

# Appropriate Relationships Policy 2016

## **Aims**

- A. To create a safe and secure environment for students, staff and families.
- B. To provide guidelines for staff in defining appropriate relationships.

## **Scope and Application**

This policy is available on the school website and is supplied to teachers during their induction. It applies to:

- A. Employees
- B. Students
- C. Parents
- D. Community members
- E. Visitors to the school

## **Definitions**

- A. **‘Child’** - a person who is under the age of 18 years. Young people aged 18 and over are considered to be adults and are not covered by this legislation. However, schools still owe a duty of care to all students at the school.
- B. **Staff** – a person who works with or on behalf of children and families at the school
- C. **Teacher** - a person who is registered under the Western Australian Teacher Registration Act (2012)
- D. **Colleague** – includes employers and those with whom you work directly or more broadly (Code of Ethics – Early Childhood Australia).
- E. **Families/Parents** – the people who have significant care responsibilities for and/or kinship relationships with a child (Code of Ethics – Early Childhood Australia).
- F. **Community** – Members of the Kerry Street Community School Incorporated Association.
- G. **KSCS Staff Code of Conduct** – is an agreement between Staff and Management that defines the core aspirational values of the profession and provides guidance for what is considered professional behavior at Kerry Street Community School.
- H. **Professional Boundaries** - Teachers are in a unique position of trust, care, authority and influence with their students, which means that there is always an inherent power imbalance between teachers and students. Professional boundaries are breached when a teacher misuses the power imbalance in the teacher-student relationship such that the student’s welfare is compromised. (Professional Boundaries – A Guide for Queensland Teachers, 2016).

**I. Mandatory Reporter** - In Western Australia, the mandatory reporters of child sexual abuse are the following professions in both the government and non-government sectors:

- doctors
- nurses
- midwives
- teachers
- police officers

Teacher assistants, school chaplains and school psychologists are examples of people who work with children in schools that **are not** mandated reporters.

**J. Grooming** - The process by which a person prepares a child, significant adults and the environment for the abuse of a child. It does not necessarily involve any sexual activity or even discussion of sexual activity. It may only involve establishing a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time.

**K. Child Abuse and Neglect** - Maltreatment of a person under the age of 18 years. It is the result of action or inaction on the part of a person who has responsibility to care for a child resulting in harm or injury to the child. The harm may include delayed physical and/or intellectual development. The maltreatment experienced is normally described in five categories as listed below. Indicators for each of the 5 categories are described in the Child Protection Policy.

1. Physical
2. Sexual
3. Emotional
4. Psychological
5. Neglect

## Principles

- A. The physical and emotional wellbeing of students will be safeguarded at all times.
- B. Teachers owe a high duty of care to their students above all else.
- C. We believe that being safe and supported at school is essential for student learning.
- D. We recognize the importance of building strong relationships.
- E. We believe in the importance of touch.
- F. We provide clear guidelines for our staff on all professional boundaries.
- G. An age appropriate Protective Behaviours curriculum is taught to all children.
- H. We encourage the active participation of all school community members in developing and maintaining a safe school community.

## Responsibilities

### A. Council

1. Writing and updating this policy in consultation with relevant parties.
2. Oversee the process of investigations

3. Ensure that reports to authorities have occurred if investigation deems Mandatory report necessary
4. Ensuring the Coordinator has implemented the Protective Behaviours Curriculum

#### **B. Coordinator**

1. To comply with the guidelines of this policy.
2. Ensuring that all employees have completed their induction including Staff Code of Conduct documentation.
3. Performance Appraisal and Performance Management of staff to ensure conduct is in line with this policy.
4. Regular reference to and discussion of the boundaries of this policy and the attached guidelines for appropriate relationships with staff.
5. To educate and promote the processes for reporting suspected breaches of professional boundaries or an inappropriate staff/student relationship.
6. To investigate and follow up any reports of incidents or situations resulting in breaches to children's safety.
7. To follow the guidelines set out in the Related Kerry Street Documentation.
8. To notify DES, Council President and the Teachers Registration Board of WA if serious misconduct of a teacher occurs or the teacher is suspended.
9. Make mandatory report in line with Child Protection Policy Guidelines if required.
10. Ensure confidentiality of the student/s and the reporter.
11. Overseeing the implementation of the Protective Behaviours Curriculum.

