitled to be safe and protected”*



## STANDARDS

**4.8** If you have **appropriate authority** in a School/ECS, ensure:

- proper systems for the safety and welfare of children and young people participating in the School/ECS are implemented and maintained;
- all applicable requirements of the **civil authorities**, the **church authority** and the School/ECS are complied with; and
- all staff and volunteers for whom you have responsibility and who work with children and young people:
  - comply with all civil and School/ECS screening and selection requirements;
  - receive regular training in child protection; and
  - are aware of the provisions of this Code.

**4.9** Take reasonable steps to ensure the safety and wellbeing of the children and young people in your care.

**4.10** Do not abuse children or young people.

**4.11** Do not administer **corporal punishment** to children or young people in your care.

**4.12** Do not make available to children or young people any **prohibited material**. This includes enabling access inadvertently; for example, allowing a student to use your computer where prohibited material may be located. The only exception is wine in the context of a Holy Communion service.

**4.13** Before accepting your appointment as an employee or commencing as a volunteer, you are to disclose to a person with appropriate authority if you:

- are currently charged with or convicted of an offence against a child;
- have been acquitted of a charge of an offence against a child;
- have had a charge of an offence against a child not proceed;
- have had a prohibited status under applicable 'working with children' screening legislation lifted; or
- have been the subject of any disciplinary proceedings involving child abuse.

**4.14** Before allowing a person who:

- is currently charged with or convicted of an offence against a child;
- has been acquitted of a charge of an offence against a child;
- has had a charge of an offence against a child not proceed;
- has had a prohibited status under applicable 'working with children' screening legislation lifted; or
- has been the subject of any disciplinary proceedings involving child abuse;

to participate in activities involving children or young people:

a) consult with:

- for Schools owned or controlled by the ACSQ or ECS for which the ACSQ is the Approved Provider: the Director of Professional Standards or the Executive Director, Anglican Schools Commission;
- for other Anglican Schools or ECS, the Chair of either the School's governing body or the ECS management committee, or their delegate;

b) ensure a risk assessment is undertaken; and

c) be satisfied no child or young person will be at an increased risk of harm.

**4.15** Following your appointment or commencement, if you are aware of behaviour of a staff member, volunteer or visitor to the School/ECS, or of a child or young person, that leads to you or others feeling uncomfortable or concerned, speak with an appropriate authority.

If you know or reasonably suspect a child or young person has been harmed or is at risk of harm from abuse, or if you know or reasonably suspect a staff member or volunteer has demonstrated **inappropriate behaviour**, comply with your roles and responsibilities as detailed in, but not limited to:

- Policy and Procedures for Student Protection in Anglican Schools; or
- Policy and Procedures for Child Protection in Anglican Education and Care Services.

## GUIDELINES

**4.16** Avoid situations where you are vulnerable and where your conduct may be construed as a breach of the standards of conduct in this Code.

### RECOGNISING THE CHARACTERISTICS AND EFFECTS OF CHILD ABUSE

**4.17** Be aware of the signs, symptoms and characteristics of child abuse and its impact on children and young people (refer to information in Key Term 'Abuse').

**4.18** If you have appropriate authority in a School/ECS, ensure:

- there is a strategy to prevent child abuse from occurring during School/ECS activities. This includes giving age/developmentally appropriate information to children and young people; and
- Parents or guardians are advised that abuse of any child or young person will not be tolerated.

### RECOGNISING THE CHARACTERISTICS OF SEXUAL OFFENDERS

**4.19** Be aware of the **characteristics of sexual offenders**. A sexual offender may be a friend, family member, neighbour, peer, or a person in authority.

### ENSURING THE SAFETY OF CHILDREN AND YOUNG PEOPLE

**4.20** Taking all reasonable steps to ensure the safety and welfare of children and young people for whom you have responsibility, or are in your care, requires you to prepare or agree to, where relevant, a **risk management plan**, and the School/ECS **risk management strategy**.

### SCREENING AND SELECTION OF PERSONNEL

**4.21** If you have responsibility for compliance with screening and selection requirements, exercise care with the selection of staff and volunteers involved in mixed age or children's activities. Ensure relevant staff members or volunteers assisting with these activities agree with this Code of Conduct and have been screened as per the requirements of civil or other relevant authorities.

## **YOUR ROLE AND YOUR CAPACITY TO PERFORM IT**

**4.22** Recognise your limits and do not provide any service beyond your competence or certification. Arrange for any such service to be provided by an experienced person or specialist agency. For example, this applies particularly to:

- outdoor or adventure activities such as canoeing, abseiling and hiking; or
- referring a child or young person who requires specialised help (e.g. counselling for depression, abuse or addiction) to an appropriately qualified person or agency.

**4.23** Children and young people should be able to trust and confide in staff and volunteers, and you should expect to develop relationships of this nature. Avoid fostering inappropriate dependence on the part of a child or young person.

**4.24** Consideration must be applied before providing service to a child or young person with whom you already have a close personal relationship, such as a friend or member of your family. Care is needed because confusion between these relationships can lead to a loss of objectivity, failure to act in the other's best interest and harm to both parties.

**4.25** Avoid behaviour that could give the impression of favouritism and inappropriate special relationships, particularly with individual children or young people.

**4.26** Do not invite, accept or otherwise engage with children or young people using personal social media.

**4.27** Outside of your role at the School or ECS, do not provide care (e.g. babysitting) to children or young people you have a relationship with as a result of your role.

**4.28** Encourage children and young people to develop leadership skills and undertake leadership roles that are appropriate for their age and development.

## **USE OF EXTERNAL SERVICE PROVIDERS**

**4.29** When you engage or use an external service provider for an activity (e.g. when you engage a specialist in outdoor education or a speaker for a camp):

- make reasonable enquiries as to whether they have been screened and selected in accordance with civil and any School/ECS requirements;
- ensure they are only used in a supplemental capacity; and
- wherever practicable, ensure they are not left alone with any child or young person.



## SUPERVISION

**4.30** The degree of supervision required will vary according to the nature and environment of the activity, the age and maturity of the children or young people, and the size of the group. Having multiple staff and volunteers to ensure supervision and accountability standards are maintained is vitally important.

Given this:

- clearly distinguish the different levels of responsibility between you and any other staff/volunteers and ensure these differences are understood;
- consider the extent of supervision required, taking into account:
  - the age, number, ability and gender mix of the children or young people; and
  - the venue, time, duration and nature of the activity;
- have a register, or know how to access a register, of all children and young people, including the name and contact details of parents, guardians and emergency contacts; and
- consider and periodically review the application of School/ECS child protection procedures.



## ACTIVITIES

**4.31** Identify and minimise all potential hazards before embarking on any activity with children and young people. This is commonly referred to as a risk assessment and would include:

- being aware of the fire safety and evacuation procedures;
- ensuring emergency exits on School/ECS premises are clearly marked and never obstructed or internally locked;
- not permitting smoking in any premises where the activity is held; and
- not knowingly permitting people with serious contagious diseases to attend the activity.

**4.32** Assess games or activities that emphasise gender, physical, intellectual or ethnic differences for their appropriateness. Think about what message children and young people may learn from the way events are organised and conducted.

**4.33** Review in their entirety aural and visual materials, such as videos, films, computer games, graphics, photographs and lyrics; to ensure any elements containing violence, sexual activity or lifestyle are appropriate for the intended audience. Exercise care if a film or computer game has been recommended by the Office of Film and Literature Classification as unsuitable for viewing or playing by children of a particular age (e.g. MA, M and PG classifications). When assessing whether materials are suitable, take into account the age of the youngest child present. If in doubt, seek the advice of a **supervisor**.

**4.34** To minimise the possibility of children or young people being harmed, give careful consideration to any activities or games that require children or young people to act alone or in pairs, independent of leaders.

