



CPS03 STAFF AND LEARNER PROFESSIONAL BOUNDARIES

RATIONALE	The responsibility of leadership at Trinity Lutheran College is to care for professional boundaries through the establishment of structures that protect them. Structures provide support, examination, and action to ensure that school leaders, staff and learners (all students at the college) act according to boundaries that help, protect and uphold the dignity, worth and safety of each individual.
SCOPE	This policy applies to all College employees, Board Directors, volunteers, third party contractors and external education providers (together, known as "staff" for the purposes of this policy only).
RESPONSIBILITY	The College Board through the Principal has overall responsibility for this policy.
DEFINITIONS	<p>Child abuse: includes any act committed against a child involving sexual offences or grooming; the infliction on a child of physical violence, serious emotional or psychological harm; serious neglect of a child and a child’s exposure to family violence.</p> <p>School environment: means any physical or virtual place made available or authorised by the school for use by a child during or outside school hours including the College campus, online environments such as internet and email systems, other locations provided by the College for a child’s use including, without limitation, locations used for school camps, sporting events, excursions, competitions, remote learning and other events.</p>
POLICY	<p>1. Introduction</p> <p>1.1. Trinity Lutheran College staff hold a unique position of influence, authority, trust and power in relation to students at the College. As such, it is their duty, at all times, to maintain professional boundaries with learners. The following policy and guidelines are designed to raise awareness of situations where professional boundary violations may occur and some strategies to minimise the risk of boundary violations.</p> <p>1.2. Trinity Lutheran College is committed to providing a safe physical and emotional environment where all of our learners are respected and treated with dignity in an appropriate professional and caring manner where the risk of child abuse is minimised and a safe, supportive child safe environment is maintained.</p> <p>1.3. The practicing of protective behaviours at all times will also reduce the possibility of vexatious claims being brought against staff.</p> <p>1.4. It is expected that:</p> <p>1.4.1. staff exercise their responsibilities in a way that recognises professional boundaries with regard to their relationships with learners at all times;</p> <p>1.4.2. staff identify, discourage and reject any advances of a sexual nature initiated by a learner;</p> <p>1.4.3. staff interaction with learners is professional at all times, including inside and outside of school hours;</p> <p>1.4.4. conflict of interest issues must be reported to the Principal as soon as practicable;</p> <p>1.4.5. equal learning opportunities are given to each learner without discrimination.</p> <p>2. What are Professional Boundaries?</p> <p>2.1. Professional boundaries are parameters that describe the limits of a relationship in circumstances where one person (a learner) entrusts their</p>



welfare and safety to another person (a staff member), in circumstances where a power imbalance exists.

- 2.2. The fact that College staff are in a unique position of trust, care, authority and influence with learners 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.
- 2.3. In most cases this power imbalance is clear, however sometimes it may be more difficult to recognise especially for younger staff members who may only be a few years older than their learners.
- 2.4. The following guidelines are not exhaustive and given that sometimes “grey areas” may occur, it is expected that all staff (no matter their age or experience) use their own good judgment, think very carefully of the implications and potential consequences of engaging in certain behaviours with learners, and always err on the side of caution.
- 2.5. When unsure about whether professional boundaries are being, or have been, breached, ask yourself:
 - 2.5.1. Would I modify my behaviour if a colleague was present?
 - 2.5.2. How would I feel about explaining my actions to my Leadership team?
 - 2.5.3. Am I sharing information for the learner's benefit, or for my benefit?
 - 2.5.4. Am I dealing with this learner differently from others in similar circumstances?
 - 2.5.5. Is my language or demeanour different from normal when dealing with this particular learner?

