

Staff and Student Professional Boundaries Policy



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Purpose

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

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

Scope

This policy applies to:

- Board Directors
- the Principal and Executive Team
- all Staff (teaching and non-teaching staff)
- all Volunteers
- all Contractors (including External Education Providers)
- together, referred to as "Staff" or "staff members" for the purposes of this Policy only.

This Staff and Student Professional Boundaries Policy applies in all School environments. School environments include physical, virtual and online environments used during or outside school hours, as well as any environment (including those outside the School's grounds) where School-related activities are occurring.

Staff and Student Professional Boundaries

Good Shepherd Lutheran Primary School is committed to providing a safe physical, virtual and emotional environment where all students are respected and treated with dignity in an appropriate professional and caring manner, the risk of child abuse is minimised, and a safe and supportive child safe environment is maintained.

It is our policy that:

- Staff exercise at all times their responsibilities in a way that recognises professional boundaries with regard to their relationships with students
- Staff identify, discourage and reject any advances of a sexual nature initiated by a student
- Staff interaction with students is professional at all times, including inside and outside of school hours
- conflict of interest issues must be reported to the Principal as soon as practicable
- equal learning opportunities are given to each student without discrimination
- appropriate consequences will be applied to Staff who breach professional boundaries.

Professional Boundaries

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

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

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

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

- Would I modify my behaviour if a colleague was present?
- How would I feel about explaining my actions at a Staff Meeting?
- Am I sharing information for the student's benefit, or for my benefit?
- Am I dealing with this student differently from others in similar circumstances?
- Is my language or demeanour different from normal when dealing with this particular student?

Intimate Relationships

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

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

The professional relationship of staff and students may be breached by:

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

Relationships with Former Students

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

For registered teachers, it is a breach of the VIT Code of Conduct for a teacher to have a sexualised relationship with a former student:

- within two years of the learner completing their senior secondary schooling or equivalent; and
- in all circumstances, the former student must be at least 18 years old before a relationship commences.

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

The School will investigate any complaint that a staff member has abused their position and acted unprofessionally by engaging in a relationship with a former student. In considering whether there has been a breach of professional boundaries, the School may take the following factors into account:

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

By ensuring that their relationships with students do not breach Staff and Student Professional Boundaries, a staff member who subsequently forms a relationship with a former student will be less likely to be considered to have breached professional boundaries in relation to that former student, provided that the former student is at least 18 years old and at least two years have passed between the time when the former student concluded their senior secondary schooling and the commencement of the relationship.

Personal Relationships

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

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

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

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

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

Fair Learning Opportunities

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

Teachers should demonstrate their commitment to student learning by:

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

Electronic Communications between Staff and Students

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

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

Physical Contact with Students

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

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

Off-Campus Excursions and Camps

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

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

Managing Conflicts of Interest

Where personal relationships with students such as family relationships and close friendship networks exist, questions of conflict of interest may arise. In these circumstances, staff need to be diligent in developing and maintaining these boundaries.

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

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

Disclosure of Staff/Student Interactions

It is Good Shepherd Lutheran Primary School's policy that all staff are encouraged to declare any significant interactions with students outside of school hours using the [Student Interaction Declaration Form](#). These interactions may include instances where the staff member is:

- related to the student
- friends with the student's parents or family
- given parental consent to interact with the student for academic purposes outside of school hours and has notified the School
- a sports coach or music tutor of students

Good Shepherd Lutheran Primary School maintains records of all declarations made by Staff related to their interactions with students, or relationships with students, that exist outside of school hours or School premises. These records are made available to the parents/carers of a student on request.

These records are kept in accordance with our Child Safety Record Keeping Policy.

Staff Responsibilities

All Staff must:

- follow the guidelines as set out in this policy
- immediately report any conflicts of interest
- remove themselves from decision making where a conflict has been identified.

Consequences for Breaching the Staff and Student Professional Boundaries Policy

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

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

Implementation

These guidelines are implemented through a combination of:

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

Report Any Concerns

Staff

It is the School's policy that any breach of this Professional Boundaries Policy is a child safety incident. Therefore, all Staff, Direct Contact and Regular Volunteers, and Direct Contact and Regular Contractors who witness, or suspect, any breach of professional boundaries must report their concern internally and, if required, also externally.

The School's Child Safety Program includes information for Staff, Volunteers and Contractors about how to identify key indicators of child abuse or other harm and how to report child safety incidents or concerns internally. It also contains detailed procedures with respect to the reporting of child safety incidents or concerns to relevant authorities. For more information, refer to our procedures for **Responding to Child Safety Incidents and Reporting.**

Students

The School provides students with information and encourages them to use multiple pathways to raise child safety incidents or concerns, including breaches of Staff and Student Professional Boundaries. These include informal and formal ways, an 'anonymous' way, and through external child advocacy or child safety organisations.

Parents/Carers, Family Members or Other Community Members

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

- the School's Senior Child Safe Officer, Jacinta Fry, by phoning 9726 2900 or by emailing jacinta.fry@gslps.vic.edu.au, or
- the Principal, or
- if the concern relates to the Principal, the Chair of Board.

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

Whenever there are concerns that a child is in immediate danger, the Police should be contacted on 000.

Review

This policy will be reviewed at least every two years, or as required by legislation.

Approval

Created date	1 July 2022
Endorsed by	Good Shepherd Lutheran Primary School Board
Endorsed on	21 July 2022
Next review date	1 July 2024