



CHRISTIAN
BROTHERS
COLLEGE

Volunteer Information Book

Revised 2022



Faith **Excellence** Community **Compassion**



CHRISTIAN BROTHERS COLLEGE VOLUNTEER POLICY

POLICY IMPLEMENTED: JANUARY 2022 TO BE REVIEWED: JANUARY 2025

RATIONALE

Christian Brothers College recognises and values the significant contribution made by volunteers to our community. The richness and diversity of this contribution is both encouraged and supported by the College and is characterised by a ***genuine partnership between school staff, parents, caregivers, teachers, parish, students and the wider community.***

As parents/caregivers are more often than not the ones offering assistance to Christian Brothers College in a voluntary capacity, then tapping into this rich resource of volunteers is just one of the many available strategies that enables CBC to ***recognise and support parents as the first and foremost educators of their children.***

The purpose of this policy therefore is to provide volunteers of CBC with clear direction in fulfilling their responsibilities in the various school-based educational endeavours that draw upon the assistance of volunteers.

In particular, this policy is designed to ensure that Christian Brothers College exercise its duty of care with respect to 'child protection' responsibilities by providing a ***secure environment that ensures the safety and wellbeing of all.***

NOTE: For the purpose of Work Health and Safety (WHS) a volunteer is deemed by legislation to be a worker.

INTRODUCTION

Christian Brothers College recognises the role of volunteers within our Community. CBC is therefore required to provide a level of direction and support for volunteers that ensure their contribution aligns with the Colleges' Vision and Mission Statements, four Core Values and Strategic Plan as well as meeting the requirements of all relevant legislation, particularly legislation that pertains to matters of work health and safety and child protection. The policy also aims to ensure the volunteers participation within the life of the College is rewarding.

AIMS

- To provide a structured and systematic approach to recruiting, selecting and training volunteers
- To communicate these approaches to staff and volunteers
- To provide clear direction and support to volunteers in matters relating to Child Protection
- To assist volunteers so that their role is clear and rewarding to undertake

PRINCIPLES

1. Christian Brothers College aims to maximise appropriate voluntary help from within the school community for the benefit of the school community
2. Volunteers should be valued for the work that they do
3. Every opportunity is taken by Christian Brothers College to publicly recognise volunteers and the contributions that they make to the College
4. Volunteers have a right to work in a safe and secure workplace environment
5. Volunteers should be provided with appropriate support, and/or instruction to help them carry out their tasks at CBC. They will not be required to carry out tasks with which they feel uncomfortable or not skilled enough to do
6. As with all others who work within a school community, volunteers are made aware of their legal rights and responsibilities within their workplace environment

PCBU RESPONSIBILITIES

Persons Conducting a Business or Undertaking (PCBU) must ensure so far as is reasonably practicable:

- A system is developed and implemented to manage and supervise volunteers
- Volunteers are assessed for their suitability to roles or task expectations
- All volunteers are inducted into the worksite
- All volunteers are advised of their specific role and are provided a position description
- volunteers are provided with information, instruction and training in a language which is reasonable for them to understand
- Consultation, cooperation and coordination occurs with all volunteers

OFFICERS RESPONSIBILITIES

Officers must exercise due diligence to ensure that the PCBU meets their responsibilities as above.

VOLUNTEER OFFICERS:

School Advisory Council members are considered Volunteer Officers. Volunteer Officers have a duty to exercise due diligence under the WHS Act. A Volunteer Officer is expected to comply with that duty, however cannot be prosecuted for failing to comply with that duty (see section 34(1) WHS Act).

To comply with this duty to exercise due diligence, volunteer officers must ensure the PCBU has appropriate systems of work in place and must actively monitor and evaluate health and safety management.

VOLUNTEER RIGHTS AND RESPONSIBILITIES

AS A VOLUNTEER YOU HAVE A NUMBER OF RIGHTS YOU SHOULD BE AWARE OF:

- To work in a healthy and safe environment;
- To be provided with a job description that adequately describes your roles and responsibilities;
- Be provided with an WHS induction prior to commencement as a volunteer;
- To be provided with sufficient information, instruction and training for you to perform your tasks safely;
- To be provided with adequate supervision.

AS A VOLUNTEER YOU ALSO HAVE RESPONSIBILITIES TO:

- Support the Catholic Ethos of the College,
- Following information, instruction and training provided,
- Work safely,
- Not affect the safety of others,
- To observe all established Policies and Procedures,
- Report any safety concerns,
- Undertake Responding to Abuse and Neglect: Education and care training for Volunteers,
- First Aid training if required,
- Observe confidentiality,
- Hold a current acceptable Police Clearance.

GENERAL GUIDELINES FOR ALL VOLUNTEERS

1. We seek to provide a variety of opportunities for volunteer participation. Volunteers are invited and actively encouraged to take part in a variety of school activities. Volunteers may be sought to assist with in-class instructional programs, cultural and sporting activities, school camps and excursions and a range of fund raising and school development programs
2. Volunteers may be recruited formally through school newsletters, written invitations, formal nominations and personal approaches, as well as informally through conversation and opportunity
3. Volunteers are required to carry out tasks in a manner consistent with CBC values, including maintenance of a professional, cooperative and confidential working environment
4. Co-Curricula volunteers are required to report any student, teacher, parent or spectator incidents directly to the College Co-Curricula Coordinator as soon as practical after the incident. The College will conduct an investigation via the guidelines as documented in the Co-Curricula and Personal Responsibility Policies
5. Hazards, near misses and injuries sustained by volunteers must be reported to the College Property Manager. Christian Brothers College will provide first aid as required. Christian Brothers College hold insurance policies that cover volunteers in respect of liability claims from third parties, loss and injury, and for personal accidents. Volunteers should notify the College Property Manager of any such matters listed above.
6. To comply with College's emergency management procedures volunteers must sign-in and sign-out of the College property via Reception during operating hours and are required to follow any emergency procedure or emergency procedure drill if they are on the property at that time
7. All volunteers will be expected to comply with the Volunteers Code of Conduct
8. Complaints by or about volunteers will be addressed via the school's grievance procedure
9. All volunteers must be registered with the Archdiocese of Adelaide as successfully completing a Police Check. Volunteers who are not officially registered will not be allowed to work with students or to assume responsibility for their welfare
10. Volunteers assisting at Christian Brothers College are required to:
 - 10.1 obtain a satisfactory Police Check clearance. Christian Brothers College will pay the costs for volunteers to undergo such police checks (working with children checks)
 - 10.2 complete and lodge a Volunteer Details form and maintain up to date personal details with the College
 - 10.3 complete an Workplace Health and Safety Induction
 - 10.4 complete workplace Responding to Abuse and Neglect Course (Mandatory Reporting)
11. All volunteers will be required to update and renew their volunteer status every three years
12. All volunteers must be familiar with and have an understanding of the South Australian Catholic Child Protection Council Charter which relates to the protection of children
13. Volunteers must read and acknowledge our Child Safeguarding Policy
14. Fully disclose any personal history which is of a child protection nature in writing, marked confidential, to the College Principal

15. Volunteers who are engaged in roles involving the coaching of student sport teams are required to adhere to the Codes of Behaviour as documented in the Australian Sports Commission document titled: “Junior Sport – Codes of Behaviour”

VOLUNTEER REGISTER

The College maintains a Volunteer Register that captures the following information:

- Full name/address/contact details
- Date of birth
- Commencement date
- Specific role/tasks to be undertaken
- Work location
- Known medical conditions (which may affect role)
- Qualifications/licences (copies retained)

Volunteer duties at the College may only commence once all requirements as per *point 10* from the previous section have been met and their name appears on the register.

SUPERVISION

College staff supervising an activity must ensure that;

- Volunteers have adequate supervision
- Close supervision is maintained when high risk tasks are being undertaken
- Review levels of skills/competency on a regular basis to minimise the likelihood of incident/injury
- Where gaps are identified in an individual’s skill or competency level, organise further instruction and training as required

SAFETY AS A VOLUNTEER

There are a number of important points relating to safety within Christian Brothers College that you should be familiar with, these are:

SAFE WORK

- You are only asked to do work which you can perform safely. If you feel that you cannot perform a job safely or have any safety issues please discuss with the College Property Manager immediately

EMERGENCY PROCEDURES

- Make yourself familiar with the emergency evacuation plan for the area you are working. In an emergency proceed via the safest route to the nearest emergency exit on the emergency evacuation plan
- In the case of a fire, call fire services on 000. Do not re-enter the building until instructed to do so by the person in charge (Fire Warden)
- If you are in charge of an activity, you must organise the evacuation of people you are responsible for from the building, and check that all persons are accounted for

REPORTING

- Should you see a hazard, or you are aware of something that might injure you or someone else, or you are involved in an injury, incident or near miss, please report the matter immediately to the Property Manager. Alternatively, report to the person supervising the activity who will in turn report to the College Property Manager

FIRST AID

- First aid kits are located in the reception areas of the Junior and Senior Campuses and in the passage at the Child Care Centre
- During any excursion or external events a first aid kit must be carried and a relevant Risk Assessment completed and approved

EQUIPMENT

- This organisation provides equipment for your use. Volunteers are discouraged from bringing equipment from home. However, should this be necessary all electrical equipment must be checked by CBC maintenance staff prior to use

VEHICLES

- If you use your car as part of your volunteer duties, please ensure that your car is roadworthy and that seatbelts are fitted and worn. Current driver's license required as is written permission from the Principal if you are transporting Christian Brothers College students, other than your own children

CHEMICALS

- You must only use chemicals supplied by this organisation. The chemicals used by this organisation have been assessed for risk prior to use. Make yourself aware of the location of safety data sheets prior to use. If you have any concerns or require personal protective equipment to use any of these products please discuss with the College Property Manager

WORKING ALONE

- For safety reasons and child protection issues volunteers are discouraged from working alone

DRUGS AND ALCOHOL

- Prior to and whilst engaged in volunteer duties no volunteer is permitted to consume drugs or alcohol or be in such a state as to endanger themselves or that of others

HOUSEKEEPING

- Please leave the work areas clean and tidy. These buildings are used by a variety of people and may include children, elderly and disabled. You may need to make special allowances for these people e.g. not leaving obstacles in walkways

SITE SPECIFIC AMENITIES

- Your Supervisor should point out where drinking water is located
- Your Supervisor is to indicate bathrooms facilities suitable for Volunteer use. Volunteers may not use student toilets or change rooms while students are on site

CODE OF CONDUCT FOR VOLUNTEERS IN CATHOLIC SCHOOLS

The purpose of this Code of Conduct is to articulate the standards of conduct which are required of volunteers in Catholic Education SA. This will assist all volunteers in Catholic Education SA to understand clearly the expectations of them as well as their responsibilities and obligations.

