

Catholic Schools NSW Limited Child Safe Policy and Code of Conduct

Document Version Control

Version	Date	Description
2.0	24 February 2023	Final

Document Authorisation

Name	Signature	Date
Board Members	By resolution	29 March 2023
Audit & Risk Committee	By resolution	1 August 2023

Document Review Process

Name	Comment	Date
Chief Legal and Risk Officer	Triennial review	1 August 2026

Policy Ownership

The Chief Legal and Risk Officer is responsible for the development and update of this policy.

Policy Application

This Policy is subject to adoption by the Board.

Policy Location

This policy is located on Complispace at <https://csnw.cspace.net.au/CatholicSchoolsNSWPolicies>

1. Purpose

Catholic Schools NSW Ltd (CSNSW) has been established by the Bishops of NSW (Member Bishops) for the purposes of:

- a) acting as an overarching entity for the purpose of advancing education and religion in Catholic schools in NSW; and
- b) ensuring that systemic Catholic schools meet their compliance requirements; and
- c) measuring activities in such a way as to maximise the educational and faith outcomes of students.

These purposes are reflected in the Constitution of CSNSW and are further supported by a canonical mandate from the Member Bishops of each of the 11 Dioceses across NSW.

2. Scope

This Policy applies to all CSNSW employees as defined in this Policy.

3. Context

CSNSW is committed to the safety and wellbeing of children and young people.

CSNSW provides sporting pathways for Catholic school students in NSW, this includes representative pathways for state and national selection and also some school-based sporting competitions. CSNSW collects sensitive and personal information of students for a number of purposes including the administration of sporting pathways.

This Child Safe Policy and Code of Conduct (**this Policy**) is intended to assist employees engaged in child related work in identifying appropriate and inappropriate behaviours with students, promote a consistent standard of behaviours for employees, and ensure students in NSW Catholic schools who interact with employees do so in a safe and supportive environment.

CSNSW is committed to providing a child safe environment for children who encounter CSNSW Employees through the provision of CSNSW's services to Catholic schools in NSW.

This Policy expresses CSNSW's commitment and should be read together with CSNSW's Reporting Child Safety Concerns Policy and Statement of Commitment. All employees are expected to adhere to the behaviours, processes and procedures outlined in those documents.

Employees wishing to report a child safety concern must refer to the Reporting Child Safety Concerns Policy.

Key terms and definitions

Term	Definition
Child-related work	Means work that involves physical and/or face to face contact with a child or children that is more than incidental to the work performed. Child-related work is work focussed on children and work requiring ongoing contact with children, for example school teachers, tutors, coaches, religious camp leaders, youth group leaders and school bus drivers.
Employee	Means all CSNSW employees and directors, as well as contractors and volunteers engaged by CSNSW in child-related work.

4. Child Safe Code of Conduct

4.1 Each employee is responsible for promoting the safety and wellbeing of children by adhering to the following standards of behaviour.

4.2 Employees must:

- (a) Uphold CSNSW's Statement of Commitment to Child Safety at all times
- (b) Comply with policies and guidelines published by CSNSW with respect to child safety
- (c) Complete all allocated Child Protection training
- (d) Behave as a positive role model to children
- (e) Promote the safety, welfare and wellbeing of children
- (f) Be vigilant and proactive with regard to child safety and protection issues
- (g) Provide age-appropriate supervision for children where necessary
- (h) Treat all children with respect
- (i) Promote the safety, participation and empowerment of children with a disability
- (j) Promote the cultural safety, participation and empowerment of linguistically and/or culturally diverse children and Aboriginal and Torres Strait Islander children
- (k) Use positive and affirming language towards children
- (l) Encourage children to 'have a say' and then listen to them with respect
- (m) Respect cultural, religious and political differences
- (n) Help provide an open, safe and supportive environment for all children to interact, and socialise
- (o) Intervene when children are engaging in inappropriate bullying behaviour towards others or acting in a humiliating or vilifying way
- (p) Ensure as far as practicable that adults are not left alone with a child
- (q) Report any breaches of this Child Safe Adult Code of Conduct
- (r) Report concerns about child safety to the CSNSW Child Protection Officer in accordance with the Reporting Child Safety Concerns Policy and ensure that their legal obligations to report child abuse or other harm externally are met
- (s) Where an allegation of child abuse or other harm is made, ensure as quickly as possible that the child involved is safe
- (t) Call the Police on 000 if where they have immediate concerns for a child's safety
- (u) Respect the privacy of children and their families and only disclose information to people who have a need to know.

