



Child Safety Code of Conduct

1. Object

- 1.1 Part 3.6.1 of the *Registered and Accredited Individual Non-Government Schools (NSW) Manual* requires Newington College to have in place policies and procedures to ensure that it meets its legislative obligations in relation to child protection.
- 1.2 The College is a child safe organisation. This Code of Conduct forms part of the College's child safe practices and implements the Child Safe Standards.
- 1.3 This Code of Conduct lists behaviours that are acceptable and those that are unacceptable. It provides a high-level statement of professional boundaries, ethical behaviour and acceptable and unacceptable relationships. For more detailed guidance refer to the College's **Professional Boundaries Policy**.
- 1.4 When individuals are clear about behavioural expectations, they are much more likely to act appropriately with each other, and with children and young people.
- 1.5 When everyone is educated about this Code of Conduct and the reasons it is so important to uphold, the College environment becomes much more transparent and people are accountable for their behaviour.
- 1.6 Above all, this Code of Conduct helps to protect children and young people from harm.

2. Application

This Code of Conduct applies to the College and its Council members, staff, volunteers, third party contractors, external education providers, student teachers and students, for the welfare and benefit of students.

3. Definitions

- 3.1 In this Code of Conduct:

Child Protection Investigator

means:

- the Deputy Headmaster;
- a Head of Campus;
- the Deputy Head of Stanmore (Students); or
- a College Psychologist.

Child Safe Standards

means the NSW Child Safe Standards prescribed in the *Children's Guardian Act 2019* (NSW).

College

means Newington College, as represented by the authorised delegates of the



Council.

Council means the Council of Newington College, established by section 1 of the *Newington College Council Act 1922*.

Council member means a member of the Council, elected in accordance with section 9 of the *Newington College Council Act 1922*.

direct contact third party contractor means third party contractors who:

- have direct contact with students during the normal course of their work; or
- are in a position to establish a relationship of trust with a student, notwithstanding that access to a student would be rare (e.g. full-time maintenance personnel); and
- any contractors whom the College is legally required to screen.

This includes music teachers and other extra-curricular teachers and instructors who are engaged by students and their families directly, but have an agreement with the College to use the College's facilities.

direct contact volunteer means volunteers who are involved in providing support and guidance directly to students during the normal course of the volunteer service. (e.g. volunteers involved in College camps or excursions, coaching sporting teams or assisting in learning activities.)

employee means:

- Council members;
- the Headmaster;
- staff, whether or not employed in connection with any work activities of the College that relate to children; or
- any individual engaged by the College to provide services to children, including volunteers, third party contractors, external education providers and student teachers.

external education provider means any organisation or person that the College has engaged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at the College. The delivery of such a course may take place on College premises or elsewhere.

Head of Campus means the Deputy, Head of Lindfield Preparatory School or the Deputy, Head of Wyvern House Preparatory School, as appropriate.

indirect contact third party contractor means contractors who have no contact with students as part of their role, or undertake roles where students are not reasonably expected to be present (e.g. contractors who complete work during school holidays.)

indirect contact volunteer	means volunteers who are: <ul style="list-style-type: none"> involved in providing support and services, whilst not directly assisting a specific group of students; and not responsible for supervising students. (e.g. volunteers who assist with College functions, the College canteen and fundraising or sporting event barbeques.)
parent	means one or more parents, guardians or carers of a student enrolled at the College.
reportable conduct	has the meaning given in clause 5 of the College's Reportable Conduct Procedures .
staff or staff member	means the College's permanent, temporary and casual teaching and non-teaching staff.
student teacher	means a person who is undertaking a teaching placement at the College as part of their tertiary education, and who teaches under the supervision of a teacher.
teacher or teaching staff	means permanent, temporary and casual staff with teaching commitments.
third party contractor	means direct contact third party contractors and indirect contact third party contractors.
volunteer	means direct contact volunteers and indirect contact volunteers.

3.2 A reference in this Code of Conduct to a code of conduct, policy or procedures is a reference to the code of conduct, policy or procedures as amended or replaced by the College from time to time.