Catholic Education SA provides education as part of the mission of the Church. Fundamental to this mission is a respect for the value and dignity of each person. A work environment based on these values will ensure that all members of the community feel safe and empowered in the performance of their work in the school. All members of the community in Catholic Schools, by their personal example, virtues, loving relationships, respect and acts love and justice, witness to the presence and activity of God with us.

Volunteers are expected to agree to and uphold appropriate standards of behaviour. These standards of behaviour include to:

1. Support the Principal and staff in the development of a Christ-centred learning community and act consistently within the Catholic ethos and mission of the Catholic school
2. Acknowledge and affirm success in individual and school achievement
3. Support the school's policies. The Principal has the responsibility to implement these policies
4. Treat all members of the school community with honesty, integrity, respect and courtesy
5. Follow all relevant policies, guidelines and instructions with regard to the safety and wellbeing of children and young people
6. Maintain appropriate professional boundaries around their behaviour towards children and young people
7. Refrain from behaviour which constitutes bullying, discrimination or any form of harassment
8. Respect and comply with all Federal, State and local laws
9. Declare situations that may give rise to, or the perception of a conflict of interest
10. Respect the privacy of others and others' personal and sensitive information
11. Take reasonable care to ensure their own health and safety at work and avoid adversely affecting the health and safety of others; and
12. Present for volunteering in a timely manner, in attire appropriate to their role as a volunteer, and in a fit state to work.

DUTY OF CARE AND PROTECTIVE PRACTICES

Duty of Care: As a volunteer you will play an important role in the education of our children in partnership with all staff of our school. In your relationship with children and young people, you are required to ensure that the physical and emotional welfare of children and young people is safeguarded, and that your own behaviour is guided by this duty of care.

Please talk to your Supervisor, Leader or the Principal if you have any questions regarding your duty of care.

Protective Practices: Professional Boundaries.

Your Induction will include the **Responding to Abuse and Neglect: Education and Care (RAN-EC) online (or face-to-face) training module for Volunteers.** All Volunteers are required to undertake this training. As part of the training you will receive:

- Information about your legal obligations as a Mandated Notifier
- Responding to Abuse and Neglect Education and Care (RAN-EC) training: Volunteers Handbook
- A certificate for completion of the course.

PRIVACY

Christian Brothers College is part of Edmund Rice Education Australia (EREA), which is an organization consisting of schools, entities and offices offering a Catholic education in the tradition of Blessed Edmund Rice.”

Christian Brothers College collects personal information, including sensitive information about volunteers during the volunteer application process at the College.

1. If you provide us with personal information, for example your name and address or information contained on your Volunteer Details Form, we will collect the information in order to assess your application. We may also make notes and prepare a confidential report in respect of your application
2. A volunteer's health and medical information may be used within the College to best meet the College's duty of care responsibilities. Health information about volunteers is sensitive information within the terms of the Australian Privacy Principles (APPs) under the Privacy Act 1988
3. You agree that we may store this information for the period of your volunteer work in the School
4. The EREA's Privacy Policy sets out how you may seek access to your personal information and how you may complain about a breach of the APPs
5. We will not disclose this information to a third party without your consent
6. We usually disclose your personal information as a matter of routine to the Catholic Education Office for good character screening purposes
7. We are required to conduct a criminal record check, collect information regarding whether you are or have been the subject of an Apprehended Violence Order and certain criminal offences under Child Protection law. We may also collect personal information about you in accordance with these laws
8. The College may also use cloud computing service providers to store personal information (which may include sensitive information) on servers in the 'cloud'. These servers may be located in or outside Australia. This may mean that personal information may be stored or processed outside Australia. EREA's Privacy Policy contains further information about its use of cloud and other third-party service providers

EREA's Privacy Policy is accessible via the College website or from the College office. The policy sets out how you may seek access to, and correction of your personal information which the College has collected and holds. However, access may be refused in certain circumstances such as where access would have an unreasonable impact on the privacy of others or may result in a breach of the College's duty of care obligations. Any refusal will be notified in writing with reasons if appropriate

If you have any queries with respect to its content you should contact the College Privacy Officer at privacy@cbc.sa.edu.au

CONFIDENTIALITY

In the course of your work as a volunteer, you may come across sensitive and confidential information. It is essential for you to maintain confidentiality and if concerned, raise the issue with your Supervisor or the Principal.

As a volunteer you must not:

- Copy, reproduce, distribute any confidential information to any person, corporation or other entity
- Use any commercially sensitive information, belonging to Christian Brothers College, for any purpose other than in connection with your work at Christian Brothers College
- Remove any records belonging to Christian Brothers College

TRAINING

All workers will be informed in the requirements of this procedure during induction and or on request.

Instruction or information will be given to all workers if procedure is amended or as required or requested.

MONITOR AND REVIEW

Compliance with this procedure will be audited according to the internal WHS Audit Policy Document No. 7.

This document shall be reviewed within three years of the date of issue. Changes in legislation, Catholic Church and/or Site Policy may necessitate earlier review and subsequent amendment or re-issue.

RELATED DOCUMENTS AND FORMS

External Documents

CESA Volunteer Application Package

CSHWSA Volunteer Procedure (22) V2

CESA Engaging and Inducting Volunteers Procedure

Internal Documents

Complispace PolicyPlus – Volunteer Responsibilities

Complispace PolicyPlus – Child Safeguarding Policy

Complispace PolicyPlus – Privacy

Complispace PolicyPlus – Student Duty of Care

Complispace PolicyPlus – Child Safeguarding

Complispace PolicyPlus – Complaints Handling



Australian Government
Australian Sports Commission

Junior Sport Codes of Behaviour





Players

Code of Behaviour

- ② Play by the rules.
- ② Never argue with an official. If you disagree, have your captain, coach or manager approach the official during a break or after the competition.
- ② Control your temper. Verbal abuse of officials, sledging other players or deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in any sport.
- ② Work equally hard for yourself and/or your team. Your team's performance will benefit and so will you.
- ② Be a good sport. Applaud all good plays whether they are made by your team or the opposition.
- ② Treat all participants in your sport as you like to be treated. Do not bully or take unfair advantage of another competitor.
- ② Cooperate with your coach, team-mates and opponents. Without them, there would be no competition.
- ② Participate for your own enjoyment and benefit, not just to please your parents and coaches.
- ② Respect the rights, dignity and worth of all participants regardless of their gender, ability, cultural background or religion.

Parents

Code of Behaviour

- ② Remember that children participate in sport for their enjoyment, not yours.
- ② Encourage children to participate, do not force them.
- ② Focus on your child's efforts and performance rather than whether they win or lose.
- ② Encourage children to play according to the rules and to settle disagreements without resorting to hostility or violence.
- ② Never ridicule or yell at a child for making a mistake or losing a competition.
- ② Remember that children learn best by example. Appreciate good performance and skilful plays by all participants.
- ② Support all efforts to remove verbal and physical abuse from sporting activities.
- ② Respect officials' decisions and teach children to do likewise.
- ② Show appreciation for volunteer coaches, officials and administrators. Without them, your child could not participate.
- ② Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.





Coaches

Code of Behaviour

- ② Remember that young people participate for pleasure, and winning is only part of the fun.
- ② Never ridicule or yell at a young player for making a mistake or not coming first.
- ② Be reasonable in your demands on players' time, energy and enthusiasm.
- ② Operate within the rules and spirit of your sport and teach your players to do the same.
- ② Ensure that the time players spend with you is a positive experience. All young people are deserving of equal attention and opportunities.
- ② Avoid overplaying the talented players; the 'just average' need and deserve equal time.
- ② Ensure that equipment and facilities meet safety standards and are appropriate to the age and ability of all players.
- ② Display control, respect and professionalism to all involved with the sport. This includes opponents, coaches, officials, administrators, the media, parents and spectators. Encourage players to do the same.
- ② Show concern and caution towards sick and injured players. Follow the advice of a physician when determining whether an injured player is ready to recommence training or competition.
- ② Obtain appropriate qualifications and keep up to date with the latest coaching practices and the principles of growth and development of young people.
- ② Any physical contact with a young person should be appropriate to the situation and necessary for the player's skill development.
- ② Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

Teachers

Code of Behaviour

- ② Encourage young people to develop basic skills in a variety of sports and discourage overspecialisation in one event, sport or playing position.
- ② Create opportunities to teach appropriate sports behaviour as well as basic skills.
- ② Give priority to free play activities, skill learning and modified sports over highly structured competition for primary school children.
- ② Prepare young people for intra and inter-school competition by teaching the basic sport skills.
- ② Make young people aware of the positive benefits of participation in sporting activities.
- ② Keep up to date with coaching practices and the principles of physical growth and development. Read and use the latest coaching and teaching resources for junior sport.
- ② Help young people understand the differences between the junior competition they participate in and professional sport.
- ② Help young people understand that playing by the rules is their responsibility.
- ② Give all young people equal opportunities to participate in administration, coaching and refereeing as well as playing.
- ② Support implementation of the National Junior Sport Policy.
- ② Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.