4.3 Employees must not

- (a) Engage in any form of inappropriate behaviour towards children or expose children to such behaviour
- (b) Engage in prejudicial or oppressive behaviour or use inappropriate language with children
- (c) Express personal views on gender, cultures, race or sexuality in the presence of children or discriminate against any child based on culture, race, ethnicity or disability
- (d) Engage in open discussions of an adult nature in the presence of children

- (e) Engage in any form of sexual conduct with a child including making sexually suggestive comments and sharing sexually suggestive material
- (f) Engage in inappropriate or unnecessary physical conduct or behaviours including doing things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- (g) Engage in any form of physical violence towards a child including inappropriately rough physical play
- (h) Use physical means or corporal punishment to discipline or control a child
- (i) Engage in any form of behaviour that has the potential to cause a child serious emotional or psychological harm
- (j) Develop 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- (k) Engage in undisclosed private meetings with a child who is not your own child
- (l) Engage in inappropriate personal communications with a child through any medium, including any online contact or interactions with a child
- (m) Take or publish (including online) photos, movies or recordings of a child without parental/carer consent
- (n) Post online any information about a child that may identify them, such as - : full name; age; e-mail address; telephone number; residence; school; or details of a club or group they may attend, without parent/carer consent
- (o) Ignore or disregard any suspected or disclosed child abuse or other harm.

5. Agreement to a Child Safe Policy and Code of Conduct

- 5.1 A copy of this Policy is provided to all employees (excluding contractors and volunteers) at the commencement of their employment, or as part of an induction process.
- 5.2 A copy of this Policy is provided to contractors and volunteers prior to or at the time of commencement of their engagement with CSNSW.
- 5.3 This Policy forms part of any employment or volunteer agreement with CSNSW and any contract to perform work for CSNSW (whether in writing or otherwise).

6. Professional Boundaries

- 6.1 The following guidelines are designed to raise awareness of situations where professional boundary violations may occur and strategies to minimise the risk of boundary violations. The practice of protective behaviours protects not only the children who come into contact with CSNSW employees, but also protects employees by ensuring they are aware of and understand appropriate behaviour with children.
- 6.2 Employees must:
 - (a) Exercise their responsibilities in a way that recognises professional boundaries with regard to their relationships with children at all times
 - (b) Ensure interactions with children are professional
 - (c) Report conflicts of interest involving children to the Child Protection Officer as soon as practicable Professional boundaries are parameters that describe the limits of a relationship in circumstances where one person entrusts their welfare and safety to another person in circumstances where a power imbalance exists.

6.3 Then dealing with a child in the course of their employment or engagement with, employees should consider:

- (a) Would I modify my behaviour if a colleague was present?
- (b) How would I feel about explaining my actions at a staff meeting?
- (c) Am I sharing information for the child's benefit, or for my benefit?
- (d) Am I dealing with this child differently from others in similar circumstances?
- (e) Is my language or demeanour different from normal when dealing with this particular child?

6.4 Employees must not initiate or develop a relationship with any child that can be misinterpreted as having a romantic or sexual nature, or that can be perceived as having a personal, rather than professional basis, regardless of the relationship being consensual or condoned by the child's parents/carers.

6.5 Employees may breach professional boundaries by:

- (a) flirtatious behaviour or dating
- (b) development of an intimate personal relationship
- (c) sexual relations
- (d) the use of sexual innuendo, inappropriate language and/or material with children
- (e) unwarranted and inappropriate touching
- (f) unwarranted and inappropriate filming or photography
- (g) deliberate exposure to sexual behaviour of others (e.g. pornography)
- (h) having intimate contact without a valid context via written or electronic means (e.g. email, letters, telephone, text messages, social media sites or chatrooms);
- (i) going out, whether alone or in company, to social events such as the movies or dinner with children
- (j) exchanging gifts of a personal nature that encourages the formation of an intimate relationship with children
- (k) attending parties or socialising with, or meeting children outside of organised CSNSW events (without parental/carer permission) except where attendance is in a professional capacity
- (l) sharing personal details about their private lives with children.

7. Electronic Communication with Children

7.1 Employees must comply with the following guidelines:

- (a) all use of technology should be for CSNSW purposes only
- (b) employees should not communicate with children via text message where it is not in a professional context
- (c) employees should not give out their personal telephone numbers or social media contact details
- (d) employees are not to accept or request children as 'friends' on social media or otherwise use social media to communicate in any way that is not condoned or approved by CSNSW.