**4.35** Ensure no activity involving children or young people includes:

- secret initiation rites and ceremonies;
- nudity or engagement in sexual conduct;
- the use or availability of prohibited materials, except wine in the context of a
- Holy Communion service.

**4.36** When taking children away from School/ECS premises, obtain the written consent of a parent or guardian, and keep them informed of the place and timing of the event. Where permitted by law, consent may include notification obtained by digital means. If you can, include parents or guardians in a supervision team of mixed gender.

## VENUE

**4.37** Avoid working alone or in isolation with children or young people. Ensure:

- all activities have defined boundaries that are easily observed or patrolled;
- all aspects of activities are open to observation;
- children require permission to leave School/ECS premises (noting this permission can be for a time period, rather than each occurrence);
- where individual or small group work is needed, this work occurs in the presence of adults, a public place or a location with high visibility; and
- you do not invite or have children or young people to your home or visit children or young people in their home when no other adult is present.

**4.38** If arranging to meet a child or young person privately:

- where practicable, have parental or guardian consent (noting this consent can be for a time period, rather than a specific meeting);
- ensure, where appropriate, that a parent, guardian or suitable adult is present;
- inform a supervisor of the time, location and duration of the meeting; and
- hold the meeting in an appropriate venue, mindful of 4.37.

Where a meeting is unplanned, make a record of the time, location, duration and circumstances of the meeting and upon request, provide this record to your supervisor.

**4.39** When events require children or young people to sleep over, where possible have:

- parents or guardians involved in the events and supervision;
- sleeping accommodation segregated between males and females;
- sleeping accommodation supervised by more than one adult of each gender; and
- supervisors not sleeping in close personal proximity to a child or young person, unless they are a parent or guardian of that child or young person.

**4.40** Check venues allow for the privacy of all parties to be respected, particularly when changing clothes, washing and toileting. If you need to wash or toilet a child, tell another adult what you are doing.

## HEALTH AND SAFETY

**4.41** Ensure risk management plans (or risk assessments) include relevant contact details (e.g. emergency services and specialised help) and a first aid kit appropriate to the activity is available. In the case of camps and similar activities, ensure at least one adult present has recognised first aid training.

**4.42** Do not administer prescription medications to a child without the written consent of a parent or guardian.

**4.43** Obtain, or be provided with, information from parents or guardians about particular physical and mental health or safety needs of children or young people in your care (e.g. allergies, depression).

## TRANSPORT

**4.44** To the extent practicable, avoid being alone with a child or young person in a motor vehicle or driving a child or young person home unaccompanied. If such a situation is unavoidable, inform another adult of the trip and the reason for it, and make a record of the time, location, duration and circumstances of this transport and provide this record to your supervisor.

**4.45** When transporting children or young people, abide by all road rules and laws (e.g. speed, car restraints, positioning of children in the car).

**4.46** When making transport arrangements, take reasonable steps to ensure:

- all drivers or operators are licensed, responsible, experienced and are not impaired by alcohol or any other mind-altering or addictive substance; and
- all motor vehicles and other forms of transport used are registered, insured, safe and fitted with appropriate child restraints or safety devices (e.g. seat belts, life jackets).



## PHYSICAL CONTACT

**4.47** In general, excluding circumstances such as immediate physical danger or medical emergency, physical contact should be initiated by the child or young person or occur with their permission. When you make physical contact with a child or young person, be very careful you respect their feelings and privacy.

**4.48** Ensure any physical contact you have with children or young people is of a non-sexual nature and appropriate to the situation. Avoid any physical contact that is sexually stimulating, or may be construed as sexually stimulating. Children or young people may or may not be aware of creating such situations. It is your responsibility to be alert for such situations and cease any inappropriate physical contact immediately.

**4.49** Be very careful when making physical contact with children or young people. Appropriate contact includes, but is not limited to:

- bending down to the child's eye level, speaking kindly and listening attentively;
- gaining permission before hugging a child or young person and respecting their right to refuse;
- taking a child's hand and leading them to an activity;
- comforting a child or young person by placing an arm around their shoulder and giving a gentle squeeze from the side;
- praising or welcoming a child or young person by holding their two hands in your hands;
- patting the child or young person on the head, hand, back or shoulder in affirmation;
- holding a preschool child who is crying, provided that they want to be held; and
- reasonable restraint of a child or young person who is having a seizure, to prevent harm to themselves.

Inappropriate contact includes, but is not limited to:

- kissing or coaxing a child or young person to kiss you;
- extended hugging or tickling;
- touching any area of the body normally covered by a swimming costume, specifically the buttocks, thighs, breasts or groin areas;
- placing hands underneath any bedding when patting a child to sleep (in an ECS); and
- carrying older children, sitting them on your lap or having them rub up next to you.

## BEHAVIOURAL GUIDANCE

**4.50** When a child or young person's behaviour requires correction, either for the safety and welfare of themselves or the group, staff and volunteers will:

- where the situation permits, precede any action with a warning;
- explain the action to the child or young person;
- give the child or young person an opportunity to explain;
- ensure the action is appropriate to the occasion and age of the child or young person;
- ensure the form of action is not corporal punishment, does not ridicule or humiliate, or is not otherwise abusive;
- ensure very young children are not isolated;
- only use physical restraint necessary and reasonable to protect children or young people from harm or to avoid an accident;
- if physical restraint is used, keep a record that identifies the method of restraint used, the staff member or volunteer, the child or young person involved and any witnesses, and sets out the circumstances of the incident;
- if appropriate, ensure the child's parents or guardians and a supervisor are informed of the circumstances of the incident and the action taken; and
- make a record of the circumstances of the incident and the action taken.

**4.51** If you have appropriate authority in a School/ECS, ensure that behavioural guidance policy is developed, made known and implemented.



## COMMUNICATION AND TECHNOLOGY

**4.52** Comply with policy, procedures and guidelines provided by the School/ECS, regarding the use of technology and related resources, including:

- ensuring all access to the internet while attending the School, using a School device, or undertaking your role as a staff member or volunteer, is of an approved nature;
- not using School/ECS digital communication identities, e.g. social media or work email accounts, for personal use; and
- not using personal digital technology in your contact with children and young people.

**4.53** When considering using technology for communication, apply the same principles as you would in any other form of communication with children or young people, ensuring:

- it is an appropriate way to communicate with a child or young person;
- it is an appropriate way to communicate about the matter;
- you are sensitive to the impact of your words, images and actions on the child or young person, and any other person who may access it;
- you do not use sexually suggestive, explicit or **offensive language** or images; and
- the circumstances of the communication, including the language and images used, do not suggest your relationship with the child or young person is inappropriate.

**4.54** Consider the risks associated with using technology in communication with children and young people, including:

- ignoring personal security settings on social networking sites;
- disclosing contact details or images of the child or young person in the communication;
- being unable to determine if people are who they say they are;
- exposing the child or young person to unwanted or inappropriate information;
- the child or young person becoming a victim of cyberbullying; and
- sexual predators gaining access to the child or young person.



**4.55** Assist children and young people to stay safe when using technology to communicate with others by:

- educating children and young people, and their parents or guardians, about the risks associated with the use of this technology;
- encouraging children and young people to exercise care in disclosing personal information about themselves and others, such as their contact details; and
- encouraging children and young people to talk about anything that worries them, including anything they see or experience online, with **appropriate supports**.

**4.56** If you have appropriate authority in a School/ECS, ensure:

- there is a policy for staff and volunteers regarding the use of technology to communicate with children and young people; and
- there are procedures regarding the approval to use social media for communications and promotions, for use within curriculum and learning activities, or for other benefit to the School/ECS.