Administrators

Code of Behaviour

- ② Involve young people in planning, leadership, evaluation and decision-making related to the activity.
- ② Give all young people equal opportunities to participate.
- ② Create pathways for young people to participate in sport, not just as a player but as a coach, referee, administrator, etc.
- ② Ensure that rules, equipment, length of games and training schedules are modified to suit the age, ability and maturity level of young players.
- ② Provide quality supervision and instruction for junior players.
- ② Remember that young people participate for their enjoyment and benefit. Do not overemphasise awards.
- ② Help coaches and officials highlight appropriate behaviour and skill development, and help improve the standards of coaching and officiating.
- ② Ensure that everyone involved in junior sport emphasises fair play, rather than winning at all costs.
- ② Give a code of behaviour sheet to spectators, officials, parents, coaches, players and the media, and encourage them to follow it.
- ② Remember, you set an example. Your behaviour and comments should be positive and supportive.
- ② Support implementation of the National Junior Sport Policy.
- ② Make it clear that abusing young people in any way is unacceptable and will result in disciplinary action.
- ② Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

Officials

Code of Behaviour

- ② Modify rules and regulations to match the skill levels and needs of young people.
- ② Compliment and encourage all participants.
- ② Be consistent, objective and courteous when making decisions.
- ② Condemn unsporting behaviour and promote respect for all opponents.
- ② Emphasise the spirit of the game rather than the errors.
- ② Encourage and promote rule changes that will make participation more enjoyable.
- ② Be a good sport yourself. Actions speak louder than words.
- ② Keep up to date with the latest trends in officiating and the principles of growth and development of young people.
- ② Remember, you set an example. Your behaviour and comments should be positive and supportive.
- ② Place the safety and welfare of the participants above all else.
- ② Give all young people a 'fair go' regardless of their gender, ability, cultural background or religion.





Media

Code of Behaviour

- ② Provide coverage of young people's competitive and non-competitive sport as well as reporting adult sport.
- ② Be aware of the differences among adult sport, professional sport and modified sports programs for young people.
- ② Do not highlight isolated incidents of inappropriate sporting behaviour.
- ② Focus on a young player's fair play and honest effort.
- ② Do not place unfair expectations on young people. They are not miniature professionals.
- ② Describe and report on the problems of young people participating in organised sport.
- ② Focus on the abilities and not the disabilities of young people.
- ② Avoid reinforcing stereotypical views on the involvement of boys and girls in particular sports.
- ② Give equal time and space to reporting boys and girls sports.
- ② Familiarise yourself with the National Junior Sport Policy.
- ② Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

Spectators

Code of Behaviour

- ② Remember that young people participate in sport for their enjoyment and benefit, not yours.
- ② Applaud good performances and efforts from all individuals and teams. Congratulate all participants on their performance, regardless of the game's outcome.
- ② Respect the decisions of officials and teach young people to do the same.
- ② Never ridicule or scold a young player for making a mistake. Positive comments are motivational.
- ② Condemn the use of violence in any form, whether it is by spectators, coaches, officials or players.
- ② Show respect for your team's opponents. Without them, there would be no game.
- ② Encourage players to follow the rules and the officials' decisions.
- ② Do not use foul language, sledge or harass players, coaches or officials.
- ② Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.





A 'fair go' for young Australians

Australians are justifiably proud of the place sport has in their daily lives. But what is equally important to us all is the way the game is played and the manner in which our sportsmen and sportswomen conduct themselves.

Unfortunately, some people fail to live up to the traditional values of sport. Worse still, young people can be influenced and the rest of their sporting lives coloured by these experiences.

These Codes of Behaviour identify a series of key principles on which young players, parents, coaches, teachers, administrators, officials, the media and spectators should base their sporting involvement. If adopted, the Codes will ensure that young people develop good sporting behaviours and have an enjoyable experience of sport, which will encourage them to remain involved throughout their lives.

The Codes of Behaviour

Young people involved in sport have a right to participate in a safe and supportive environment. Australians are sport mad. We love our sport, however, this can at times create unpleasant situations. Over-zealous parents, boisterous spectators, opinionated players and quick-tempered coaches may need to be reminded of appropriate behaviour when involved with junior sport.

The Australian Sports Commission has developed the Codes of Behaviour to remind and encourage all Australians involved in junior sport to support and nurture all our young players.

The Codes of Behaviour provide the basis for fair play for young people and encourage fun, friends and safe environments. We hope that they will be endorsed and adopted by all.

For further information on junior sport contact:

National Junior Sport
Australian Sports Commission
PO Box 176
BELCONNEN ACT 2616
Fax: (02) 6214 1224
Email: junior@ausport.gov.au
Web site: www.ausport.gov.au/junior

Intoxication guidelines

In Plain English



Government of South Australia
Office of the Liquor and Gambling
Commissioner

“It is against the law to serve alcohol to a person who, you believe, is intoxicated.”

In developing these Guidelines, every effort has been made to ensure that the information reflects the intent of the legislation and/or represents examples of best known practice. Licensees and employees are reminded that it is their own responsibility to ensure the safety and legality of their actions in relation to the provision of alcohol and that they are responsible for any decision to serve or to refuse to serve alcohol. The information contained in these resources does not constitute legal advice. The Office of the Liquor and Gambling Commissioner recommends that you seek your own legal advice should you require an interpretation of the legislation. The Office of the Liquor and Gambling Commissioner will not be liable for any injury, damage or loss sustained by any party engaging in the provision or service of alcohol.

In South Australia, licensed premises operate under the *Liquor Licensing Act 1997*. With regard to intoxication, the recently amended Section 108(1) of this law states:

(1) If—

- (a) liquor is sold or supplied on licensed premises to an intoxicated person; or
- (b) liquor is sold or supplied on licenses premises to a person in circumstances in which the person’s speech, balance, coordination or behaviour is noticeably impaired and it is reasonable to believe that the impairment is the result of the consumption of liquor,

the licensee, the responsible person for the licensed premises and the person by whom the liquor is sold or supplied are each guilty of an offence.

Maximum penalty: \$20,000.

These Guidelines are designed to assist you in:

- understanding
 - the law
 - your responsibilities under the law
 - the penalties for not obeying the law
- determining whether a person is intoxicated
- not discriminating against people who have a condition or a disability that may be confused with intoxication
- establishing when to refuse the service of alcohol to a person.

The law

It is against the law to sell or supply alcohol to:

- an intoxicated person
- a person who you believe, with reasonable grounds, is intoxicated
- a person whom you believe that their “speech, balance, coordination or behaviour is noticeably impaired and there are reasonable grounds to believe that the impairment is the result of the consumption of liquor”.

You must have ‘reasonable grounds’ for your belief that a person is intoxicated. It is alright if you refuse service to a person on the basis of this belief - even if you are wrong.

It is against the law for you to treat people unfairly and to discriminate against a person on the basis of a disability. You must, therefore, consider and rule out any conditions or disabilities that may result in a person displaying symptoms or signs that may be confused with intoxication. Remember, if you have ‘reasonable grounds’ for your belief that a person is intoxicated, it is alright to refuse service to them on the basis of this belief - even if you are wrong.

Your responsibilities under the law

You must refuse to serve alcohol to a person whom you believe, on reasonable grounds, is intoxicated. It is also an offence for a patron to buy or supply alcohol to another person who is intoxicated. This offence extends to the **licensee**, the responsible person for the licensed premises and the **person by whom the liquor is sold or supplied**.

You must therefore be aware of patrons who may be buying alcohol for someone else who is intoxicated.

The penalties for not obeying the law

Penalties apply to a person who sells or supplies alcohol to an intoxicated person. Penalties also extend to the responsible person and the licensee of the licensed premises.

Employees of licensed premises should be aware that, if they sell or supply liquor to an intoxicated person, they are committing an offence and may be prosecuted.

The maximum penalty for selling or supplying liquor to an intoxicated person is **\$20,000**.

Determining whether a person is intoxicated

Reasonable grounds

You must have ‘reasonable grounds’ for your belief that a person is intoxicated

This means that there must be some basis for your belief which can be considered and evaluated by an objective third person. The belief must be one that a reasonable person would have in that particular situation, taking into account the relevant facts and circumstances. It is alright if you refuse service to a person on the basis of this belief - even if you are wrong.

A belief based on reasonable grounds can be derived from several sources of information. For example, from observing the amount and type of alcohol consumed, physical signs and symptoms that a person is exhibiting, or from talking to the person or their friends about how much they have had to drink. An assessment must then be made as to whether such symptoms are the result of alcohol consumption or some other condition or reason.

Intoxication guidelines In Plain English

There are many noticeable signs that a person may develop as they become intoxicated. As a person's blood alcohol levels rise, differences can be noticed in their speech, balance, coordination, appearance or overall demeanour.

The table below provides some examples of possible factors to consider when determining whether or not a person is intoxicated and should therefore be refused the service of alcohol.

Speech	Balance	Coordination	Behaviour
<ul style="list-style-type: none">• Slurred words• Incoherent speech• Rambling conversation• Loss of train of thought• Difficulty in paying attention• Difficulty in comprehending a conversation	<ul style="list-style-type: none">• Stumbling• Falling into people or furniture• Difficulty walking• Difficulty standing• Unsteadiness on feet• Swaying uncontrollably• Staggering	<ul style="list-style-type: none">• Lack of coordination• Spilling drinks• Fumbling with change• Difficulty counting money• Difficulty opening or closing doors• Difficulty putting a glass to their mouth• Glassy eyes and lack of focus	<ul style="list-style-type: none">• Disorderly• Offensive• Confused• Overly friendly• Annoying others• Rude• Aggressive• Excessively loud• Overly exuberant• Drowsy or sleepy• Uninhibited• Bad-tempered• Threatening• Physically violent or intimidating
This list is not exhaustive and the signs may not be necessarily conclusive of intoxication			

If you are still uncertain, consider other facts and circumstances. Your observations can help you to form a reasonable belief about whether or not a person is intoxicated.