#### **C. Teachers**

1. To teach the Protective Behaviours curriculum.
2. To ensure that all interactions with others comply with the guidelines outlined in this and all other related Kerry Street Policies.
3. Report any suspected incidences of Inappropriate Relationships as outlined in this policy to the Coordinator via the methods outlined in Attachment C.
4. Mandatory reporting of incidents as outlined by the Child Protection policy.
5. Seek authorization from the Coordinator or delegate for foreseeable instances where there is a one to one ratio of adult/child.
6. Maintain a record of any instance in which the boundary guidelines could not be followed due to exceptional circumstance.

#### **D. Adult members of school community**

1. Report any suspected incidences of inappropriate relations boundary violations as outlined in this policy to the Coordinator via the methods outlined in Attachment C.

#### **E. Students**

1. Report any suspected incidences of inappropriate relations boundary violations as outlined in this policy to the Coordinator, their class teacher or their parents.

## **Related Legislation**

- A. Children and Community Services Act 2004
- B. Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008
- C. Criminal Code Act (1913)
- D. Criminal Code Amendment (Cyber Predators) Act 2006 (changes to s204B of The Criminal Code)
- E. Working with Children (Criminal Record Checking) Act 2004
- F. The *Criminal Code Amendment (Cyber Predators) Act 2006* is the legislation in Western Australia that protects children under the age of 16, or that the offender believes is under the age of 16, from an adult who uses electronic communications with the intent to procure the child to engage in sexual activity; or to expose the child to any indecent matter.

## **Related Kerry Street Documentation**

- A. Policies including:
  1. Duty of Care Policy
  2. Hiring Policy
  3. Employment and Dismissal of Staff Policy.
  4. Volunteers Policy
  5. Complaints Policy and Procedures
  6. Bullying Policy
  7. Behaviour Guidance Policy
  8. Excursions Policy
  9. Camps Policy
  10. Supervision Policy
  11. Staff Code of Conduct

## **References**

- A. [Professional Boundaries: A Guideline for Queensland Teachers](#)
- B. [Protective Practices for Staff in their Interactions with Children and Young People.](#)
- C. [National Safe Schools Framework](#)

## **Contact Person**

Enquires relating to this policy should be directed to the School Coordinator or Council President.

## Breaches of this Policy

**Any breach of this policy may result in disciplinary action up to and including termination.**

<b>It is always a boundary violation to be in a 1:1 situation alone in a room with the door closed</b>	
<b>Boundary</b>	<b>Example of Violation</b>
Communication	<ul style="list-style-type: none"> <li>• Inappropriate comments about a child/young person's appearance, including excessive flattering comments</li> <li>• Inappropriate conversation or enquiries of a sexual nature (eg questions about a child or young person's sexuality or his/her sexual relationship with others)</li> <li>• Refusing to stop discussions of a personal/sexual nature when asked by the student.</li> <li>• Disrespectful or discriminatory treatment of, or manner towards, young people based on their perceived or actual sexual orientation</li> <li>• Use of inappropriate pet names</li> <li>• Vilification or humiliation</li> <li>• Jokes or innuendo of a sexual nature</li> <li>• Obscene gestures and language</li> <li>• Facilitating/permitting access to pornographic material</li> <li>• Facilitating/permitting access to sexually explicit material that is not part of endorsed curriculum</li> <li>• Social interaction with students through Social Networking and electronic media including: Facebook, Instagram, Snapchat, MSN etc.</li> <li>• Failing to intervene in sexual harassment of children and young people</li> <li>• Correspondence of a personal nature via any medium (eg phone, text message, letters, email, internet postings) that is unrelated to the staff member's role. This does not include class cards/bereavement cards etc</li> </ul>
Personal disclosure	<ul style="list-style-type: none"> <li>• Discussing personal lifestyle details of self, other staff or children and young people unless directly relevant to the learning topic and with the individual's consent.</li> </ul>
Physical contact	<ul style="list-style-type: none"> <li>• Unwarranted or unwanted touching of a child or young person personally or with objects (eg pencil or ruler)</li> <li>• Corporal punishment (physical discipline, smacking etc)</li> <li>• Initiating, permitting or requesting inappropriate or unnecessary physical contact with a child or young person (eg massage, kisses, tickling games) or facilitating situations which unnecessarily result in close physical contact with a child or young person</li> <li>• Inappropriate use of physical restraint</li> </ul>