## **PHOTOGRAPHS AND IMAGES**

**4.57** Follow the School/ECS policy and procedures for the making and use of children and young people's images.

**4.58** If you have appropriate authority in a School/ECS, ensure there is a policy requiring staff or volunteers to obtain the permission of relevant parents and guardians before making or using images (including photographs and videos) of children and young people who are engaged in activities within the School/ECS. The form of permission should clearly indicate the intended use of the images.





## **RECORD KEEPING**

**4.59** If you are providing a service involving children or young people in a School/ECS, keep a register of attendance of the children and young people for whom you are responsible.

**4.60** If you have appropriate authority in a School/ECS:

- ensure a register of attendance of children and young people, staff and volunteers, and a register of emergency contact details for children and young people, staff and volunteers, is kept;
- include such registers in the School/ECS archives; and
- keep and store in a secure place all permission forms and records relating to discipline, private meetings and student protection.

**4.61** If you have appropriate authority in a School/ECS, ensure any screening documents:

- are treated with confidentiality and never left where they can be accessed by unauthorised persons;
- where kept electronically, are password protected and stored for any required period of time, with access limited to authorised persons; and
- where kept in paper form, are stored separately from any other documents and locked in secure place for any required period of time, with access limited to authorised persons.

## 5. ALL CONDUCT

### PREAMBLE

**5.1** Staff and volunteers have authority conferred upon them by their appointment to the School or Education and Care Service (ECS). The authority associated with these roles means they have power which is always to be exercised in the service of others, especially children and young people, and to the benefit of the School/ECS.

**5.2** Abuse is one person's misuse of power over another. Sometimes abuse will be a one off event and at other times it will be a pattern of behaviour. Abuse can take any of several overlapping forms: **bullying, emotional abuse, harassment, physical abuse, sexual abuse or spiritual abuse.**

**5.3** To work effectively with others, trust is of primary importance. Trust is supported by maintaining physical, sexual, emotional and psychological boundaries. Staff and volunteers will enhance their ability to maintain these boundaries by attending to their wellbeing.

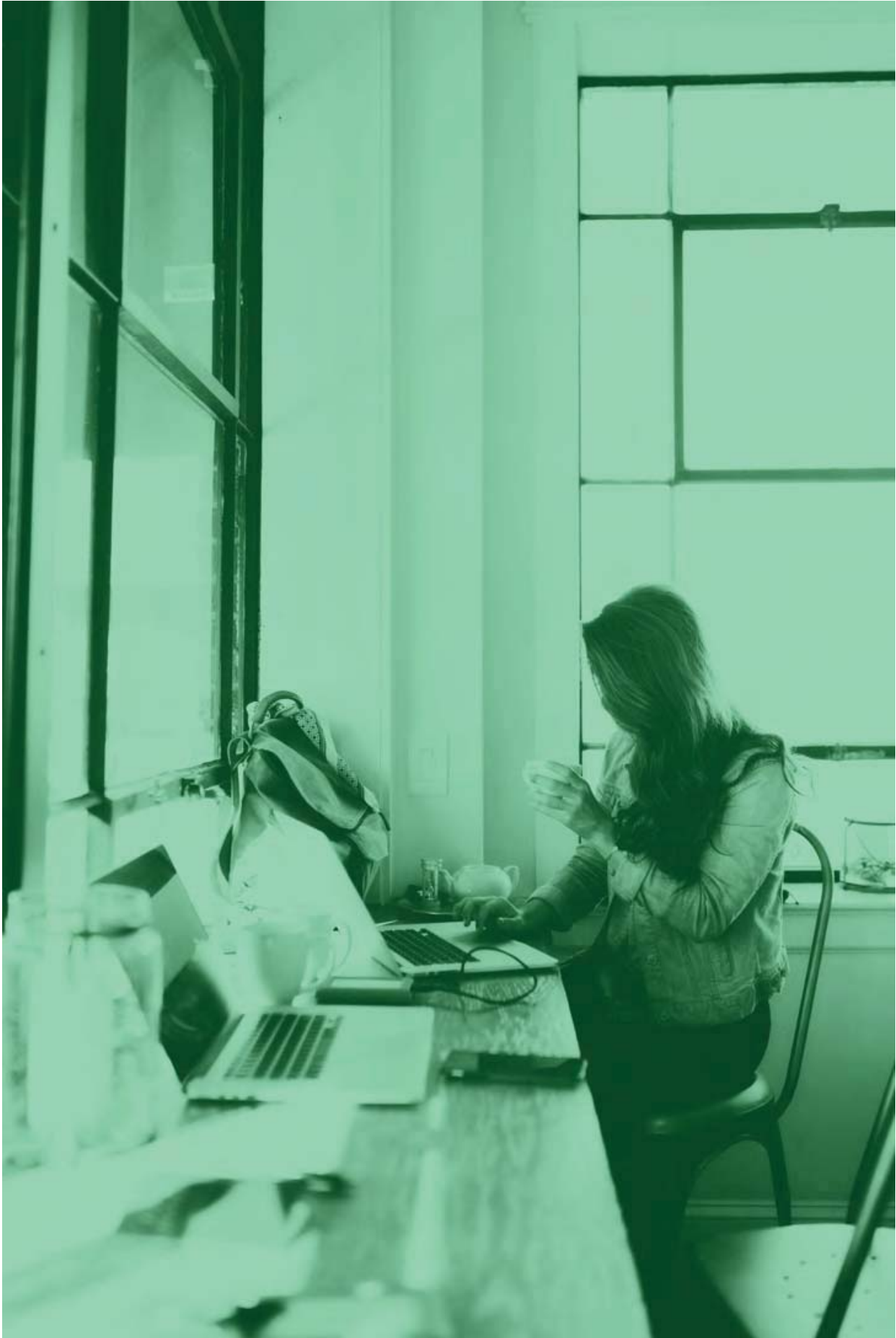
**5.4** While staff and volunteers often enjoy personal relationships through the School/ECS, their responsibilities to service in the School/ECS take precedence.

**5.5** Staff and volunteers are colleagues in service to the School/ECS: the activity of one inevitably impacts upon others.

**5.6** The role of staff members and volunteers at the School/ECS may include financial management. This management can have a significant impact on the School/ECS.

**5.7** Financial integrity is essential to all financial processes and transactions.

**5.8** Staff and volunteers with **appropriate authority for financial management** in a School/ECS, are responsible for the implementation and maintenance of proper systems for financial integrity and accountability.



## STANDARDS

**5.9** If you have appropriate authority in a School/ECS, ensure staff and volunteers for whom you are responsible are provided with:

- a safe working environment, including safe housing, where housing is provided;
- opportunities to maintain and enhance their relevant skills; and
- personal encouragement, support and regular feedback.

**5.10** Conduct yourself in an ethical and respectful manner. Treat people honestly, fairly, lawfully and without discrimination, and do not behave or communicate in a manner that brings the School/ECS into disrepute. Your behaviour or communication should reflect well on the School/ECS and not misuse power or position.

**5.11** Seek at all times, to maintain or enhance confidence in the integrity of the service you perform. Avoid behaviour that gives the impression of favouritism or inappropriate relationships.

**5.12** Do not engage in bullying, emotional abuse, harassment, physical abuse, sexual abuse or spiritual abuse.

**5.13** Act in the best interests of the children and young people you are providing a service to. You must recognise any potential **conflict of interest** and take steps to resolve it, including consultation with a supervisor.

**5.14** Do not **inappropriately discriminate** between people.

**5.15** Do not disclose confidential information received in your School/ECS role to someone else, without the consent of the person providing the information, except where:

- the information is known publicly;
- as required or allowed by law; or
- it is in the public interest (such as to avoid the risk of serious injury or harm to any person).

**5.16** When on leave or unable to fulfil your responsibilities through illness or any other reason, make alternative arrangements through advising the appropriate supervisor at the School/ECS.