Things to consider could include:

- How much alcohol have you seen the person drinking?
- Does the person smell of alcohol?
- Did the person appear affected by alcohol when they arrived?
- What type of alcohol has the person been drinking?
- Is the person drinking rapidly?
- Has the person been vomiting?

You could also talk to the person, to their friends or to other patrons to gain a better understanding.

Avoiding discrimination

It is against the law for you to treat people unfairly. For example, you must not discriminate against a person on the basis of gender, race or age (with this in mind, however, it is important to remember that it is an offence to supply liquor to a person who is under the age of 18 years). It is also unlawful to discriminate against a person on the basis that they have a disability.

Therefore, when determining whether or not a person is intoxicated, you must consider and rule out any conditions or disabilities that may cause a person to display symptoms or signs similar to those of intoxication. Keep in mind, you may still assess a person who has a disability to be intoxicated based on other signs of intoxication being displayed.

(See above, you must have 'reasonable grounds' for your belief that a person is intoxicated. It is alright if you refuse service to a person on the basis of this belief - even if you are wrong.)

Conditions that may exhibit similar symptoms/signs to intoxication

There are a variety of conditions or disabilities that may cause a person to display symptoms or signs similar to those of intoxication.

People who experience physical, intellectual, psychiatric, sensory, neurological or learning disabilities, or an acquired brain injury, could display difficulties with speech, balance, coordination or behaviour.

It is important to be mindful of the various conditions and disabilities that a person may have when assessing intoxication.

Helping to prevent your patrons from becoming intoxicated

There are **things you can do** to help prevent your patrons from becoming intoxicated:

- Serve free water and keep water available.
- Promote low or mid-strength alcoholic drinks, non-alcoholic drinks and food.
- Provide free snack food.
- Slow service down for the patron.
- Wait for the patron to re-order, don't automatically top up drinks.
- Do not conduct an activity or promotion that will result in patrons engaging in irresponsible, rapid or excessive drinking.

Refusing to serve a person who you believe, based on reasonable grounds, is intoxicated

If you have reasonable grounds to believe that someone is intoxicated, you should not serve them alcohol.

Be firm - but polite, friendly and respectful if you must refuse service. People who feel patronised or belittled can respond with aggression.

Call for support, notify other bar staff, your supervisor and/or security if you encounter any problems refusing service.

Seek more information

Visit www.olgc.sa.gov.au, call 8226 8410, or ask your manager.



Child
Protection
Council

South Australian Catholic Child Protection Council

CHARTER

Message of His Holiness Pope John Paul II for the XXIV World Day of Peace

Let us give children a future of peace! This is the confident appeal which I make to men and women of good will, and I invite everyone to help children grow up in an environment of authentic peace. This is their right, and it is our duty.

(1st January, 1996)

1 Introduction

- 1.1 Children and young people are our present and our future. They have the right to grow and to develop their full potential physically, emotionally and spiritually. That potential is their families' and communities' responsibility to nurture and fulfil.
- 1.2 Children and young people are also vulnerable and may be exposed to, and affected by, significant psychological and social adversity. There also exists in our society and its institutions a risk that children and young people will be subjected to exploitation by those who are more powerful. Therefore, the South Australian Catholic Child Protection Council has been established to oversee the safety and well-being of children and young people within our Church community*, in partnership with their families.
- 1.3 The Archdiocese of Adelaide and the Diocese of Port Pirie recognise and encourage the significant role that the Church community plays in the provision of an environment that nurtures the well-being of children, young people and their families. In doing this, the Archdiocese of Adelaide and the Diocese of Port Pirie also require the Church community to implement practices which are defined as child safe and which sustain and maintain the sanctity of trust that children place in adults.

2 Responsibilities

2.1 Responsibilities of the South Australian Catholic Child Protection Council:

- This Charter directs the South Australian Catholic Child Protection Council to work towards ensuring the creation of a safe environment for children and young people in the Archdiocese of Adelaide and the Diocese of Port Pirie by:
- 2.1.1 Sharing their expertise and providing significant advice to the Archbishop of Adelaide and Bishop of Port Pirie, in whom repose the final decision making authority
 - 2.1.2 Coordinating a consistent approach to child protection which is understood by, and empowers, the Church community
 - 2.1.3 Developing child protection policy, procedure and practice initiatives
 - 2.1.4 Monitoring the implementation of these initiatives
 - 2.1.5 Overseeing the regular review and audit of these initiatives to ensure their effectiveness
 - 2.1.6 Recommending appropriate child protection policies to the Archbishop of Adelaide and Bishop of Port Pirie for approval
 - 2.1.7 Through the review process, advising the Archbishop of Adelaide and Bishop of Port Pirie of any concerns about the implementation of an approved child protection policy, procedure or practice
 - 2.1.8 Working collaboratively with government and other relevant agencies that have responsibilities for, or interest in, child protection

2.2 Responsibilities of the Archdiocese of Adelaide and the Diocese of Port Pirie:

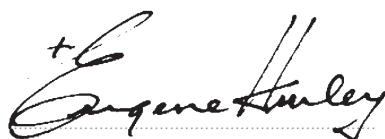
- 2.2.1 The Archdiocese of Adelaide and the Diocese of Port Pirie shall provide sufficient resources to enable the implementation of the approved policies and initiatives of the South Australian Catholic Child Protection Council
- 2.2.2 The South Australian Catholic Child Protection Council will be assisted as needed by staff of the Archdiocese of Adelaide and the Diocese of Port Pirie

3 Implementation

The South Australian Catholic Child Protection Council will define the limits of its conduct and activity for any particular period. This Charter will be reviewed annually.



Archbishop Philip Wilson DD JCL



Bishop Eugene Hurley DD



Dr Prue McEvoy, Chair
SA Catholic Child Protection Council

* The concept of Church community is broad and includes any Church body or agency, and all people involved in the life and work of the Church. A Church body may be a religious institute, any other juridical body, body corporate, organisation or association, including autonomous lay organisations, that exercise pastoral ministry within, or on behalf of, the Archdiocese of Adelaide or Diocese of Port Pirie.

RRHAN-EC training for volunteers

Ongoing volunteers must do mandatory notification training. The training is called Responding to Risks of Harm, Abuse and Neglect – Education and Care (RRHAN-EC). You must keep your RRHAN-EC certificate current by updating your training every 3 years.

All volunteers in education do the same [fundamentals course](#).

Site leaders can help you with things like:

- setting up a Plink account
- accessing a computer
- troubleshoot any problems you have with the course.

Talk to your school about other delivery options if the online course is not the best option for you. Your site leader can contact us to find out more.

What you need before you start

- A current individual email address.
- A computer or device with an internet connection and a recent web browser, like Google Chrome or Firefox.

Register for a plink volunteer account

- Go to the website: www.plink.sa.edu.au/pages/signup.jsf
- Fill in your details:
 - in the field “Select Account type” select Volunteer
 - enter your email address (this will be your plink username), choose a password.
- Select “I accept the Terms of use” and then Select “Create Account”.

Start the training

- Login to Plink and select the course Responding to Risk of Harm, Abuse and Neglect - Education and Care
- Select “Register” please allow 2 hours to complete

Certificate

Once you complete the training you will be issued with a certificate. The site leader will need a copy of this certificate. You can use the certificate at any education site in South Australia.

Technical support and other RRHAN-EC queries

Technical support for the course

Department for Education schools

Catholic Education SA schools

Association of Independent Schools of SA

Contact your organisation’s ICT helpdesk

Email: education.rrhanec@sa.gov.au

Email: RRHANEC@cesa.catholic.edu.au

Email: office@ais.sa.edu.au



Protective practices for staff in their interactions with children and young people guidelines for staff working or volunteering in education or care settings

This guideline is mandatory for all staff under the operational policy framework. Any edits to this guideline must follow the process outlined on the [creating, updating and deleting operational policies](#) page.



Protective practices

for staff in their interactions
with children and young people

Guidelines for staff working or volunteering
in education and care settings 2017
(2nd Edition, revised 2019)



Government of South Australia
Department for Education



Grateful acknowledgment is made of material provided by the Catholic Education Office Diocese of Parramatta for *Protective practices for staff in their relationships with students*, 2004.

First published in June 2005, revised April 2009 and September 2011. New section on Grooming in January 2017 and revised in November 2018. Published in March 2019.

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Foreword

These guidelines form part of child protection policies and procedures developed through collaboration between the South Australian Department for Education, Catholic Education South Australia and the Association of Independent Schools of South Australia.

Both government and non-government education sectors are committed to consistent child protection standards across all South Australian education and care environments.

Protective practices for staff provide clear advice to adults about how to build positive, caring and respectful relationships with children and young people in education and care settings.

The main intent of this document is to safeguard the emotional and physical wellbeing of children and young people by helping adults to understand appropriate boundaries in relation to their professional role and all interactions with children and young people. By following these guidelines, staff can feel confident about meeting their responsibilities to children and young people as well as their professional ethics and conduct obligations.

Since their release in 2005, these guidelines have been positively received and used by education and care leaders across the government and non-government sectors. This fourth edition has revisions reflecting legislative and other reforms at state and national levels, mainly in connection with childcare, grooming behaviour and reporting obligations.

Following these guidelines will contribute to safer, happier and more successful education and care environments for all the people who learn and work in them.



Rick Persse
Chief Executive
Department for Education



Dr Neil McGoran
Director
Catholic Education South Australia



Carolyn Grantskalns
Chief Executive
Association of Independent Schools of South Australia

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Glossary

For the purposes of this document the following definitions apply.