4. Required behaviour

4.1 All Council members, staff, volunteers, third party contractors, external education providers and student teachers must, as relevant:

- (a) uphold the College's **Statement of Commitment to Child Safety** at all times;
- (b) behave as a positive role model to students;
- (c) promote the safety, welfare and wellbeing of students;
- (d) be vigilant and proactive with regard to student safety and child protection issues;
- (e) provide age-appropriate supervision for students;
- (f) comply with the College's **Professional Boundaries Policy**;
- (g) treat all students with respect;
- (h) promote the safety, participation and empowerment of students with a disability;
- (i) promote the cultural safety, participation and empowerment of linguistically and culturally diverse students;

- (j) use positive and affirming language towards students;
- (k) encourage students to 'have a say', listen to them with respect, and consider their views;
- (l) respect cultural, religious and political differences;
- (m) help provide an open, safe and supportive environment for all students to interact and socialise;
- (n) intervene when students are engaging in inappropriate bullying behaviour towards others or acting in a humiliating or vilifying way;
- (o) report any breaches of this Code of Conduct;
- (p) report concerns about child safety to one of the Child Protection Investigators and ensure that their legal obligations to report allegations externally are met;
- (q) where an allegation of child abuse is made, ensure as quickly as possible that the student involved is safe;
- (r) call the Police on 000 if they have immediate concerns for a student's safety; and
- (s) respect the privacy of students and their families and only disclose information to people who have a need to know.

5. Prohibited behaviour

5.1 Council members, staff, volunteers, third party contractors, external education providers and student teachers must not:

- (a) engage in any form of inappropriate behaviour towards students or expose students to such behaviour;
- (b) use prejudice, oppressive behaviour or inappropriate language with students;
- (c) express personal views on cultures, race or sexuality in the presence of students or discriminate against any student based on culture, race, ethnicity or disability;
- (d) engage in open discussions of an adult nature in the presence of students;
- (e) engage in any form of sexual conduct with a student including making sexually suggestive comments and sharing sexually suggestive material;
- (f) engage in inappropriate or unnecessary physical contact or behaviours including doing things of a personal nature that a student can do for themselves, such as toileting or changing clothes;
- (g) engage in any form of physical violence towards a student including inappropriately rough physical play;
- (h) use physical means or corporal punishment to discipline or control a student;
- (i) engage in any form of behaviour that has the potential to cause a student serious emotional or psychological harm;
- (j) develop 'special' relationships with students that could be seen as favouritism (e.g. the offering of gifts or special treatment for specific students);
- (k) engage in undisclosed private meetings with a student who is not their own child;
- (l) engage in inappropriate personal communications with a student through any medium, including

- any online contact or interactions with a student;
- (m) take or publish (including online) photos, movies or recordings of a student without parents' consent;
- (n) post online any information about a student that may identify them, such as their: full name, age, email address, telephone number, residence, school, or details of a club or group they may attend; or
- (o) ignore or disregard any suspected or disclosed child abuse.

Note: The College's **Professional Boundaries Policy** provides detailed guidance for all Council members, staff, volunteers, third party contractors, external education providers and student teachers on how to maintain professional boundaries between students and adults at the College.

6. Council members' responsibilities

6.1 Council members must:

- (a) acquire and keep up-to-date knowledge of child protection matters;
- (b) have an understanding of the nature of the College's operations and the child protection risks associated with these operations;
- (c) ensure that the College has appropriate resources to effectively implement its **Statement of Commitment to Child Safety**;
- (d) ensure that the College has appropriate processes for receiving and considering information regarding child protection issues and is able to respond in a timely way to that information; and
- (e) ensure that the College has and implements processes to ensure that the College is complying with its legal and regulatory obligations with respect to child protection.

7. Headmaster's responsibilities

7.1 The Council has delegated day-to-day management of the College to the Headmaster.

7.2 The Headmaster, in his capacity as head of the child safe organisation (the College), is ultimately responsible, and will be accountable to the Council, for taking all reasonable measures to ensure that:

- (a) the College implements the Child Safe Standards;
- (b) the College's **Statement of Commitment to Child Safety, Professional Boundaries Policy** and related procedures are implemented effectively with available resources effectively deployed;
- (c) appropriate Child Protection Investigators are appointed and trained;
- (d) a strong and sustainable child protection culture is maintained within the College;
- (e) staff who have direct contact with students are informed annually of their legal responsibilities in relation to child protection and other relevant expectations;
- (f) staff are informed annually of the requirement to notify and investigate allegations of reportable conduct in compliance with the College's **Reportable Conduct Procedures**;