**5.17** Be responsible in your use of alcohol and other mind altering or addictive substances or services. This includes not undertaking School/ECS service when impaired by alcohol or any other mind-altering or addictive substances.

**5.18** Do not use any **prohibited substance**.

**5.19** Do not take property belonging to others, including intellectual property.

**5.20** Do not knowingly make statements that are false, misleading or deceptive.

**5.21** Do not knowingly use **offensive language**.

**5.22** Do not view, possess, produce or distribute **restricted material**, without a legitimate purpose.

**5.23** Observe the law. This includes, but is not limited to, the Acts and Regulations that relate to your duties.

**5.24** Do not, as a result of your position or relationships formed as part of your role, seek personal advantage or financial gain for yourself or your family, beyond your stipend or wage, and recognised allowances and deductions.

**5.25** Do not allow yourself to be influenced by offers of money or financial reward.

**5.26** Avoid situations of conflict between personal financial interest and School/ ECS responsibilities.

**5.27** Arrange personal and School/ECS finances to ensure clear account and transaction boundaries are maintained.

**5.28** Fully disclose and be publicly accountable for all School/ECS monies you handle.

**5.29** If you have appropriate authority for financial management in a School/ ECS, ensure:

- proper systems for financial integrity and accountability are implemented and maintained;
- all staff and volunteers, for whom you have responsibility and who have authority for financial management in a School/ECS, are informed of their roles and responsibilities; and
- all stipends, wages and allowances payable are adequate, and paid promptly and in full.

## GUIDELINES

### PERSONAL BEHAVIOUR

**5.30** Be aware of the **impact of abuse** on people.

**5.31** Be able to identify bullying.

**5.32** If another person indicates by their words or actions that they feel bullied or harassed by you, review your conduct. If in doubt, cease the conduct and seek advice from a supervisor. When teaching or exercising discipline as part of your role, do so respectfully.

**5.33** Be sensitive to the effect of your language on others. Avoid using language that may be misunderstood or that bullies, threatens, belittles, humiliates or causes unnecessary offence or embarrassment. Avoid gossip and take care when using:

- any swear word;
- language which has sexual connotations; and
- racial, religious or other group descriptions.

**5.34** Avoid public criticism of staff or School/ECS communities, and the Anglican Church of Australia, its leadership and people.

**5.35** Seek professional help if the use of alcohol, other mind altering or addictive substances or products (e.g. gambling) adversely affect your role.

**5.36** If engaged in civil disobedience, do not act violently or intentionally provoke violence.

**5.37** Dress appropriately, be sensitive to the effect that your attire may have on others.

**5.38** Comply with copyright legislation. Ensure any licences for the use of copyright material are current and complied with, and copyright is duly acknowledged.

**5.39** Exercise discretion when viewing or using restricted material:

- consider the legitimate purpose of viewing or using the restricted material;
- consider whether your conduct will damage your reputation; and
- disclose the purpose and circumstances of your conduct to a supervisor or colleague, to avoid any misunderstanding.

## **BOUNDARIES**

**5.40** Ensure you understand the requirements of your role, including hours to be worked and nature of your responsibilities, as well as leave and other entitlements.

**5.41** Be aware of policies, delegations, protocols and procedures related to your duties.

**5.42** Recognise the limits of your skills and experience. Do not undertake service (such as relationship counselling, or counselling for abuse or addictions) beyond your competence, or the role for which you have been employed or trained. If in doubt seek advice from a supervisor. A person who requires specialised help should be referred to an appropriately qualified person or agency.

**5.43** Where responsibilities overlap, be aware of the activities, function and style of other staff and volunteers. Consult with these colleagues and co-operate wherever possible.

**5.44** Where your responsibility to one person may conflict with your responsibility to another, or with your own interests, seek advice from a supervisor. Consider transferring responsibility for either or both of these to another.

**5.45** Workplace relationships can legitimately develop into romantic or sexual relationships. If this begins to happen:

- acknowledge to yourself that your personal interest and the workplace relationship are at risk of becoming confused;
- declare the nature of the relationship to a supervisor to ensure accountability and prevent misunderstanding, working with the supervisor to develop an appropriate management plan.

A romantic or sexual relationship with a student is inappropriate, regardless of their age. This includes relationships with past students up to, at least, two years following their enrolment at the school.

**5.46** If you are providing ongoing individual counselling as part of your role in the School/ECS, engage someone to provide regular professional supervision. This will help protect you and those to whom you counsel.



## COMMUNICATION

**5.47** Any communication in your role as a staff member or volunteer, whether formal or informal, is an encounter where you are representing the School/ECS. Communication may be face-to-face, in writing or involve some form of technology. Consider the appropriateness and impact of your words and actions.

**5.48** Innuendoes or compliments of a sexual nature are always inappropriate. When a person asks questions or seeks advice around topics of a sexual nature, be aware that they may have motives or needs you do not understand. Be realistic about your ability to assist them.

**5.49** To minimise the risk of being accused of or engaging in misconduct, particularly when meeting with people, think carefully in advance about:

- the place of the meeting, the arrangement of furniture and lighting, and your attire;
- whether the physical location allows for privacy of conversation while maintaining the opportunity for supervision. For example, doors to interview rooms, if closed, should not be locked;
- the physical distance between you and the other person, so as to maintain both hospitality and respect;
- whether the circumstances would suggest a social interaction;
- the propriety and circumstances of the interview when you are visiting, or being visited alone, especially at night;
- the personal safety and comfort of all participants;
- establishing at the outset, the interview's purpose and the boundaries with respect to the subject matter, confidentiality and its duration;
- the appropriateness of initiating or receiving any physical contact, such as gestures of comfort, that may be unwanted or misinterpreted.



**5.50** When considering using technology for communication, apply the same principles you would in any other form of communication. Minimise the risk of harming others or yourself by asking:

- is this an appropriate way to communicate about this matter?
- should this communication be confidential?
- how does the language and images used impact upon the person receiving the communication and any other person who may access it?
- could the circumstances of the communication, including the language and images used, suggest your relationship with the other person(s) is inappropriate?

**5.51** Be aware of the risks associated with using technology in communication. Remember information posted online can be retrieved. Dangers associated with the use of communication technology are not always appreciated. These dangers include:

- losing your privacy;
- losing control of information (such as photographs or emails);
- ignoring personal security settings on social networking sites;
- being unable to determine if people are who they say they are;
- being exposed to unwanted information; and
- becoming a victim of cyberbullying when someone sends or spreads threatening or embarrassing information.

## **CONFIDENTIALITY**

**5.52** Where possible, inform the person who may give you confidential information, of the limits to confidentiality and the arrangements for supervision or obtaining advice. Do so before the disclosure of the confidential information, such as at the beginning of an interview.

**5.53** Be aware of and, when appropriate, seek advice in respect to:

- your legal obligations with regard to confidential information received, particularly in relation to criminal offences or child abuse;
- the consequences of breaching confidentiality; and
- the risk of physical, financial or emotional harm or hardship to another person by disclosing or not disclosing such information.

**5.54** Exercise special care that any illustrative material you use from personal experience (e.g. photographs) does not involve a breach of confidentiality.

## **RECORD-KEEPING AND PRIVACY**

**5.55** If engaged in any individual counselling or supervision, consider keeping a factual record of your activity. Record details such as the date, time, place, participants, subject and any proposed action arising from each activity. Record personal remarks accurately.

**5.56** Know the relevant principles of the applicable privacy legislation in relation to the collection, use, disclosure and management of personal information. These have implications for:

- the publication of personal information in school materials and websites;
- the recording and publication of voices and images of individuals; and
- the use and security of all personal information, especially sensitive information, held by staff or volunteers on School/ECS premises.