Staff	Employees, professional service providers, other paid education and care participants, tertiary students, pastoral care worker/chaplain, and volunteers (eg mentors)
Site	All schools and preschools and associated boarding facilities, alternative education centres or off-site learning programs, out of school hours care and vacation care services, the home of a family day care educator, children's centres and child care centres
Site leader	The individual who has responsibility for the welfare of children and young people on that site eg the principal, director, manager or family day care educator supported by their coordinator, or a delegate
Children and young people	All children and young people enrolled at or attending education and care sites
Parents	Adults who have the parenting responsibility for children and young people, including biological parents, step-parents, legal guardians and extended family members such as grandparents, foster and kinship carers
Disability	Disability includes physical, intellectual, psychiatric/psychological, sensory, neurological, learning disabilities, physical disfigurement, and the presence in the body of a disease-causing mechanism. The term covers a disability that a person has now, may have in the future or is believed to have

Note: Family day care

When appropriate, family day care educators should use the discussions applying to 'staff' in this document to guide their actions and behaviour. References to 'site leader' should be understood to mean those circumstances where the family day care educator would consult with or report to and take direction from the family day care coordinator. References to 'volunteers' should also be understood to mean other adults residing in the home of the family day care educator.

Relevant convention, law and policy

United Nations Convention on the Rights of the Child	The convention enshrines the entitlement of all children, regardless of race, colour, sex, religion or nationality, to be protected from sexual abuse, to receive special help if they are abused, to have their opinions heard about matters that affect them, to receive and share information, and to be treated with dignity if disciplined
Law	<p>Relevant legislation includes:</p> <ul style="list-style-type: none"> • <i>Children and Young People (Safety) Act 2017</i> (SA), which maintains the safety of children as paramount, increases the voice of children in decision making and builds a more collaborative approach to child protection. The Act provides greater recognition of risk factors that children may experience including persistent absenteeism from education and cumulative impact of harm • <i>Criminal Law Consolidation Act 1935</i> (SA) defines illegal criminal behaviour • <i>Equal Opportunity Act 1984</i> (SA), which defines sexual harassment, prohibits other forms of unlawful discrimination including on the ground of disability and provides a complaint process through the Equal Opportunity Commission of South Australia • <i>Sex Discrimination Act 1984</i> (Cth) as amended by the <i>Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013</i> (Cth), which defines sexual harassment and provides a complaint process through the Australian Human Rights Commission • <i>Teacher Registration and Standards Act 2004</i> (SA), which establishes and maintains a teacher registration system and professional standards for teachers such that the profession is represented by individuals who are competent educators and fit and proper persons to have the care of children • <i>Disability Discrimination Act 1992</i> (Cth) and <i>Disability Standards for Education 2005</i> (Cth), which provide legal protection against disability discrimination in specified areas. The DSE states the legal obligations of service providers within the DDA and the rights of the learners with disability • <i>Education and Early Childhood Services (Registration and Standards) Act 2011</i> provides a national legislative scheme that regulates the provision of quality education services and registration of providers for the purpose of maintaining high standards of competence and conduct by providers
Information Sharing Guidelines	South Australia's operational framework for the sharing of information across government and relevant non-government organisations to promote the safety and wellbeing of children, young people and their families
Keeping Safe: Child Protection Curriculum	The sector/site-approved teaching program for learners from early to senior years that addresses, in an age-appropriate manner, the central ideas of respectful relationships, the right to be safe, protective strategies and recognising and reporting abuse
Responding to Problem Sexual Children and Young People	Guidelines for staff in education and care settings to help them respond effectively and consistently to incidents of problem sexual behaviour involving children and young people
Responding to Abuse and Neglect Education and Care training	A child protection training course in South Australia for staff working in education and care settings focusing on their role in responding to child abuse and neglect and its impact on the development and wellbeing of children, young people and their families
Australian Student Wellbeing framework	Supports Australian schools to promote positive relationships and the wellbeing of students and educators within safe, inclusive and connected learning environments

National Quality Framework (NQF)

National agenda that describes and regulates the quality of early childhood education and school-age care through the *National Quality Framework for Early Childhood, Education and Care*. It operates under an applied law system, comprising the Education and Care Services National Law and Regulations

Education Standards Board

Regulates the provision of education and care services in South Australia, ensuring quality education services and maintaining high standards of competence and conduct by providers

Australian Professional Standards for Teachers/ Principals

The standards define the work of teachers and principals and make explicit the elements of high-quality, effective teaching, safe environments and professional standards that result in improved and educational outcomes for students.

TfEL and APST Standard 4 and 7

Legal issues and professional boundaries for adults working or volunteering with children and young people

Staff members who do not follow these guidelines may be subject to disciplinary action and/or an adverse finding about their suitability or fitness to work in an education or care setting.

Duty of care

In the education and care context, 'duty of care' is a Common Law concept that refers to the responsibility of staff to provide children and young people with an adequate level of protection against harm. It is usually expressed as a duty to take reasonable care to protect children and young people from all reasonably foreseeable risk of injury.

The question of what constitutes reasonable care in any given case will be determined objectively by a court and will depend on the individual circumstances of each case. The courts have found that the standard of care owed by education and care providers to children and young people is very high.

In their relationships with children and young people, staff must ensure that the physical and emotional wellbeing of children and young people is safeguarded, and that their own behaviour is guided by this duty of care both within and beyond the education and care setting.

Within the protective practices, this duty of care particularly relates to staff:

- expectations about their own conduct
- intervening in the inappropriate conduct of other adults
- reporting unprofessional behaviour of other adults if they observe or are informed of such behaviour.

Professional and role boundaries

Professional and role boundaries are parameters that describe limits of a relationship where one person entrusts their welfare and safety to a professional, often in circumstances where there is a power imbalance.

Education and care professions rely on the fostering of positive relationships between adults and children and young people. Learning and care settings are places where all staff can have significant influence in the lives of children and young people because the relationship involves regular contact over relatively long periods of time. These features of education and care professions make it extremely important that staff understand how to foster positive relationships in ways that do not compromise the welfare of children and young people, both in an education and care setting and in a personal capacity.

The professional boundaries outlined in these guidelines apply beyond specific education or care sites and beyond specific cohorts of children and young people. For example, where staff are participating or have participated in interschool sport events or combined school trips or camps, they are expected to respect professional boundaries with all the children and young people involved in those activities.

Professional boundary violations by a staff member represent a breach of trust, a failure to meet a duty of care to children and young people, and a failure to follow conduct requirements of the employer. When staff violate boundaries they risk:

- serious and harmful consequences for the child or young person
- seriously undermining the learning process
- seriously undermining their professional reputation and the confidence of the education or care community in their suitability to work with children and young people
- formal directions or other disciplinary action from their employer or the registering or regulating authority
- termination of employment
- criminal charges.

Any concern a staff member has about whether a situation may compromise or breach a professional relationship must be discussed with the site leader (or delegate). The site leader will develop an appropriate plan of action and ensure it is followed.

Failure to report a boundary violation may also be subject to disciplinary action.

The following examples will help staff to understand expected boundaries. This list is not exhaustive.

Boundary	Example of violation
Communication	<ul style="list-style-type: none"> • Inappropriate comments about a child or young person's appearance, including excessive flattering comments • Inappropriate conversation or enquiries of a sexual nature (eg questions about a child or young person's sexuality or their sexual relationship with others) • Disrespectful or discriminatory treatment of, or manner towards, young people based on their perceived or actual sexual orientation • Use of inappropriate nicknames • Vilification or humiliation • Jokes or innuendo of a sexual nature • Obscene gestures and/or language • Facilitating/permitting access to pornographic material • Facilitating/permitting access to sexually explicit material that is not part of an endorsed curriculum • Failing to intervene in sexual harassment of children and young people • Correspondence of a personal nature via any medium (eg phone, text message, letters, email, social media, internet postings) that is unrelated to the staff member's role. This does not include class cards or bereavement cards • Introducing 'secrets' • Communication related to the role but carried out via private personal devices, eg communication to taxi drivers of student personal details, with parent or outside agencies and services
Personal disclosure	<ul style="list-style-type: none"> • Discussing personal lifestyle details or opinions of self, other staff or children and young people unless directly relevant to the learning topic and with the individual's consent
Physical contact	<ul style="list-style-type: none"> • Unwarranted or unwanted touching of a child or young person personally or with objects (eg pencil or ruler) • Corporal punishment (eg physical discipline or, smacking) • Initiating, permitting or requesting inappropriate or unnecessary physical contact with a child or young person (eg massage, kisses, tickling games) or facilitating situations that unnecessarily result in close physical contact with a child or young person • Inappropriate use of physical restraint/restrictive practices – may constitute assault (see p 17)
Place	<ul style="list-style-type: none"> • Inviting/allowing/encouraging children and young people to attend the staff member's home (see p 11 for country and local community considerations) • Attending children and young people's homes or their social gatherings • Being alone with a child or young person outside of a staff member's responsibilities • Entering change rooms or toilets occupied by children or young people when supervision is not required or appropriate • Transporting a child or young person unaccompanied • Using toilet facilities allocated to children and young people • Undressing using facilities set aside for children and young people, or in their presence (*without the site leader's authority)
Targeting individual children and young people	<ul style="list-style-type: none"> • Tutoring (outside education sector's directions or knowledge) • Giving personal gifts or special favours • Singling the same children and young people out for special duties or responsibilities • Offering overnight/weekend/holiday care of children and young people as respite to parents (unless a family day care educator, or employed by a respite organisation and with the site leader's knowledge) • Privately giving money and/or gifts to individual children/young people • Babysitting by the family day care educator or member of their household

Boundary	Example of violation
Role	<ul style="list-style-type: none"> • Adopting an ongoing welfare role that is beyond the scope of their position or that is the responsibility of another staff member (eg a student wellbeing leader) or an external professional, and that occurs without the permission of senior staff • Photographing, audio recording or filming children or young people via any medium when not authorised by the site leader to do so and without required parental consent • Using personal rather than school equipment for approved activities, unless authorised by the site leader to do so
Possessions	<ul style="list-style-type: none"> • Correspondence or communication (via any medium) to or from children and young people where a violation of professional boundaries is indicated and where the correspondence has not been provided to the site leader by the staff member • Still/moving images or audio recordings of children and young people on personal equipment or kept in personal locations such as car or home that have not been authorised by the site leader
Digital/electronic	<ul style="list-style-type: none"> • *Email, social media, internet postings that is unrelated to the staff member's role • *Allowing children and young people access to a staff member's personal internet locations (eg social networking sites) • Uploading or publishing still/moving images or audio recordings of children and young people to any location, without parental and site leader's consent • Correspondence of a personal nature via social media, internet postings • Creating/using private online chat rooms • *Filming/recording for the use of behaviour training/modification

* Without site leader authority

Activities must be undertaken transparently and with the knowledge and consent of the site leader:

- Make it public
- Make it authorised
- Make it timely
- Make it purposeful.