3. Intimate Relationships

- 3.1. Staff must not initiate or develop a relationship with any learner that is or can be misinterpreted as having a romantic or sexual, rather than professional basis.
- 3.2. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents/carers.
- 3.3. Such relationships have a negative impact on the teaching and learning of learners and colleagues and may carry a serious reputational risk for the staff member and, in turn, the College.
- 3.4. The professional relationship of staff and learners may be breached by:
 - 3.4.1. Flirtatious behaviour or dating
 - 3.4.2. Development of an intimate personal relationship
 - 3.4.3. Sexual relations
 - 3.4.4. The use of sexual innuendo, inappropriate language and/or material with learners
 - 3.4.5. Unwarranted and inappropriate touching
 - 3.4.6. Unwarranted and inappropriate filming or photography
 - 3.4.7. Deliberate exposure to sexual behaviour of others (e.g. pornography)
 - 3.4.8. Having intimate contact without a valid context via written or electronic means (e.g. email, letters, telephone, text messages, social media platforms or chatrooms)
 - 3.4.9. Going out, whether alone or in company, to social events such as the movies or dinner
 - 3.4.10. Exchanging gifts of a personal nature that encourages the formation of an intimate relationship.
- 3.5. Staff should also be aware that developing or encouraging romantic or sexual relationships with recent former learners (over 18 years of age) may violate professional boundaries and are strongly discouraged from doing so.
- 3.6. The imbalance of power and authority that exists in the staff/learner relationship does not suddenly disappear after the learner finishes their schooling. Staff should not assume that they will be protected from



disciplinary action by claiming that a relationship began only after the learner left the College as there may be a reasonable belief that the emotional intimacy of the relationship developed while the staff/learner relationship existed.

4. Personal Relationships

- 4.1. Staff must not initiate or develop a relationship with any learner 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.
- 4.2. It is the learner's perception of staff behaviour and not the intention of the staff member that is important.
- 4.3. An established and expected professional relationship between staff and learners may be compromised by staff:
 - 4.3.1. Attending parties or socialising with learners outside of organised College events (without parental/carer permission)
 - 4.3.2. Sharing personal details about their private lives with learner
 - 4.3.3. Meeting with learners outside of school hours without permission from the College.
- 4.4. Staff must recognise at all times that their role is not to be a "friend" or "parent" to a learner.

5. Fair Learning Opportunities

- 5.1. The main focus of teaching is effective student learning and as such, teachers are expected to support their learners with their professional expertise so as to offer them the best education in their individual circumstances.
- 5.2. The quality of teaching and learning between teachers and learners characterises their relationship.
- 5.3. Teachers should demonstrate their commitment to student learning by:
 - 5.3.1. Maintaining a safe and challenging learning environment that promotes mutual respect
 - 5.3.2. Recognising and developing each student's abilities, skills and talents by catering to their individual abilities and respecting their individual difference
 - 5.3.3. Encouraging students to develop and reflect on their own values interacting with students without bias
 - 5.3.4. Not engaging in preferential treatment
 - 5.3.5. Not discriminating against any student on the basis of race, sex, sexuality, disability or religious or political conviction
 - 5.3.6. Always making decisions in students' best interests.

6. Electronic Communications Between Staff and Learners

- 6.3. It is expected that all staff at the College will adhere to the following guidelines:
 - 6.3.1. All use of technology should be for educational purposes or for the organisation of co-curricular activities.
 - 6.3.2. All electronic communication between staff and learners should be via the college email system or LMS/SMS system and reflect a professional staff/learner relationship.
 - 6.3.3. Staff should not communicate with learners via text message or social media platforms where it is not in a professional context.
 - 6.3.4. Staff should not give out their personal telephone numbers or social media contact details.



- 6.3.5 Staff are not to accept or request learners as 'friends' on social media or otherwise use social media to communicate in any way that is not condoned or approved by the college.
- 6.3.6 Staff should not exchange personal pictures with a learner.
- 6.3.7 Staff are not expected or encouraged to respond to concerns of parents/carers or learners on holidays, weekends or in the evening.
- 6.3.8 Any personal contact numbers or other personal contact details of learners made available to the college should only be used for college communications.