- (g) all persons engaged in child-related work have a current Working with Children Check (WWC) clearance and number;
- (h) evidence of WWC clearances is maintained for all persons working in child-related employment at the College;
- (i) the College responds to reportable matters in accordance with the College's **Reportable Conduct Procedures** and its legislative requirements;
- (j) any child protection incidents arising are dealt with professionally and in a timely manner;
- (k) all staff who are mandatory reporters under the *Children and Young Persons (Care and Protection) Act 1998* are informed annually of their obligations and the College's **Child Protection Incidents Procedures**;
- (l) the Council receives regular reports with respect to child protection matters; and
- (m) the College is complying with its legal and regulatory obligations with respect to child protection.

8. Child Protection Investigators' responsibilities

8.1 A number of senior staff are nominated as the College's Child Protection Investigators. The names, positions and contact details for the Child Protection Investigators are available on request.

8.2 Key responsibilities for the Child Protection Investigators include:

- (a) having a good working knowledge of the College's child protection policies and procedures;
- (b) being a point of contact for staff, or other members of the College community, to raise child protection concerns within the College;
- (c) communicating the College's child protection policies and procedures to all stakeholders including students, parents, staff and volunteers;
- (d) ensuring that the College's **Statement of Commitment to Child Safety** and child protection policies and procedures are being implemented effectively;
- (e) ensuring that all staff, Council members and direct contact volunteers undertake child protection training so that they are able to identify signs of abuse, neglect or grooming, and understand how to respond and when to make a referral either internally or to an external agency;
- (f) inducting and managing the training of new staff, Council members and direct contact volunteers in the College's child protection policies and procedures, including the College's **Child Protection Incidents Procedures**;
- (g) providing all staff, third party contractors, external education providers and volunteers with a copy of the College's **Statement of Commitment to Child Safety**;
- (h) where approval is given by the Headmaster, promptly managing the College's response to an allegation, disclosure or suspicion of abuse, neglect or grooming with the assistance of the Headmaster and senior staff, and ensuring that the disclosure is taken seriously;
- (i) offering assistance and support when a member of the College community receives or makes a disclosure of abuse, neglect or grooming;
- (j) organising external support to assist parties following a disclosure or suspicion of abuse, neglect or grooming; and

- (k) developing processes for minor corrective issues that don't need to be reported to an outside authority.

8.3 If a Child Protection Investigator cannot perform their role, for example, due to conflicts of interest or absence, these duties must be performed by another Child Protection Investigator, or the Headmaster or the Deputy Headmaster.

8.4 The Headmaster has appointed the Deputy Headmaster as the College's Senior Child Protection Investigator. The key responsibilities of the Senior Child Protection Investigator include:

- (a) being the first point of contact for all child protection concerns or queries for the wider community;
- (b) ensuring that other Child Protection Investigators understand and comply with their key responsibilities;
- (c) ensuring that all Child Protection Investigators undergo appropriate training in the College's child protection policies and procedures, their legal responsibilities, and how to appropriately respond to child protection concerns and incidents;
- (d) coordinating the College's response to child protection incidents in consultation with the Headmaster and the Council;
- (e) reviewing and assessing the College's child protection policies and procedures, including the College's **Child Protection Incidents Procedures**; and
- (f) ensuring that the College's child protection policies and procedures are implemented effectively and communicated to all relevant stakeholders.

9. Staff and student teacher responsibilities

9.1 All staff and student teachers are required to comply with the College's:

- (a) **Statement of Commitment to Child Safety**;
- (b) **Reportable Conduct Procedures**;
- (c) **Professional Boundaries Policy**; and
- (d) **Child Protection Incidents Procedures**.

9.2 It is each individual's responsibility to be aware of key risk indicators of child abuse, neglect and grooming, to be observant, and to raise any concerns they may have relating to child abuse, neglect or grooming with one of the Child Protection Investigators and/or with external agencies where required by legislation.

10. Direct contact volunteers' responsibilities

10.1 All direct contact volunteers are required to adhere to the College's **Statement of Commitment to Child Safety** and its child protection policies and procedures. They must also be aware that they too have legal obligations with respect to the reporting of child abuse, neglect or grooming behaviours under the NSW Reportable Conduct Scheme.