The following questions may help staff to recognise when professional and/or legal boundaries are at risk of being breached:

- Am I dealing in a different manner with a particular child or young person than with others under the same circumstances?
- Is my dress/availability/language/demeanour different from the normal with a particular child or young person?
- Would I modify my behaviour with a child or young person if a colleague were present?
- Would I judge my conduct negatively if I observed it in another adult?
- Is it possible that the consequences of my actions will have negative outcomes for children and young people?
- Is it possible that the consequences of my actions will negatively affect people's confidence in my suitability to work with children and young people?

If an honest answer to any of the above questions is 'yes' then a staff member must alter their behaviour immediately and consider seeking professional support or counsel.

Legislation

Staff conduct that is a breach of legislation includes:

- failure to report suspicion on reasonable grounds that a child or young person is, or may be, at risk defined in the *Children and Young People (Safety) Act 2017* (SA)
- alleged breaches of the *Criminal Law Consolidation Act 1935* (SA)*
- sexual harassment defined in the *Equal Opportunity Act 1984* (SA) and *Sex Discrimination Act 1984 and Amendment Act 2013* (Cth)
- harassment or victimisation of a student with a disability, defined in the *Disability Standards in Education 2005* (Cth)
- unprofessional conduct pursuant to the *Teachers Registration and Standards Act 2004* (SA).

Grooming behaviour

Positive adult-child/young person relationships are essential to learning, however it is critical that staff understand how to foster these relationships without compromising student welfare.

The term 'grooming' refers to actions deliberately undertaken with the aim of befriending and influencing a child, and in some circumstances members of the child's family, for the purpose of sexual activity with the child.

These actions are designed to establish an emotional connection in order to lower the child's inhibitions and gain access to the intended victim. In this respect grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling and premeditated' (Victorian Parliamentary Inquiry into the Handling of Child Sexual Abuse by Religious and Other Non-Government Organisations, 2013).

Grooming can be conducted in person or online eg via interaction through social networking sites, chat rooms, digital forums or emails. Perpetrators gain trust by watching and gathering information about a child or young person, getting to know their needs and how to exploit them. They may also mix effortlessly with parents and carers because they seem warm, understanding and caring.

Vulnerable children or young people are most often targeted as they are seen as easy victims to manipulate. For example:

- age (too young to tell)
- disability (unable to tell, or to 'stand up' as a witness)
- emotional deprivation (already neglected or abused, low self-confidence, emotional neediness)
- isolation and disadvantage (children in care, kinship care refugees, new arrivals, non-English speaking, in a remote community, international exchange students).

Opportunistic or situational grooming may occur:

- when there are ambiguities over boundaries and roles
- where there is a lack of supervision which allows opportunities for inappropriate touch or conversations eg online, camps
- where the seriousness of the activity, or potential harm is discounted
- where the personal traits or actions of a person are tolerated or dismissed.

If a suspicion on reasonable grounds is formed regarding inappropriate adult behaviour, then staff members are obliged to take action and report the inappropriate behaviour. Refer to the section 'Staff responsibilities in responding to behaviour' for additional information p 14.

Sexual relationships between legally consenting adults where a staff-student relationship once existed

Staff should be aware that where a relationship develops with an ex-student, their employer is entitled to consider whether their actions suggest an abuse of their position as a staff member. Where there is a reasonable belief that the emotional intimacy of the relationship developed while the staff-student relationship existed, a judgment that abuse of their position has occurred is likely. What is significant in staff-student relationships are the differences in authority and power held by the staff member and levels of trust held by the student. These differences do not suddenly disappear at a specific point in time. They linger as an imbalance between the two individuals and as a potential impediment to their capacity to make decisions in their own and others' best interests.

Consequently, staff cannot assume they will be protected from disciplinary action taken by their employer or registering/regulating authority because a relationship is claimed to have begun after the school term concluded or after exams finished.

The length of time between the conclusion of the staff-student relationship and the beginning of an intimate relationship is only one of a number of critical factors employers or registering/regulating authorities will take into consideration when judging the appropriateness of a staff member's conduct. Other significant factors include:

- the age difference between the staff member and the ex-student
- the developmental capacity of the ex-student
- the vulnerability of the ex-student
- evidence of the nature of the relationship while the staff-student relationship existed
- other concerns or allegations about the staff member's conduct.

* Staff should be aware that unlawful sexual intercourse where an individual holds a position of authority over the other involves a higher age of consent (18 years) than where no authority relationship exists (17 years).

Guidance for staff in managing professional boundaries

Working in country and local communities

Staff working in country or local communities face additional challenges in managing professional boundaries. They are more likely to have social relationships with the families/parents of the children and young people with whom they work and are, therefore, more likely to share social and sporting events or membership at various community clubs or associations.

This means they will have legitimate reasons, on occasions, to attend social/cultural events with the children and young people with whom they work, to visit their homes or to be visited by them in the company of their parents.

These social/cultural engagements are an important part of community life and a positive contribution to the wellbeing of staff working in country and local communities.

Aboriginal employees across remote, regional and metropolitan settings may have family and social connections to the children and families that they are working with. They may also have cultural or family obligations that may present additional challenges and require support from site leaders to establish professional boundaries when working with some children/young people and their families.

Following the advice below will help staff members to enjoy these social engagements without compromising their professional responsibilities.

The guiding principles in managing these situations are that:

- social contact should be generated via the relationship the staff member has with the parents of children and young people or by an event (such as a sporting event)
- staff should avoid being alone with children and young people in these situations
- staff should conduct themselves in a way that will not give others reason to question their suitability to work with children and young people and that will not create discomfort for children and young people in their learning relationship with them. Consuming alcohol in these situations may lessen a staff member's capacity to judge when a professional boundary is at risk
- staff should politely refuse to discuss matters relating to the workplace and should not discuss children and young people's learning or social progress other than at times specifically set aside for that purpose

- any concern a staff member has about whether or not a situation may be compromising or breaching a professional relationship should be discussed with the site leader and an approved plan of action followed. For example, a staff member may want advice about transporting a friend's child to and from the site or how to manage their own child's enrolment at the site.

Using digital forums/social networking sites

There are many legitimate social media spaces that can be used effectively as part of teaching and learning programs to facilitate children and young people's learning. These digital forums need to be completely separate from staff personal virtual spaces and staff should consider the following questions before using them:

- how can I use these social media tools appropriately?
- what are the risks?
- what will be the benefits?
- what protocols or permission need to be considered?
- are these approved tools?
- have parents been informed?

Staff in education and care settings are expected to model responsible and respectful conduct. They need to consider the electronic social environments they use as part of this community and employer expectation.

The internet does not provide the privacy or control assumed by many users. Staff must appreciate that no matter what protections they place around access to their personal sites their digital postings are still at risk of reaching an unintended audience and being used in ways that could complicate or threaten their employment.

Staff should be aware of the following expectations in considering their use of social networking sites:

- they have considered the information and images of them available on their sites and are confident that these represent them in a light acceptable to their role in working with children and young people
- they do not have children or young people in their education community as 'friends' on their personal/private sites
- comments on their site about their workplace, work colleagues or children or young people, if published, would not cause hurt or embarrassment to others, risk claims of libel, or harm the reputation of the workplace, their colleagues or children and young people.

Working one-to-one with children and young people

The following summary of expectations applies to all situations where staff members are providing one-to-one support eg:

- learning assistance or feedback
- behaviour assistance/monitoring
- counselling
- testing or assessment
- toileting assistance.

Make it public	<ul style="list-style-type: none"> • The more visible, public and busy the location the better • Use the site's authorised ICT systems. Do not use personal email, phones, social media, apps or websites to communicate with children and young people
Make it authorised	<ul style="list-style-type: none"> • Parents should be informed/give consent • Activity must be authorised by the site leader
Make it timely	<ul style="list-style-type: none"> • The activity should be a legitimate part of your role • As far as possible, provide support during normal work hours • Sessions should be concise and not unnecessarily prolonged
Make it purposeful	<ul style="list-style-type: none"> • The activity addresses or should be linked to an identified wellbeing and/or learning need of the child or young person

Managing privacy expectations

Wellbeing leaders, pastoral care workers/ chaplains, health providers and various professional service providers rely in different ways on being able to provide a degree of privacy for children and young people. This may be to protect the child or young person's dignity, to provide an environment conducive to the service or assessment being provided or to respect the child or young person's desire for confidentiality.

Children and young people will often assume a high level of confidentiality when disclosing serious issues of a personal nature or reporting harassment or bullying. For these reasons, schools need to find a careful balance between, on the one hand, respecting the sensitive and private nature of counselling or service provision and, on the other hand, the professional's duty of care obligations for the safety and wellbeing of the child or young person (mandatory notification).

The following examples show good practice in managing these circumstances:

- health/physical care should be provided with respect for the child or young person's dignity and in a manner approved by the child or young person and their parents
- counselling should be provided in unlocked rooms with part-glass doors (where possible) that are located near staff traffic areas
- avoid out-of-hours contact
- while parental consent is often not applicable in many counselling situations, best practice for schools is to provide all parents with written information about the school's counselling and pastoral care services which outlines confidentiality and privacy issues
- ensure student appointments and counselling notes are documented appropriately.