## **FINANCIAL MANAGEMENT PRACTICES**

**5.57** Ensure your salary packaging and the accounts of any School/ECS for which you have responsibility are in accordance with School/ECS, and civil taxation and accounting requirements.

**5.58** If you have appropriate authority for financial management in a School/ECS, minimise the risk of you and other staff or volunteers being accused of, or engaging in, financial impropriety by ensuring:

- two persons, unrelated by family, handle money received;
- that School/ECS money on School/ECS premises is kept safely and securely;
- School/ECS money being taken home is avoided;
- all School/ECS money received is banked promptly;
- proper accounting records are kept for School/ECS transactions, in the form of receipts, diary entries, tax invoices, accounts and account statements;
- all School/ECS accounts have more than one signatory;
- any accounts paid by cash are duly receipted; and
- those with the responsibility for handling money have suitable training in financial matters.

## **GIFTS**

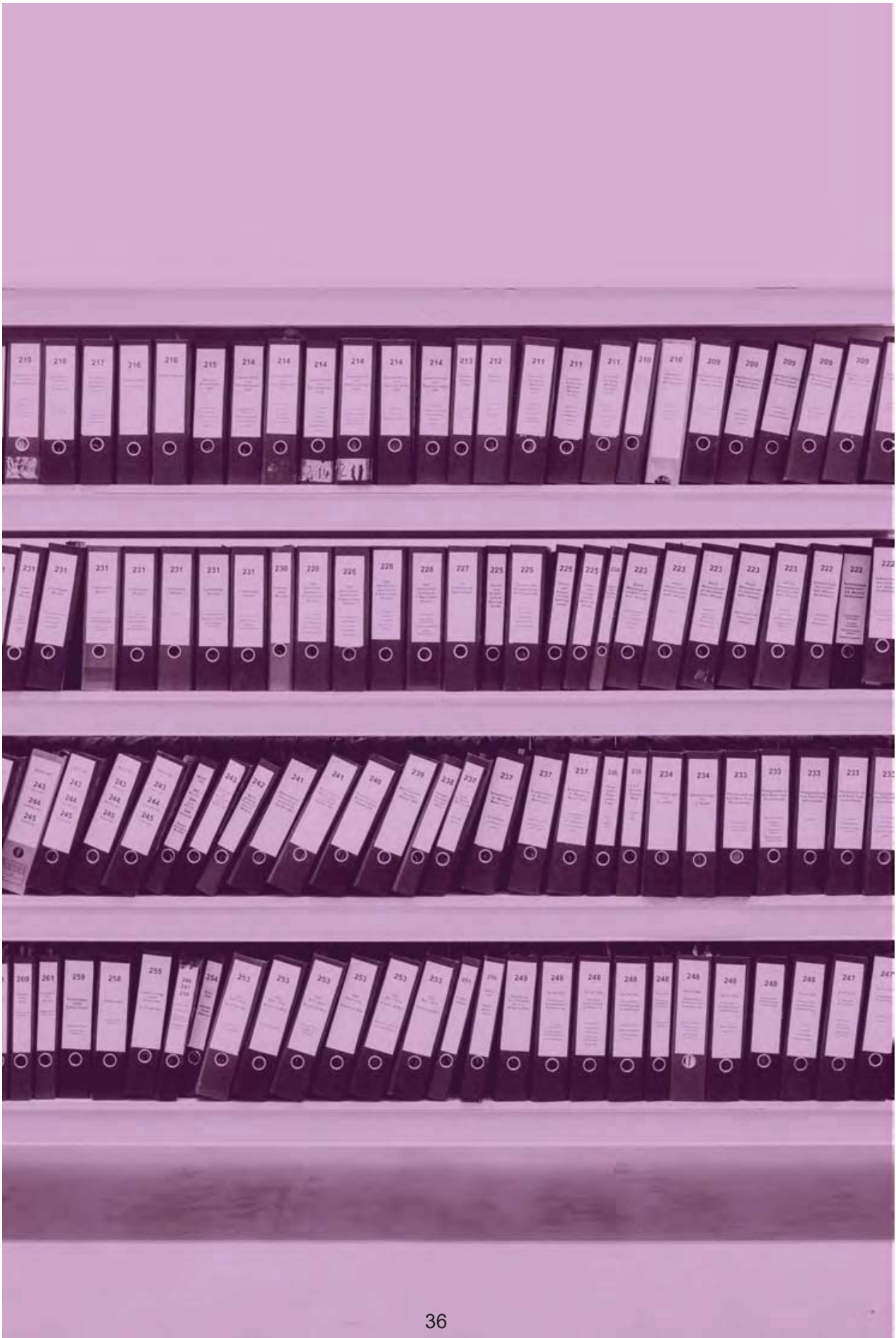
**5.59** If you are offered or receive a gift, whether monetary or otherwise, from a person with whom you have a relationship as a result of your role:

- establish for whom the gift is intended and exercise discretion as to whether the gift should be personally accepted;
- consider:
  - the size of the gift;
  - the intentions and circumstances of the giver;
  - the risk of your integrity being compromised; and
  - whether acceptance of the gift would be considered inappropriate, if known publicly;
- if it is substantial, disclose the offer or receipt to a supervisor or colleague; and
- if there is any uncertainty as to the gift's appropriateness, seek advice from a supervisor.

## **PERSONAL FINANCIAL OBLIGATIONS**

**5.60** Avoid borrowing money from, or lending money to, a person with whom you have a relationship as a result of your role, as this may place you in a position where your personal interest conflicts with your School/ECS responsibilities. If you do, then disclose the circumstances to a supervisor.





## 6. KEY TERMS

### ABUSE, INCLUDING CHILD ABUSE

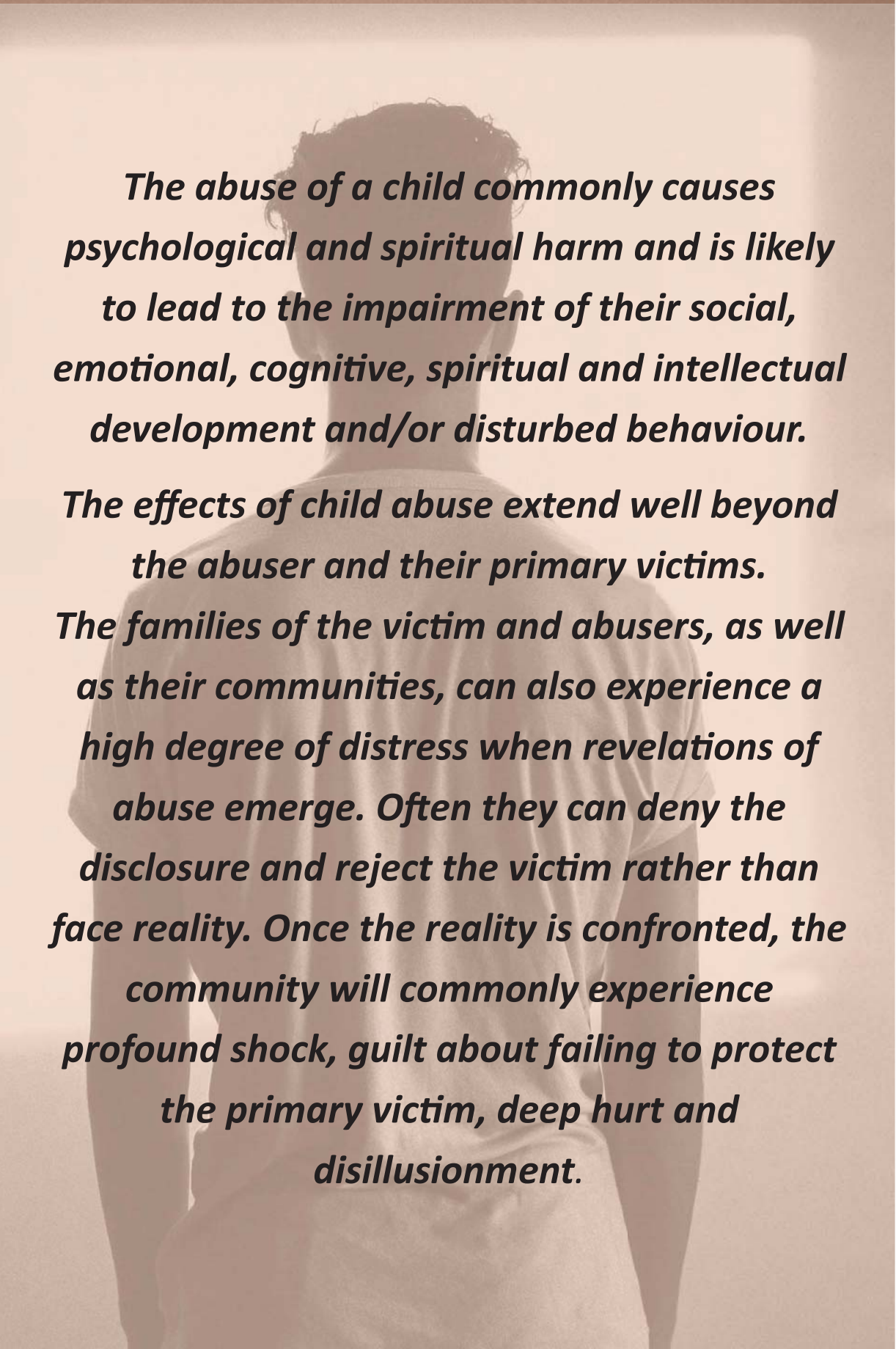
Abuse includes bullying, emotional abuse, harassment, neglect, physical abuse, sexual abuse or spiritual abuse.

