



Child Safe Program

Staff and Students Professional Boundaries Policy

Purpose

Claremont College is committed to providing a safe physical, online and emotional environment, where all of our students are respected and treated with dignity in an appropriate professional and caring manner, the risk of child abuse is minimised, and a safe and supportive child safe environment is maintained.

Claremont College Staff, Volunteers and Contractors hold a unique position of influence, authority, trust and power in relation to students at the School. As such, it is their duty, at all times, to maintain professional boundaries with students.

A breach of professional boundaries may in some circumstances be a criminal offence. The Crimes Act 1900 (NSW) includes certain offences for persons, including teachers, Direct Contact Volunteers and Direct Contact Contractors, whose position places them in a position of authority, with a child or young person. For more information, refer to [Offences Under the Crimes Act 1900 \(NSW\)](#).

The following policy and guidelines are designed to raise awareness of situations where professional boundary violations may occur and provide strategies to minimise the risk of boundary violations.

The practice of protective behaviours at all times will also reduce the possibility of vexatious claims being brought against Staff.

Scope

This Policy applies to:

- School Council members
- all Staff, including the Principal and the Executive Leadership Team, teaching and non-teaching Staff
- all Volunteers
- all Contractors

(together referred to as “Staff” or “staff members” for the purposes of this Policy only). Their age does not matter.

The Staff and Students Professional Boundaries Policy applies in all School environments. School environments include both physical and online environments, as well as any environment (including those outside the School’s grounds) where School-related activities are occurring.

Claremont College's Policy

All staff members **must**:

- follow the guidelines for professional boundaries set out below
- exercise their responsibilities in a way that recognises professional boundaries with regard to their relationships with students at all times
- identify, discourage and reject any advances of a sexual nature initiated by a student
- interact with students in a manner that is professional at all times, including inside and outside of school hours
- report conflict of interest issues to the Principal, or the Chair of School Council, as soon as practicable
- give equal learning opportunities to each student without discrimination.

The School considers that any breach of professional boundaries to be a child safety incident. As a result, all staff members must report all breaches of this Policy internally to the School.

Any breach that meets the threshold for external reporting must also be reported to the relevant external authority.

For more information, refer to our [Responding to and Reporting Child Safety Incidents or Concerns](#).

The School will protect staff members who, in good faith, make an internal report alleging a breach of professional boundaries from victimisation or other adverse consequences.

What are Professional Boundaries?

Professional boundaries are parameters that describe the limits of a relationship in circumstances where one person (a student) entrusts their welfare and safety to another person (a staff member), in circumstances where a power imbalance exists.

The fact that Staff are in a unique position of trust, care, authority and influence with students means that there is always an inherent power imbalance that exists between them. It also means that professional boundaries must be established, maintained and respected at all times.

In most cases this power imbalance is clear, however, sometimes it may be more difficult to recognise, especially for younger staff members who may only be a few years older than their students.

The following guidelines are not exhaustive, and given that sometimes 'grey areas' may occur, it is expected that all Staff (no matter their age or experience) use their own good judgment, think very carefully about the implications and potential consequences of engaging in certain behaviours with students, and always err on the side of caution.

When unsure about whether professional boundaries are being, or have been, or will be breached, ask yourself:

- Would I modify my behaviour if a colleague was present?
- Should I discuss this matter with another colleague?
- How would I feel about explaining my actions at a staff meeting, to the Principal, or to parents/carers?
- Am I sharing information for the student's benefit, or for my benefit?
- Am I dealing with this student differently from others in similar circumstances?
- Is my language or demeanour different from usual when dealing with this particular student?

Intimate Relationships

Staff must not initiate or develop a relationship with any student that has, or can be interpreted as having, a romantic or sexual, rather than professional basis. It is not relevant that the relationship is consensual, non-consensual, or condoned by parents/carers.

Such relationships have a negative impact on the teaching and learning of students and colleagues and may carry a serious reputational risk for the staff member and, in turn, the School.

The professional relationship between Staff and students may be breached by:

- flirtatious behaviour or dating
- development of an intimate personal relationship
- sexual relations
- the use of sexual innuendo, inappropriate language and/or material with students
- unwarranted and inappropriate touching
- unwarranted and inappropriate filming or photography
- deliberate exposure to sexual behaviour of others (e.g. pornography)
- having intimate contact without a valid context via written or electronic means (e.g. email, letters, telephone, text messages, social media sites or chatrooms)
- going out, whether alone or in company, to social events such as the movies or dinner
- exchanging gifts of a personal nature that encourages the formation of an intimate relationship.