Conducting home visits

Staff must ensure they follow the specific home visiting protocols that apply to their school, sector or service. The key principle is that a home visit should place no one at unreasonable risk and that identified minor risks are consciously managed. A summary of general expectations is provided below.

Inform	<ul style="list-style-type: none"> • Home visits or transport arrangements must be authorised and documented by the site leadership and the site must have information about when and where visits are being undertaken, the expected outcomes and return times
Prepare	<ul style="list-style-type: none"> • All available information about the safety of the proposed visit must be considered and risks managed • Mobile phones must be taken, ID should be visible • Inform parents of intended visit, where appropriate
Protect	<ul style="list-style-type: none"> • A colleague should accompany a staff member carrying out a home visit • Do not enter the house if parents are not at home • Speak with the student where the parent is present or clearly visible • Document the visit

Family day care

The provision of family day care is unique. Unlike other education and care environments, the family day care educator does not have access to professional support or supervision on site. Given the relative isolation of family day care educators from immediate access to staff support, these guidelines play an important role in assisting them to recognise and avoid the circumstances that might place them, members of their own family or the children and young people they care for, at risk. The guidelines, therefore, contribute to family day care being a positive and productive experience for all involved—children, young people, parents and educators.

As outlined on p 6, family day care educators should interpret references to 'site leader' to be those circumstances where they would consult with or, under conditions of approval, report to and take direction from the family day care coordinator. The use of the term 'staff' is to be seen as inclusive of family day care educators.

Some guidance in this document, such as avoiding being alone with children and young people or restrictions when working one-to-one with them, is inapplicable in the family day care setting. However, the rest of the guidance is applicable, most notably the advice covering appropriate physical contact, responding to inappropriate behaviour in children and in adults, using social network sites, non-physical interventions and the examples of professional boundary violations.

Staff in education and care settings are responsible for taking action if they become aware that other adults are acting inappropriately with children and young people. The family day care educator carries this same responsibility to report to the family day care coordinator any inappropriate behaviour by other adults sharing or visiting the home environment while children and/or young people are in their care.

Boarding houses

Staff working in boarding houses face particular challenges in providing a 'home-like' environment for children and young people in ways that do not compromise their professional boundaries or the welfare of children and young people.

Boarding houses should be relatively informal environments and ones where children and young people can receive respectful guidance and support from the adults in whose care they are placed. While this clearly involves the development of caring, and sometimes close, friendships it does not remove the staff member's responsibility to work within all the professional boundaries outlined in these guidelines.

The guidance on managing privacy, working one-to-one, appropriate physical contact, responding to inappropriate sexual behaviour (in children or in adults), using digital forums/social network sites, non-physical interventions and the examples of professional boundary violations are all particularly pertinent to boarding house staff.

Following these guidelines will support the important role boarding house staff play in the wellbeing of children and young people and enhance the respectful relationships that should exist between children and young people and adults sharing a 'home away from home'.

Staff responsibilities in responding to behaviour

Behaviour of staff towards children and young people

Suspected child abuse

Staff in education and care settings are mandated notifiers and are, therefore, required under the *Children and Young People (Safety) Act 2017* (SA) to report suspicion of risk or harm to the Child Abuse Report Line (CARL) on 13 14 78.

A report of suspected abuse must be made to CARL irrespective of who is implicated: a colleague, friend, senior staff member, volunteer, parent, visitor, family member or other child or young person. Staff are strongly encouraged, but not required, to advise the site leader before making a notification.

Site documentation must be completed in consultation with the site leader who signs the site's mandatory notification record and stores it securely. Working with the site leader ensures that appropriate procedures can be followed within the site and sector office. Such procedures are designed to ensure that children and young people's wellbeing is safeguarded and that staff members' rights are respected.

If the site leader is the subject of the suspicion, observation or allegation, staff must report to the site leader's line manager, employer or appropriate central office personnel.

The complexities of these situations are acknowledged. Nevertheless, staff must manage their sensitivities or discomforts because their duty of care to the child or young person remains their paramount legal, professional and moral responsibility.

Inappropriate behaviour

Staff may also observe behaviours in other adults that they view to be inappropriate rather than abusive or that sit on the border of violating a professional boundary.

Staff must ensure, through their site leader, that the adult concerned is made aware of the potential of their actions to impact negatively on children and young people, and on themselves. Professional advice of this kind may be particularly valuable to young or newly appointed staff.

The site leader should document what is discussed.

All staff must take action if children and young people disclose information about inappropriate behaviours of other adults on the site. It is not acceptable to minimise, ignore or delay responding to such information. For the wellbeing of all members of the education or care community, the site leader must be informed as a matter of urgency and a report made to the Child Abuse Report Line, if appropriate.

Behaviour of children and young people towards staff

If a child or young person engages in inappropriate behaviour of a sexual nature, then immediate respectful steps must be taken to discourage the behaviour by the child or young person. The matter should be reported and documented promptly with the site leader and a plan of action developed to support the child or young person and relevant staff member.

Depending on the age/developmental capacity of the child or young person and contextual information, this plan of support may involve:

- communication with parents
- referral to and liaison with specialist counselling
- formalised support within the site, which may include closer monitoring or supervision of the child or young person in his/her interactions with other children and young people
- referral to and liaison with an appropriate agency with disability-specific expertise.

Sometimes, the inappropriate sexual behaviour of younger children towards staff can elicit a suspicion that the child in question has been sexually abused. In these situations, staff must:

- make a mandatory notification to the Child Abuse Report Line on 13 14 78
- consider the safety of other children and young people with whom the child has contact
- develop and document a plan of action and communication with all relevant parties (including other agencies).

Some children and young people may actively seek a relationship with a staff member that would constitute an inappropriate relationship. In such circumstances, staff are advised to immediately report the information to the site leader and seek assistance from a senior staff member, student wellbeing leader or pastoral care coordinator to actively manage the situation in a way that respects the emotional wellbeing of the child or young person and provides support to the staff member.

Examples of child or young person's behaviours that should be reported and addressed are:

- receiving gifts of an inappropriate nature or at inappropriate times (eg not as part of end of the year gift giving that some children and families follow)
- flirtatious gestures and comments
- inappropriate social invitations
- inappropriate touching or invasions of personal space
- inappropriate postings using any medium
- correspondence or communication that suggests or invites an inappropriate relationship.

The staff member and site leader should document the incident that initially prompted the concern and the plan of action that has been established. Contact with parents is recommended unless there are reasonable grounds to believe that this will create serious risks for the child or young person.

Sexual harassment—via any medium* at any time or place—or assault of a staff member by a child or young person should be dealt with following normal behaviour management protocols, with the involvement of parents and, where appropriate, police. Along with this response, consideration must also be given to the most appropriate counselling and support that can be provided to the child or young person and family. It is important to use these incidents as opportunities to organise meaningful interventions that address early sexual and other offending behaviours.

Detailed guidance on managing problem sexual behaviours in children and young people is available in the document *Responding to Problem Sexual Behaviour in Children and Young People—Guidelines for staff in education and care settings* (Department for Education, 2010, revised 2019). Resources associated with the guidelines are available on the Department for Education website.

* Includes postings on websites, whether 'private' or not.

Appropriate physical contact

Appropriate physical contact by a staff member to assist or encourage a child or young person

At times, staff will be required to give practical assistance to a child or young person who is hurt or needs particular assistance or encouragement. Examples of appropriate physical contact are:

- giving first aid
- supporting children and young people who have hurt themselves
- assisting with the toileting and personal care needs of a disabled child or young person (an individual plan for children and young people with these needs must have been negotiated with parents)
- non-intrusive gestures to comfort a child or young person who is experiencing grief and loss or distress, such as a hand on the upper arm or upper back
- non-intrusive touch (eg congratulating a child or young person by shaking hands or a pat on the upper arm or back). Staff should remember the importance of accompanying such touch with positive and encouraging words.

Good practice with school-age children and young people

- Seek children and young people's permission to make physical contact (keeping in mind that a highly distressed child or young person may be incapable of expressing their wishes) eg first aid, a minimal gesture of comfort.
- Avoid being with a child or young person in a one-to-one, out of sight situation, and never touch a child or young person in such a situation.
- Do not presume that physical contact is acceptable to a particular child or young person. Even non-intrusive touch may be inappropriate if a child or young person indicates they do not wish to be touched.
- Respect and respond to signs that a child or young person is uncomfortable with touch.
- Use verbal and/or visual directions rather than touch (eg ask a child or young person to move in a particular way, rather than physically place the child or young person in the required position).

Use the above approach for demonstrations in dance, sport, music and drama. Where touch is essential for safety reasons (eg with aquatic or gymnastic instruction), always tell the child or young person that you need to hold them in a particular way and seek their permission to do so.

In some circumstances, staff may need to discourage younger children from inappropriate expectations of hugs or cuddles. This should be done gently and without embarrassment or offence to the child and offer a replacement gesture (eg 'high five').

Good practice with children, birth to school age

Staff working in preschools and care settings are often involved in toileting children, changing their clothes and comforting them for a range of distresses normal in the preschool age group. In providing such care, staff should be aware of the following good practice:

- When children indicate they want comfort, ensure that it is provided in a public setting and that it is in keeping with the guidelines provided above.
- Signs of discomfort in children such as stiffening, pulling away or walking away must be respected. In these situations the child must continue to be observed/monitored until their distress is managed.
- Children must not be left in states of high distress for long periods. Parents need to be contacted under these circumstances.
- Staff should follow the site's toileting and nappy changing policy and individual toileting plans where these have been documented with parents.
- In 'single staff and two-staff' settings, it is important that formalised plans for responding to critical toileting situations and other challenging behaviours are understood by staff and parents.