7 Physical Contact with Learners

- 7.3 All staff should be aware that situations may arise that can be perceived in a manner that was not intended.
- 7.4 For this reason, all staff at the College should adhere to the following guidelines for contact with learners both in and outside of College grounds:
 - 7.4.1 Staff should avoid unnecessary physical contact with learners.
 - 7.4.2 Minimal, non-lingering, non-gratuitous physical contact in the context of the situation is acceptable (e.g. congratulatory pat on the back or handshake).
 - 7.4.3 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 learner. Note that a learner 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 can be or should be made.

8 Off-Campus Excursions and Camps

- 8.3 During off-campus excursions or camps, the same physical contact guidelines apply as well as the following:
 - 8.3.1 Checking of sleeping arrangements, or supervising of learners changing should be done, where possible, with another staff member present and always in a manner that respects learners' privacy and personal space.
 - 8.3.2 Always knock and advise of presence prior to entering a bedroom or dormitory.
 - 8.3.3 Ensure that while in a bedroom or dormitory a strict staff/learner relationship is upheld and that inappropriate behaviour, such as sitting on a student's bed, is not undertaken.

9 Managing Conflicts of Interest

- 9.3 Where personal relationships with learners such as family relationships and close friendship networks exist, questions of conflicts of interest may arise. This may be more prevalent in close or rural communities where professional boundaries may be tested due to the nature and size of the community. In these circumstances, staff need to be far more diligent in developing and maintaining these boundaries.
- 9.4 Where a staff member feels that a conflict of interest may exist, they should notify the Principal, or the Chair of the College Board if the conflict involves the Principal, and arrangements should be implemented to avoid the conflict situation if possible. For example, teaching of learners by a staff member with a conflict should be avoided.
- 9.5 Any significant decisions relating to these learners in the College (such as the appointment of classes or selection in sports teams) should be referred



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	to another staff member and endorsed by a supervisor.
10 Disclosure of Staff/Learners Interactions	10.3 All staff are encouraged to declare any interactions with learners outside school hours. These interactions may include instances where the staff member is: <ul style="list-style-type: none">10.3.1 related to the learner;10.3.2 friends with the learner's parents or family;10.3.3 given parental consent to interact with the learner for academic purposes outside of school hours and has notified the college;10.3.4 Trinity Lutheran College maintains records of all declarations made by staff members related to their interactions with learners, or relationships with learners, that exist outside of school hours or College premises;10.3.5 These records are kept for a period of seven years.
PROTOCOLS	<ol style="list-style-type: none">1. It is expected that all staff:<ol style="list-style-type: none">1.1. Follow the guidelines as set out in this policy.1.2. Immediately report any conflicts of interest.1.3. Remove themselves from decision making where a conflict has been identified.1.4. Participate in education and development programs as offered by the College.2. Where a staff member breaches this policy Trinity Lutheran College may take disciplinary action, including in the case of serious breaches, summary dismissal.
BREACH OF POLICY	Where a staff member breaches the Policy, Trinity may take disciplinary action, including in the case of serious breaches summary dismissal. In some cases outside agencies and or the Police may need to be informed.
FURTHER INFORMATION	<ol style="list-style-type: none">1. Information for the College community on the College's Child Safe Program and policies can be found on the College website.2. Detailed information and training for College employees and College Board members is offered annually, both in face-to-face sessions and via online training modules.
ASSOCIATED DOCUMENTS & RELATED POLICIES	<ul style="list-style-type: none">• Mandatory Reporting Procedure Flow Chart: (Found in Associated Documents) (https://www2.education.vic.gov.au/pal/protecting-children/policy?Redirect=1)• Child Safety Officer Poster• Ministerial Order 1359 (1 July 2022) Victoria• VRQA Minimum Standards 2022• POL4.7 BYOD Code of Conduct & Agreement Form• POL1.8 Student Code of Conduct• POL1.9 Parent Code of Conduct• POL2.2 Code of Conduct_Staff

RECORD OF APPROVAL

Presented for approval by *Eloise Beveridge (Principal)*



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