Relationships with Former Students

Staff should also be aware that developing or encouraging romantic or sexual relationships with recent former students (over 18 years of age) may violate professional boundaries and are therefore strongly discouraged from doing so.

The imbalance of power and authority that exists in the Staff/student relationship does not suddenly disappear after the student finishes their schooling. Staff should not assume that they will be protected from disciplinary action by claiming that a relationship began only after the student left the School as there may be a reasonable belief that the emotional intimacy of the relationship developed while the Staff/student relationship existed.

If **any** staff member engages in a romantic/sexual relationship with a person who was previously a student at the School, this may generate concerns that the staff member previously crossed professional boundaries while the former student was under the care of the staff member. In particular, concerns may arise that the staff member engaged in grooming behaviour while the person was still a student.

The School will investigate any complaint that a staff member has abused their position and acted unprofessionally by engaging in a relationship with a former student. In considering whether there

has been a breach of professional boundaries, the School may take the following factors into account:

- the nature of the relationship, including its closeness, dependence and significance
- the length of the relationship while the former student was attending the School
- any conduct that the staff member undertook which gives cause for concern
- the length of time that has passed between when the person was a student at the School and the commencement of the relationship.

By ensuring that their relationships with students do not breach professional boundaries, a staff member who subsequently forms a relationship with a former student will be less likely to be considered to have breached professional boundaries in relation to that former student.

Personal Relationships

Staff must not initiate or develop a relationship with any student that is or can be perceived or misinterpreted as having a personal rather than professional basis. This is regardless of whether the relationship is consensual, non-consensual, or condoned by parents/carers.

It is the **student's perception** of Staff behaviour and not the intention of the staff member that is important.

An established and expected professional relationship between Staff and students may be compromised by Staff:

- attending parties or socialising with students outside of organised School events (without parental/carer permission)
- sharing personal details about their private lives with students
- meeting with students outside of school hours without permission from the School.

Staff must recognise at all times that their role is not to be a 'friend' or 'parent' to a student.

Fair Learning Opportunities

The focus of teaching is effective student learning and as such, teachers are expected to support their students with their professional expertise so as to offer them the best education in their individual circumstances. The quality of teaching and learning between teachers and students characterises their relationship.

Teachers should demonstrate their commitment to student learning by:

- maintaining a safe and challenging learning environment that promotes mutual respect
- recognising and developing each student's abilities, skills, and talents by catering to their individual abilities and respecting their individual differences
- encouraging students to develop and reflect on their own values
- interacting with students without bias
- not engaging in preferential treatment
- not discriminating against any student on the basis of race, sex, sexuality, disability or religious or political conviction
- always making decisions in students' best interests.

Electronic Communications between Staff and Students

It is expected that all Staff at the School will adhere to the following guidelines:

- all use of technology should be for educational purposes or for the organisation of co-curricular activities
- all email communication between Staff and students should be via the School email system and reflect a professional Staff/student relationship
- Staff should not communicate with students via text message where it is not in a professional context
- Staff should not give out their personal telephone numbers or social media contact details
- Staff are not to accept or request students as 'friends' on social media or otherwise use social media to communicate in any way that is not condoned or approved by the School
- Staff should not exchange personal pictures with a student
- teachers are not expected or encouraged to respond to concerns of parents/carers or students on holidays, weekends or in the evening
- any student personal contact numbers or other personal contact details made available to the School should only be used for School communications.

Physical Contact with Students

All Staff should be aware that situations may arise that can be perceived in a manner that was not intended. For this reason, all Staff at the School should adhere to the following guidelines for contact with students both in and outside of School grounds:

- Staff should avoid unnecessary physical contact with students
- minimal, non-lingering, non-gratuitous physical contact in the context of the situation is acceptable (e.g. congratulatory pat on the back or handshake)
- contact for sport, drama and dance instruction is acceptable in a class situation but not in a 1:1 situation. If physical contact is required for specific technical instructions, it must be brief and only with the consent of the student. Note that a student may withdraw consent for this contact either verbally or gesturally and Staff must remain vigilant while engaging in necessary contact situations. Once consent has been withdrawn no further contact can be or should be made.

Off-Campus Excursions and Camps

During off-campus excursions or camps, the same physical contact guidelines apply as well as the following:

- checking of sleeping arrangements, or supervising of students changing should be done, where possible, with another staff member present and always in a manner that respects students' privacy and personal space
- Staff should always knock and advise of their presence prior to entering a bedroom or dormitory
- ensure that while in a bedroom or dormitory a strict Staff/student relationship is upheld and that Staff do not engage in inappropriate behaviour, such as sitting on a student's bed

Managing Conflicts of Interest

Where personal relationships with students such as family relationships and close friendship networks exist, questions of conflicts of interest may arise.