8 Physical Contact with Children

8.1 Employees should be aware that situations may arise that can be perceived in a manner that was not intended. For this reason, employees should comply with the following guidelines for contact with children involved in CSNSW activities:

- (a) employees should avoid unnecessary physical contact with children
 - (b) minimal, non-lingering, non-gratuitous physical contact in the context of the situation is acceptable (for example, a congratulatory pat on the back or handshake)
 - (c) contact for sport is acceptable in a team situation but not in a 1:1 situation. If physical contact is required for specific technical instructions, it must be brief and only with the consent of the child, which the child may withdraw either verbally or gesturally and employees must remain vigilant whilst engaging in necessary contact situations. Once consent has been withdrawn no further contact can be or should be made.
- 8.2 Where CSNSW activities involve children staying overnight under the supervision of employees, the following guidelines will apply:
- (a) checking of sleeping arrangements, or supervising children whilst dressing or undressing should only be done with another employee present (unless unreasonable in the circumstances) and always in a manner that respects children's privacy and personal space
 - (b) always knock and advise of presence prior to entering a bedroom or dormitory
 - (c) ensure that while in a bedroom or dormitory a strict employee/child relationship is upheld and that employees do not engage in inappropriate behaviour, such as sitting on a child's bed.

9 Working with Children Checks

- 9.1 All new employment positions list a valid Working with Children Check as an essential criterion, regardless of whether it is a child related position. This also forms part of the contract of employment.
- 9.2 CSNSW will meet legal requirements to ensure that only people with valid Working with Children Checks are engaged in child related work.
- 9.3 If an employee becomes a disqualified person during the course of their employment the employee will be removed from Child-Related Work, and the employee may be placed in non-child related work or suspended from duty pending the outcome of an investigation.

10 Recruitment

- 10.1 CSNSW maintain a rigorous and consistent recruitment, screening and selection process; ensuring that employees who work in child-related roles have been screened and found suitable for child-related work.

11 Training

- 11.1 All employees will be provided appropriate training and induction to ensure that they understand CSNSW's commitment to child safety and their role in safeguarding children.

12 Conflicts of Interest

- 12.1 A conflict of interest may exist where an employee, in the course of their duties, is required to make a decision about a child with whom they have a pre-existing family or close relationship.
- 12.2 All employees must report any conflicts of interests and remove themselves from decision making where a conflict has been identified.

13 Breach of the Child Safe Policy and Code of Conduct

13.1 Any employees who breach this Policy may be subject to disciplinary action, including, but not limited to:

- (a) Remedial education
- (b) Counselling
- (c) Increased supervision
- (d) Restriction of duties
- (e) Direction to undertake alternate duties
- (f) Suspension
- (g) Termination of employment, contract, or engagement.

14 Reporting Concerns

14.1 A breach of this Code is a child safety incident, and any employee who witnesses, suspects, or is aware of, a breach of this Code, must make a report to the CSNSW Child Protection Officer immediately and externally where required by law.

14.2 The CSNSW Child Safe Program includes the Reporting Child Safety Concerns Policy, which provides information about how to report child safety incidents or concerns that arise in the course of engagement with CSNSW.

14.3 Where appropriate, children engaging with CSNSW through employees should be informed about reporting, and encouraged to raise, child safety concerns. Parents/carers, family members and members of the wider community may also report child safety concerns involving employees, volunteers and contractors to CSNSW's Child Protection Officer on 02 9287 1555 or by email to child.protection@csnsw.catholic.edu.au.

15 Roles and responsibilities

15.1 The Child Protection Officer is required to:

- (a) Investigate, or
- (b) Engage the services of an external investigator to investigate, any alleged breaches of this Code of Conduct and treat it as a child safety concern which must be reported in accordance with the Reporting Child Safety Concerns Policy.

15.2 Employees are required to:

- (a) Comply with this Code of Conduct.
- (b) Report any child safety concerns (including a breach of this Code of Conduct) in accordance with the Reporting Child Safety Concerns.

16 Reporting

16.1 A periodic report on the operation of this Policy will be provided to the Audit and Risk Committee.

16.2 A periodic report on the number and nature of any reportable allegations will be provided to the Governance HR and Remuneration Committee.