### CHARACTERISTICS AND EFFECTS OF CHILD ABUSE

Abuse of a child can be categorised as emotional, physical, sexual or spiritual. It can also arise from neglect, bullying or harassment.

The signs and symptoms can include, but are not limited to:

- emotional abuse - low self-esteem, apathy, an over readiness to relate to anyone, unduly aggressive behaviour, withdrawn behaviour;
- physical abuse - bruises, bites, burns and scalds, fractures;
- sexual abuse - a level of sexual knowledge or desire for either contact or distance inappropriate to the child's age, self-harm, social isolation, a sudden onset of soiling, wetting or other behavioural changes;
- spiritual abuse - low self-esteem, high levels of anxiety and fear, excessive deference to a leader, isolation from former friends and family members;
- neglect - failure of a child to grow within the normally accepted pattern, failure of a parent or guardian to provide adequate food, clothing, shelter, medical care and supervision;
- bullying or harassment - low self-esteem, loss of trust in others, apathy, an over readiness to relate to anyone, unduly aggressive behaviour, withdrawn behaviour.



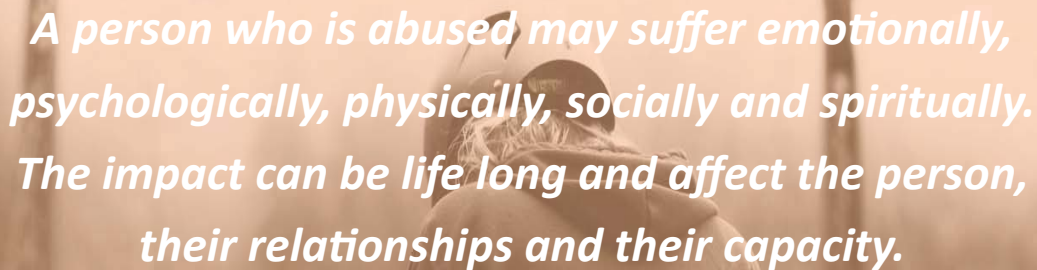
***The abuse of a child commonly causes psychological and spiritual harm and is likely to lead to the impairment of their social, emotional, cognitive, spiritual and intellectual development and/or disturbed behaviour.***

***The effects of child abuse extend well beyond the abuser and their primary victims.***

***The families of the victim and abusers, as well as their communities, can also experience a high degree of distress when revelations of abuse emerge. Often they can deny the disclosure and reject the victim rather than face reality. Once the reality is confronted, the community will commonly experience profound shock, guilt about failing to protect the primary victim, deep hurt and disillusionment.***



## IMPACT OF ABUSE



*A person who is abused may suffer emotionally, psychologically, physically, socially and spiritually. The impact can be life long and affect the person, their relationships and their capacity.*

The person who is abused may experience, for example:

- feelings of shame, humiliation, rejection, powerlessness, insecurity, anger and resentment;
- sadness, tearfulness, depression, anxiety;
- fatigue, disturbed sleep, changed appetite and ill health;
- substance abuse, gambling and use of pornography;
- becoming more withdrawn or aggressive;
- burn out;
- suicidal thinking and action;
- loss of self-esteem and self-confidence;
- marital and family problems;
- breakdown in community and collegial relationships;
- loss of coping skills;
- disillusionment;
- inability to concentrate;
- loss of motivation;
- decreased productivity and competence;
- bad decision-making and poor judgement;
- loss of faith or crisis of vocation;
- difficulty trusting others;
- diminished employability;
- premature desire to cease employment.

## **BULLYING**

Bullying means behaviour directed to a person or persons which:

- is repeated;
- is unreasonable (being behaviour a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening); and
- creates a risk to their health and safety.

Bullying can include:

- making derogatory, demeaning or belittling comments or jokes about someone's appearance, lifestyle, background or capability;
- communicating in an abusive manner;
- spreading rumours or innuendo about someone, or undermining in other ways, their performance or reputation;
- dismissing or minimising someone's legitimate concerns or needs;
- inappropriate ignoring or excluding someone from information or activities;
- touching someone threateningly or inappropriately;
- invading someone's personal space or interfering with their personal property;
- teasing someone, or playing pranks or practical jokes on someone; or
- displaying or distributing written or visual material that degrades or offends.

Behaviour does not include lawful conduct of staff and volunteers carried out in a reasonable manner, such as:

- disagreeing with or criticising someone's belief or opinions or actions in an honest and respectful way;
- giving information about inappropriate behaviour, in an objective manner, to the person or persons concerned and to any other person with a proper reason for having that information;
- setting reasonable performance goals, standards or deadlines;
- giving information about unsatisfactory performance in an honest and constructive way; or
- taking legitimate disciplinary action.

**CYBERBULLYING** is a form of bullying which involves the use of information and communication technologies.

## **EMOTIONAL ABUSE**

Emotional abuse means acts or omissions that have caused, or could cause emotional harm or lead to serious behavioural or cognitive disorders. It includes:

- subjecting a person to excessive and repeated personal criticism;
- ridiculing a person, including the use of insulting or derogatory terms to refer to them;
- threatening or intimidating a person;
- ignoring a person openly and pointedly; or
- behaving in a hostile manner or in any way that could reasonably result in another person feeling isolated or rejected.

## **HARASSMENT**

Harassment means unwelcome conduct, whether intended or not, in relation to another person, where they feel, with good reason in all the circumstances, offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. It includes:

- making unwelcome physical contact with a person;
- making gestures or using language that could reasonably give offence including continual and unwarranted shouting;
- making unjustified or unnecessary comments about a person's capacities or attributes;
- putting on open display, pictures, posters, graffiti or written materials that could reasonably give offence;
- making unwelcome communication with a person in any form (for example, phone calls, email, text messages); or
- stalking a person.