This may be more prevalent in close or rural communities where professional boundaries may be tested due to the nature and size of the community. In these circumstances, Staff need to be far more diligent in developing and maintaining these boundaries.

Where a staff member feels that a conflict of interest may exist, they should notify the Principal, or the Chair of School Council if the conflict involves the Principal, and arrangements should be implemented to avoid the conflict situation if possible. For example, the teaching of students by a staff member with a conflict should be avoided.

Any significant decisions relating to these students in the School (such as the appointment of classes or selection in sports teams) should be referred to another staff member and endorsed by a

supervisor.

Declarations of Staff/Student Interactions

To enable the School to be aware of appropriate and inappropriate interactions between Staff and students, and to provide context in situations where an allegation of unprofessional conduct may be made, the School encourages Staff to declare any interactions with students outside school hours. These interactions may include instances where the staff member is:

- related to the student
- friends with the student's parents or family
- given parental consent to interact with the student for academic purposes outside of school hours and the parent/carer has notified the School.

The parent/carer of the student must verify declarations by Staff about a relationship with the student and their family outside of the School context or about interactions that occur with the consent of the parent/carer.

Claremont College maintains records of all declarations made by staff members related to their interactions with students, or relationships with students, that exist outside of school hours or School premises. These records are made available to the parents/carers of a student on request.

These records are kept in accordance with our [Child Safe Record Keeping](#) and Human Resources policies.

Professional Boundaries and Reportable Conduct

Our Child Safe Codes of Conduct outline expected standards of behaviour for all Staff at the School. However, breaches of these Codes of Conduct will not always be Reportable Conduct. For example, a Volunteer accepting a social media 'friend' request from a student would be a breach of our Child Safe Codes of Conduct but may not amount to Reportable Conduct.

These kinds of breaches of our Child Safe Codes of Conduct can be dealt with at the School level and the School does not need to report them to the Office of the Children's Guardian.

For more information, refer to our [Reportable Conduct](#) policies and procedures.

Consequences for Breaching the Staff and Students Professional Boundaries Policy

Where a staff member breaches this Policy, Claremont College may take disciplinary action that may include (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- suspension
- in the case of serious breaches, termination of employment, contract or engagement.

Implementation

These guidelines are implemented through a combination of:

- staff training and development in professional conduct
- student and parent/carer education and information
- effective management of teachers engaging in inappropriate relationships with students
- effective management of conflicts of interest
- effective communication and incident notification procedures
- effective record keeping procedures
- initiation of corrective actions where necessary

Report Any Concerns

Whenever there are concerns that a child or young person is in immediate danger, call the Police on 000.

Staff

It is the School's policy that any breach of the Staff and Students Professional Boundaries Policy is a child safety incident. Therefore, all Staff, Direct Contact and Regular Volunteers, and Direct Contact and Regular Contractors who witness, or suspect, any breach of professional boundaries must report their concern internally to a Child Safe Officer or the Principal. Where the child safety incident or concern involves the Principal, internal reports should instead be made to the Chair of School Council by email - chair@claremont.nsw.edu.au.

Our Child Safe Program includes information for Staff, Volunteers and Contractors as to how to identify key indicators of child abuse or other harm and how to report child safety concerns to

relevant external authorities. For more information, refer to [Responding to and Reporting Child Safety Incidents or Concerns](#).

Students

Students who are the victim of, or who witness or suspect a breach of professional boundaries can:

- disclose the child safety incident or concern to any staff member. This might be done:
 - verbally
 - in writing
 - through electronic means (such as email)
 - indirectly (such as in written assignments, in artworks or in any other way)
- disclose anonymously, using the School's anonymous private Student Help Box, which is located outside the School Counsellor's office
- contact Child Helpline.

Parents/Carers, Family Members or Other Community Members

Parents/carers, family members or other community members who witness or suspect that there has been a breach of professional boundaries, or have concerns that a child or young person associated with the School may be subject to abuse or harm from a staff member, should contact:

- the School's Senior Child Safe Officer Doug Thomas, by phoning 9399 3217 (extension 2) or emailing principal@claremont.nsw.edu.au
- if the concern relates to the Principal, the Chair of School Council by email - chair@claremont.nsw.edu.au.

Communications will be treated confidentially on a 'need to know basis'.