10.2 It is each individual's responsibility to be aware of key risk indicators of abuse, neglect and grooming, to be observant and to raise any concerns they may have relating to child protection with one of the Child Protection Investigators and/or with external agencies where required by legislation.

11. Indirect contact volunteers' responsibilities

- 11.1 All indirect contact volunteers are responsible for contributing to the safety and protection of children and young people in College environments. Indirect contact volunteers also have legal obligations with respect to the reporting of abuse, neglect or grooming behaviours under the NSW Reportable Conduct Scheme.
- 11.2 All Indirect Contact Volunteers are required by the College to adhere to the College's **Statement of Commitment to Child Safety** and **Child Safety Code of Conduct**.

12. Third party contractors' responsibilities

- 12.1 All third party contractors are responsible for contributing to the safety and protection of children and young people in the College environment.
- 12.2 All third party contractors engaged by the College are required by the College to adhere to the College's **Statement of Commitment to Child Safety**.
- 12.3 Where third party contractors are engaged at short notice, making it impractical to undertake normal screening or briefing sessions, the College will take reasonable steps to ensure the protection of children and young people at the College while the work is being completed.
- 12.4 The College may include this requirement in the written agreement between it and the third party contractor.

13. External education providers' responsibilities

- 13.1 All external education providers engaged by the College are responsible for contributing to the safety and protection of children and young people in the College environment.
- 13.2 All external education providers engaged by the College are required by the College to adhere to the College's **Statement of Commitment to Child Safety** and **Child Safety Code of Conduct**, and are required to have appropriate child protection policies and procedures within their organisation.
- 13.3 The College may include this requirement in the written agreement between it and the external education provider.

14. Disciplinary procedures

- 14.1 Where a staff member breaches this Code of Conduct, the Headmaster may take disciplinary action, including in the case of serious breaches, dismissal.
- 14.2 Where a Council member breaches any obligation, duty or responsibility within this Code of Conduct, the Council will take appropriate action.
- 14.3 Where any other member of the College community breaches any obligation, duty or responsibility within this Code of Conduct, the College will take appropriate action.

15. Reporting child protection concerns and reportable conduct

- 15.1 All breaches and suspected breaches of this Code of Conduct must be reported to the Headmaster or a Child Protection Investigator.
- 15.2 Council members, staff, volunteers, third party contractors, external education providers and student teachers must:
- (a) comply with the College's **Reportable Conduct Procedures**; and

- (b) as soon as possible after becoming aware of it, report any recent or historical reportable conduct by a current or former employee to the Headmaster or, if the employee to whom the matter relates is the current Headmaster, to the Office of the Children’s Guardian and the Chair of the Council, on a confidential basis.

- 15.3 The College’s **Child Protection Incidents Procedures** include information for Council members, staff, volunteers, third party contractors, external education providers and student teachers on how to identify key risk indicators of child abuse and how to report child abuse concerns to one of the Child Protection Investigators. They also contain information on reporting child abuse incidents to relevant authorities.
- 15.4 Staff, volunteers, third party contractors, external education providers and student teachers who have concerns that a child or young person may be subject to abuse are required to comply with the College’s **Child Protection Incidents Procedures**.
- 15.5 Students, parents and other College community members who have concerns that a child or young person may be subject to abuse are encouraged to contact one of the Child Protection Investigators.
- 15.6 Communications will be treated confidentially on a 'need to know basis'.
- 15.7 Whenever there are immediate concerns for a student’s safety the Police should be called on 000.

Notes

Child Safety Code of Conduct

- Date approved: 25 March 2020
- Date commenced: 20 January 2021
- Date amended: 25 February 2021
- 1 December 2022 (non-substantive amendments)

- Related documents: [Boarder Child Protection Policy](#)
- [Boarding Professional Boundaries Policy](#)
- [Child Protection Incidents Procedures](#)
- [National Redress Scheme Policy](#)
- [Professional Boundaries Policy](#)
- [Reportable Conduct Procedures](#)
- [Statement of Commitment to Child Safety](#)
- [Guiding Principles for Responding to Civil Claims involving Allegations of Child Sexual Abuse](#)