## NEGLECT

Neglect means the failure to provide the basic necessities of life where a child's health and development are placed at risk of harm. It includes being deprived of:

- food;
- clothing;
- shelter;
- hygiene;
- education;
- supervision and safety;
- attachment to and affection from adults; or
- medical care.

## PHYSICAL ABUSE

Physical abuse means any intentional or reckless act, use of force or threat to use force, causing injury to, or involving unwelcome physical contact with another person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. An injury may take the form of bruises, cuts, burns or fractures. It does not include lawful discipline by a parent or guardian.



## SEXUAL ABUSE OF AN ADULT

Sexual abuse of an adult means sexual assault, sexual exploitation or sexual harassment of an adult.

**SEXUAL ASSAULT** means any intentional or reckless act, use of force or threat to use force, involving some form of sexual activity against an adult without their consent. It includes:

- having or attempting to have vaginal or anal intercourse with a person without their consent;
- penetrating or attempting to penetrate another person's vagina or anus with an object or any bodily part without that person's consent;
- sexually touching and fondling or attempting to sexually touch or fondle a person without their consent;
- kissing or attempting to kiss another person without their consent;
- holding or attempting to hold another person in a sexual manner without their consent;
- forcing or attempting to force a person to sexually touch or fondle another person; or
- forcing or attempting to force a person to perform oral sex.



**SEXUAL EXPLOITATION** refers to any form of sexual contact or invitation to sexual contact with an adult, with whom there is positional power, e.g. pastoral or supervisory relationship, whether or not there is consent and regardless of who initiated the contact or invitation. This is not applicable where a declared relationship exists (refer to s 5.45).

**SEXUAL HARASSMENT** means:

- an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person, or
- other unwelcome conduct of a sexual nature in relation to the other person;

in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.

Such behaviour may consist of a single incident or several incidents over a period of time. It includes:

- asking a person for sex;
- giving a person to understand that you would like sexual favours from them;
- making any gesture, action or comment of a sexual nature to a person directly or making a comment of a sexual nature about them in their presence;
- making jokes containing sexual references or innuendo using any form of communication;
- exposing a person to any form of sexually explicit or suggestive material;
- making unwelcome physical contact such as touching, pinching or patting;
- making unwelcome or unnecessary inquiries about, or attempts to discuss, personal matters of a sexual nature;
- deliberately intruding on an individual's personal space;
- staring at or secretly watching a person for the purpose of sexual stimulation or gratification; or
- stalking a person.

## SEXUAL ABUSE OF A CHILD

Sexual abuse of a child means the use of a child by another person for his or her own sexual stimulation or gratification or for that of others. It includes, but is not limited to:

- making sexual advances to a child using any form of communication;
- exposing oneself indecently to a child;
- having or attempting to have vaginal or anal intercourse with a child;
- penetrating or attempting to penetrate a child's vagina or anus with an object or any bodily part;
- kissing, touching, holding or fondling or attempting to kiss, touch, hold or fondle a child in a sexual manner;
- staring at or secretly watching a child for the purpose of sexual stimulation or gratification;
- making any gesture or action of a sexual nature in a child's presence;
- making sexual references or innuendo in a child's presence using any form of communication;
- discussing or inquiring about personal matters of a sexual nature with a child;
- possessing, creating or exposing children to **child exploitation material** of a sexual nature;
- exposing a child to any form of sexually explicit or suggestive material including clothing with sexually explicit images or messages;
- giving goods, money, attention or affection in exchange for sexual activities with a child;
- giving goods, money, attention or affection in exchange for images of a child for the purpose of sexual gratification of themselves or others; or
- encouraging, forcing, or attempting to encourage or force a child:
  - to sexually touch or fondle another person;
  - to perform oral sex;
  - either to masturbate self or others, or to watch others masturbate; or
  - to engage in or watch any other sexual activity.

Sexual abuse of a child does not include:

- sex education with the prior consent of a parent or guardian; or
- age appropriate consensual sexual behaviour between peers (i.e. the same or a similar age).

Sexual abuse of a child commonly has the following characteristics:

- it usually starts with something minor and gradually builds up to more involved behaviours through a process of grooming;
- it is secretive and generally known only to the abuser and victim, making it extremely difficult to detect;
- it is perpetrated by someone known to the child and/or held in a position of trust by the child or their parents or guardians; and
- it is rarely a self-contained or one-off incident but rather part of an ongoing relationship that is corrupting and distorting.

## **GROOMING**

Grooming refers to actions deliberately undertaken with the aim of engaging and influencing an adult or a child for the purpose of sexual activity.

In the case of sexual abuse of a child, an offender may groom not only the child, but also those close to the child, including the child's parents or guardians, other family members, clergy and church workers. Grooming can include providing gifts or favours to the child or their family.

In the case of sexual abuse of an adult, an offender may groom not only the adult, but also those close to them, including their children, clergy and church workers.

Sexual abuse of a child is often preceded by grooming. Grooming actions are designed to establish an emotional connection to lower the child's inhibitions, through the development of a relationship with the child and increased opportunity to see the child. Grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling and premeditated. Typically, grooming occurs incrementally: accessing the victim, initiating and maintaining the abuse, and concealing the abuse.

All Australian jurisdictions have grooming offences, which vary in scope and application. Grooming offences may target online or other electronic communications, subjecting children to child exploitation material, and/or using intoxicating substances to engage children for the purpose of sexual activity.





## CHARACTERISTICS OF SEXUAL OFFENDERS

Sexual offenders generally:

- do not stop unless there is some intervening factor;
- believe or assert that the victim is complicit or a willing participant;
- attempt to deny, justify, minimise or excuse their behaviour by:
  - claiming their behaviour was an expression of love for the victim;
  - claiming their behaviour was a result of their childhood abuse;
  - claiming their behaviour was influenced by stress, the use of alcohol or other substances; and
  - blaming the victim;
- enjoy the activity, despite claims to the contrary; and
- are repeat offenders.

Sexual offenders who target vulnerable adults and children will often undertake a grooming process as a precursor to abusive behaviour.

## SPIRITUAL ABUSE

Spiritual abuse means the mistreatment of a person by actions or threats when justified by appeal to God, faith or religion. It includes:

- using a position of spiritual authority to dominate or manipulate another person or group;
- using a position of spiritual authority to seek inappropriate deference from others;
- isolating a person from friends and family members; or
- using biblical or religious terminology to justify abuse.

## **APPROPRIATE AUTHORITY**

Appropriate authority in a School refers to members of the senior leadership team who include, but are not limited to:

- The Principal as the Head of the School. Also commonly referred to as Headmaster.
- The Deputy Principal, Heads of School, Assistant Heads, Deputy Heads, Deans and Directors.

Appropriate authority in an ECS refers to the Director/Coordinator or Nominated Supervisor of the Service.

In some circumstances (e.g. complaints), Schools owned or controlled by ACSQ or ECS for which ACSQ is the Approved Provider, the Chair of the school council or ECS management committee or the Executive Director, Anglican Schools Commission may be considered as an appropriate authority. For other Anglican Schools or ECS, the Chair of the School's governing body or ECS management committee may be considered an appropriate authority.

## **APPROPRIATE AUTHORITY FOR FINANCIAL MANAGEMENT**

A person with appropriate authority for financial management in a School or ECS includes roles such as Business Manager, Finance Manager, Chief Financial Officer or equivalent positions, as described in their position descriptions. In some ECS this role may be undertaken by the voluntary position of Treasurer as part of the ECS management committee.



## **APPROPRIATE SUPPORTS FOR CHILDREN AND YOUNG PEOPLE**

Appropriate supports may include:

- support within the child’s family, such as parents, guardians, other adult family members and older siblings;
- support within the school, such as teachers, counsellors, chaplains, or other adults or older young people who have a relationship with the child and have the skill to sufficiently support the child, for example coaches or school leaders; or
- supports within the community, such as Kids Helpline, Headspace or similar, counsellors or psychologists, Church/parish supports.