Physical contact between individuals must therefore be:

- discretionary
- careful
- consensual
- respectful
- age appropriate
- gender appropriate
- considerate of others who may be in the area.

Managing challenging behaviour

It is highly recommended that a support plan is developed for a child or young person with challenging behaviours that outlines the appropriate support and intervention. This plan should be completed in consultation with parents, staff and appropriate support staff. Strategies for Managing Abuse Related Trauma (SMART) training should be considered in this plan.

The filming of children/young people for the purpose of behaviour assessment/modification is not permitted unless authorised, as a single circumstance, by the relevant sector office (site leader – independent schools) and with informed parent consent.

Non-physical intervention

Non-physical intervention is the most acceptable way of managing the behaviour of children and young people. Where a problem with a child or young person's behaviour becomes apparent, non-physical interventions include:

- directing other children and young people to move away from the situation
- talking with the individual child or young person (asking the child or young person to stop the behaviour, and telling the child or young person what will happen if they do not stop)
- directing the child or young person to a safe place
- directing other children and young people to a safe place
- following the emergency plan in '1 and 2-staff' centres
- sending for assistance from other staff, or in extreme cases, the police.

Use of verbal directions is always preferred to physical intervention. It is not appropriate to make physical contact with a child or young person (eg pushing, grabbing, poking, pulling, blocking) in order to ensure they comply with directions. Staff working with preschool-age children must not hold children against their will (eg on their laps, between their legs or on the floor) to ensure attention at group time.

Under no circumstances should staff engage in any form of conduct which might cause physical or emotional harm to children and young people.

Physical restraint where a child or young person's or adult's safety is threatened

Staff may make legitimate use of physical restraint based on best practice (eg Non-Violent Crisis Intervention – NVCi) if all non-physical interventions have been exhausted or are impossible in the circumstances and a child or young person is:

- attacking another child or young person or adult
- posing an immediate danger to themselves or others.

Staff must only use physical restraint only as a last resort and not as a response to:

- property destruction
 - disruption to the education or care activity
 - refusal to comply
 - verbal threats
 - leaving an education care setting
 - a need to maintain good order
- unless someone's safety is clearly threatened.

Use of appropriate physical force may be permitted to ensure that the staff's duty of care to protect children and young people and staff from foreseeable risks of injury is met. Common law and statutory defences such as self-defence and defence of others remain legitimate reasons for the use of physical restraint. All people have the right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so.

It may be a valid decision for staff not to use physical restraint in a situation involving several children and young people, or a physically larger child or young person, where staff believe that doing so would increase the likelihood of injury to themselves. In such cases, the staff member should guide other children and young people away from danger and seek immediate help from other staff or police.

Staff are not expected to place their own safety at risk when responding to violence or aggression in others and are supported by workplace health and safety legislation in making this judgment.

Safe practice when using physical restraint

The use of restraint/restrictive practices with a child or young person may only be used in situations where the safety of others is threatened or to prevent injury.

The restraint must be reasonable in the particular circumstances and must be in proportion to the circumstances of the incident. It must always be the minimum force needed to achieve the desired result, and take into account the age, stature, disability, understanding and gender of the child or young person. For example, if restraining a female, care should be taken to avoid contact with breasts.

Parents should be informed at enrolment of the site's policy on physical restraint/restrictive practices with children and young people and staff who may be expected to use physical restraint should access appropriate training.

Cultural considerations

Different cultures have different attitudes and traditions surrounding the concept of appropriate touch. Staff members have a responsibility to become as familiar as possible with the values of the various cultural groups enrolled in an education or care site.

Many culturally based community organisations are very keen to address staff about the values of their culture so as to establish optimum understanding and respect between parents, their children and staff at the site. It is critical that staff appreciate culturally specific expectations about touch so that embarrassment or offence can be avoided for everyone, and particularly for children and young people.

Many children and young people attending education and care sites are recently arrived in Australia or are under guardianship/kinship care. Some have backgrounds of severe trauma, ranging from the observation of extreme physical violence and abuse to being victims of such violence and abuse themselves. The needs of these children and young people and their families are acute and the issue of establishing what will be received as appropriate, helpful touch is, therefore, all the more essential.

Staff need to employ considerable diplomacy, care and effort in their interactions with the children and young people and families that are known or suspected to have escaped traumatic circumstances.

Managing staff health and safety

There are inherent risks that staff members face on a daily basis working with children and young people. The *Work Health and Safety Act 2012* requires the employer, as the person conducting business or undertakings to ensure that risks are identified and adequately controlled so far as is reasonably practicable.

Legal action against students

A staff member who undertakes criminal proceedings of any nature against children and young people (enrolled at a school in their sector) must:

- report the action to their site leader
- record the action as per their sector requirements (eg IRMS report in Department for Education) without identifying the child or young person.*

Site leaders are responsible for managing these circumstances in a way that respects their duty of care to children, young people and staff, and should seek advice from their sector office if these responsibilities appear to be in conflict.

* The *Young Offenders Act 1993* prohibits the publication of information that might identify an offender under the age of 18. While identifying information should not be recorded on school systems the legislation is not intended to prohibit private and confidential discussions between professionals so they can properly respond to a situation in an educational setting.

Do

- Seek a colleague's or leader's support.
- Have a differentiated risk management plan for students.
- Use conversation/negotiation to minimise or de-escalate aggression (eg take-up time, provision of a calm spot).
- Continue talking with the child or young person throughout the incident. Make clear that physical restraint will stop when it ceases to be necessary to protect the child or young person or others.
- Grip clothing rather than the body, whenever possible.
- Document incidents promptly and keep these records with the site leader. The record should include:
 - the name of involved children and young people
 - the location of incident
 - the name of witnesses (staff and/or children and young people)
 - an incident outline (including the child or young person's behaviour, what was said, steps taken, degree of force applied and how applied, reasoning for actions taken)
 - the child or young person's response and the outcome
 - details of any injury or damage to property.
- Inform parents promptly (within 24 hours) and fully of any incident involving the physical restraint of their child and provide them with the opportunity to discuss the matter at the time they are informed.
- Ensure sector specific guidelines regarding other forms of documentation are followed, for example critical incident forms.
- Provide/offer confidential debriefing, counselling support and Workplace Health and Safety documentation to all staff involved in incidents of restraint/restrictive practices.
 - **CESA/AISSA:** ACCESS—Confidential counselling 1300 667 700
 - **Department for Education:** Employee Assistance Program—Confidential counselling 1300 360 364

Don't

- Don't use restraint/restrictive practices that involves:
 - force applied to the head, neck, chest or genital area
 - restrictions to breathing
 - punching or kicking
 - holding by the hair or ear
 - confining a child or young person in a locked room or limited space
 - placing children under school age in 'time out' or 'time away'.

Working with children and young people with additional and complex needs

The category of 'additional and complex needs' includes students with disabilities and can be analysed as students whose behavioural presentation arises from:

- verified disabilities, including intergenerational disabilities
- trauma
- mental health
- neglect and deprivation (emotional and physical)
- learning difficulties
- different cultural expectations or practices.

All sections of this document require careful interpretation when applied to children and young people with additional needs and complex needs. For example, children and young people with intellectual disabilities may engage in a much wider range of physical and overtly sexual behaviours towards staff and other children and young people as a result of their disability. Similarly, staff will need to engage more often in physical contact and touch with these children and young people as a means of meeting their duty of care to them.

In fact, touch itself may be an agreed form of communication between a child or young person, their parent and staff where the child or young person has a communication disability. Children and young people with disorders causing violent and unpredictable behaviours are likely to have formalised restraint procedures agreed to by staff and parents and carers. Toileting assistance or processes for changing clothes will be necessities for some children and young people.

Because of these differences, staff need to be more vigilant and thoughtful in their physical interactions with children and young people with additional needs and complex needs. Children and young people with disabilities are over-represented in the child protection system. Their vulnerabilities mean they have an increased reliance on the adults providing their care to protect them from harm.

Immediately reporting any inappropriate behaviour towards children and young people from other adults is a critical obligation of staff and one that must not be delayed, minimised or delegated (see 'Staff responsibilities in responding to behaviour' on p 14).

Education and care staff support children and young people with additional needs and complex needs through various forms of individual plans. The common features of these plans are that they involve all people who deal with the child or young person on a regular basis, including other service providers, and they document the agreed strategies that are to be used in supporting the child or young person.


These plans are particularly important when challenging behaviours, personal care and hygiene and special physical considerations are an issue at the site (eg toileting, transport within and beyond the site environment, situations where physical restraint is occasionally required). The possibility of restraint and the nature of that restraint/restrictive practices for children and young people should be addressed in the individual plan as should alternative strategies for preventing harm to others. The plan process should involve the child or young person as far as possible. Staff likely to need to use physical restraint should access training specific to that requirement.

It is appropriate that different approaches are likely to be needed from staff in their interactions with children and young people with additional and complex needs. For this reason, site behaviour codes or behaviour management policies need regular reviewing to ensure they reflect the needs of the children and young people accessing the site at any one time.

Nevertheless, the basic principles outlined elsewhere in this document remain applicable to all children and young people. Staff members have a duty of care to protect children and young people from physical and emotional harm and, while the ways of meeting the duty may differ for different groups, the duty itself remains unqualified. Staff are expected to meet this duty in a manner that respects the dignity of all children and young people as well as their vulnerabilities.

Refer to each sector's disability website for additional information:

- AISSA: www.ais.sa.edu.au/teaching-learning/special-education
- CESA: www.cesa.catholic.edu.au/about/support-we-provide
- Department for Education: www.education.sa.gov.au/supporting-students/children-disability-and-special-needs

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Protective practices for staff in their interactions with children and young people provides clear advice to adults for the establishment of positive, caring and respectful relationships with children and young people in education and care settings. The main intent of this document is to safeguard the emotional and physical wellbeing of children and young people by promoting in adults an enhanced understanding of appropriate relationship boundaries.

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