## **CHILD/REN AND YOUNG PEOPLE**

A child means anyone under the age of 18 years. The terms child and/or young person are both used to reflect that this Code applies to persons enrolled or recently enrolled (e.g. within two years) at a School or ECS. This includes young people who are 18 years or older. Children and young people are also commonly referred to as students.

## **CHILD EXPLOITATION MATERIAL**

Child exploitation material means material that describes or depicts a person who is or who appears to be a child:

- engaged in a sexual activity;
- in a sexual context; or
- as the subject of torture, cruelty or abuse (whether or not in a sexual context);

in a way that a reasonable person would regard as being, in all the circumstances, offensive. Child exploitation material can include any film, printed matter including text, electronic data, computer image or any other depiction including drawing.

## **CHILD PORNOGRAPHY**

Child pornography means sexually explicit or suggestive material depicting children and is a form of child exploitation material.

## **CHURCH**

Church means the Anglican Church of Australia.

## **CHURCH AUTHORITY**

Church authority means the person or body having authority to ordain, license, appoint, dismiss or suspend a member of the clergy or church worker.

## **CHURCH BODY**

A Church body means any body corporate, organisation or association that exercises ministry within, on behalf of, or in the name of the Church, and is controlled by a diocese or province or the General Synod.

## **CIVIL AUTHORITIES**

Civil authorities means the police and the relevant Queensland government child protection authority.

## **CONFLICT OF INTEREST**

A conflict of interest is a situation in which someone in a position of trust has competing professional or personal interests. A conflict may exist even if no unethical or improper acts result. A conflict can create an appearance of impropriety that can undermine confidence in the person or the School/ECS.

## **CORPORAL PUNISHMENT**

Corporal punishment means any punishment inflicted on the body.

## **EDUCATION AND CARE SERVICE (ECS)**

An ECS is a service regulated by the *Education and Care Services National Law (Queensland)* and related regulations.



## INAPPROPRIATE BEHAVIOUR

*Inappropriate behaviour, as relevant to a School/ECS, is behaviour of a sexual, physical or psychological/emotional nature which exploits the special position of trust and authority between the staff member or volunteer and a child, and is unacceptable.*

Such inappropriate behaviour may include, but is not limited to:

- transporting a student or seeking to visit a student at home without the written consent of a parent and the approval of the Principal;
- inviting a student to the staff member or volunteer's home;
- sending or receiving correspondence of an inappropriate nature or inappropriate giving of gifts;
- physical or emotional aggression, violence or bullying;
- sexual exhibitionism or exposing a student to pornographic material in any medium;
- development of an intimate relationship incompatible with the professional relationship;
- inappropriate discussion of sexual matters or use of obscene language, especially of a sexual nature;
- gestures, actions or jokes of a suggestive, obscene or sexual nature while in a student's presence;
- voyeurism (gaining pleasure from secret watching of another);
- repeatedly seeking to be alone with a student; or
- detaining a student in locked facilities or facilities that do not have immediate access to other staff.

## INAPPROPRIATELY DISCRIMINATE

Inappropriate discrimination occurs when a person takes adverse action against another because of a protected attribute. Protected attributes include: race, colour, sex, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction, or social origin.

Adverse action isn't always discrimination. There can be lawful reasons that have nothing to do with someone's personal characteristics. It is not discrimination if the actions:

- are allowed under state or federal anti-discrimination law;
- are taken against an employee of a religious institution to avoid harming the organisation's religious beliefs;
- do not relate to one of the protected attributes; or
- relate to the necessary requirements of the job.



## **OFFENSIVE LANGUAGE**

Offensive language includes blasphemy, verbal harassment, racial and other forms of vilification, personal insult or comment and obscene words.

## **PROHIBITED MATERIAL**

- Publications, films and computer games that have been classified by the Office of Film and Literature Classification as being unsuitable for a child to read, see or play;
- Any other images or sounds not subject to classification by the Office of Film and Literature Classification, that are considered, with good reason within the Church, to be unsuitable for a child to see or hear; or
- Any substance or product whose supply to or use by children is prohibited by law; such as alcohol, tobacco products, illegal drugs and gambling products.

## **PROHIBITED SUBSTANCE**

Prohibited substance means any substance banned or prohibited by law for use or consumption.

## **RESTRICTED MATERIAL**

- Publications, films and computer games that have been classified as Category 1 or 2 restricted, or X or RC classification, by the Office of Film and Literature Classification; and
- any other images or sounds not subject to classification by the Office of Film and Literature Classification (for example, internet material), that are considered, with good reason within the Church, as being offensive on the grounds of violence, sex, language, drug abuse or nudity.

## **RISK MANAGEMENT PLANS**

Risk management plans are required for high risk activities and special events, in ECS these are also commonly referred to as risk assessments. Example issues for consideration in a risk management plan include:

- screening and selection of personnel;
- your role and capacity to perform it;
- use of external service providers;
- supervision;
- planning and conduct of activities;
- venue;
- health and safety;
- transport;
- disciplinary arrangements;
- physical contact;
- photographs and images; and
- record keeping.





## **RISK MANAGEMENT STRATEGY**

In Queensland, the *Working with Children (Risk Management and Screening) Act 2000* and *Regulations 2011*, requires our Schools and ECS to have a Child and Youth Risk Management Strategy that implements employment practices and procedures to promote the wellbeing of a child affected by the regulated employment or regulated businesses undertaken as part of the School/ ECS and to protect the child from harm. The Strategy must refer to the following:

- a statement about commitment to the safety and wellbeing of children and the protection of children from harm;
- code of conduct for interacting with children;
- procedures for recruiting, selecting, training and managing persons engaged or proposed to be engaged by the School/ECS, as the procedures relate to the safety and wellbeing of children and the protection of children from harm;
- policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines;
- a plan for managing breaches of the risk management strategy;
- policies and procedures for compliance with the Act, chapter 8, including policies and procedures regarding -
  - implementing and reviewing the risk management strategy; and
  - keeping a written record of matters under the Act, chapter 8 about each person engaged by the School/ECS;
- risk management plans for high risk activities and special events;
- strategies for communication and support, including -
  - written information for parents and persons engaged by the School that includes details of the risk management strategy or where the strategy can be accessed; and
  - training materials for persons engaged by the School/ECS to -
    - \* help identify risks of harm and how to handle disclosures or suspicions of harm; and
    - \* outline the risk management strategy.

## **SCHOOL**

A School is a non-state school administered by the *Education (Accreditation of Non-State Schools) Act 2017* and related regulations.

## **SERVICE**

The action of helping or doing work for someone.

## **STAFF**

A staff member is a person who is employed by a School/ECS where this Code is part of their employment contract or who has otherwise agreed to this Code.

## **SUPERVISOR**

A supervisor is a person who supervises a person or an activity. This includes, but is not limited to, for child safety matters in schools, the Student Protection Officers.

## **VOLUNTEERS**

Consistent with the *Working with Children (Risk Assessment and Screening) Act 2000*, a person undertaking work for a School/ECS without receiving financial reward where this Code is part of their agreement or who has otherwise agreed to this Code. 'Undertaking work' is understood to mean holding a position or performing a function with the actual or apparent authority of the School/ECS. This includes, but is not limited to unpaid members of school councils or ECS management committees.

Note, certain screening exemptions apply to some volunteers.



**Our Commitment:** *Creating environments for children and young people to thrive - A Code of Conduct for Anglican Schools and Education & Care Services* was first published by the Anglican Schools Commission, Anglican Church Southern Queensland, as version 1.1 in April 2019, following approval by the Standing Committee of the General Synod, Anglican Church of Australia.

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