Place	<ul style="list-style-type: none"> <li>• *Inviting/allowing/encouraging children and young people to attend the staff member's home</li> <li>• Allowing children and young people access to a staff member's personal internet locations (eg social networking sites)</li> <li>• *Attending children and young people's homes or their social gatherings</li> <li>• *Being alone with a child or young person outside of a staff member's responsibilities</li> <li>• Entering change rooms or toilets occupied by children or young people when supervision is not required or appropriate</li> <li>• *Transporting a child or young person unaccompanied</li> <li>• Using toilet facilities allocated to children and young people</li> <li>• Undressing using facilities set aside for children and young people, or in their presence</li> <li>• (<i>*without the coordinator's or parents authority</i>)</li> </ul>
Targeting individual children and young people	<ul style="list-style-type: none"> <li>• Tutoring (outside education sector's directions or knowledge)</li> <li>• Giving personal gifts or special favours</li> <li>• Singling the same children and young people out for special duties or responsibilities</li> <li>• Offering overnight/weekend/holiday care of children and young people as respite to parents</li> </ul>
Role	<ul style="list-style-type: none"> <li>• Adopting an ongoing welfare role that is beyond the scope of their position or that is the responsibility of another staff member (eg a counsellor) or an external professional, and that occurs without the permission of Coordinator</li> <li>• Photographing, audio recording or filming children or young people via any medium when not authorised by the Coordinator to do so and without required parental consent</li> <li>• Using personal rather than school equipment for approved activities, unless authorised by the Coordinator to do so.</li> </ul>
Possessions	<ul style="list-style-type: none"> <li>• 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 Coordinator by the staff member</li> <li>• 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 Coordinator</li> <li>• Uploading or publishing still/moving images or audio recordings of children and young people to any location, without parental and</li> </ul>

	<p>Coordinator's consent</p> <ul style="list-style-type: none"> <li>• The use of images of students as screen savers or backgrounds on personal electronic devices</li> </ul>
Emotional	<ul style="list-style-type: none"> <li>• Showing preferential treatment to students without legitimate reason.</li> <li>• Using subtle forms of control to allow a student to develop an emotional dependency on the teacher in order to later foster an inappropriate/sexual relationship with the student.</li> <li>• Failure to recognise the role of a teacher is not to be a 'friend', 'personal counsellor' or 'parent' of the student.</li> </ul>
Relationship	<ul style="list-style-type: none"> <li>• Intimate relationships with students: engaging in a romantic and/or sexual relationship with a student (current or former).</li> <li>• Flirtatious behaviour/intimate gestures directed towards a student.</li> <li>• Expressing romantic feelings towards a student in written or other form.</li> <li>• Planned meetings with the student alone outside of school without a valid context.</li> <li>• Taking the student alone for an unauthorised outing, e.g. coffee, the movies or other social events.</li> </ul>
Power	<ul style="list-style-type: none"> <li>• Privately giving a student money, credit for a mobile phone or a gift.</li> <li>• Exploiting position for gain.</li> <li>• Implying a student's grades will be affected if the student does not comply with the teacher's request.</li> <li>• Withholding information about academic performance to manipulate 'alonetime' or opportunities with a student.</li> </ul>
<p><b>Compiled from:</b></p> <p><b>A. Professional Boundaries: A Guideline for Queensland Teachers</b></p> <p><b>B. Protective Practices for Staff in their Interactions with Children and Young People.</b></p>	

## Appropriate Relationships

Situation	Appropriate Response
Separation Difficulty	<ul style="list-style-type: none"> <li>- Set up a leaving space in full view (zone where student says goodbye).</li> <li>- <i>See</i> Comforting a Distressed student below</li> </ul>
Comforting A Distressed Child	<p><b>For Students in Kindy to Year 1</b></p> <ul style="list-style-type: none"> <li>- “I can see you are upset. Would you like me to pick you up”. If child states or indicates they do not wish for this to happen, it is not appropriate to pick them up. If child is non-verbal at this point look for arms up, nod, eye contact before stating “I am going to pick you up”. Let them know your intention and continue to check for a negative response.</li> <li>- Can be a hug at their level, can be sitting on knee (in full view)</li> </ul> <p><b>For Students in years 2 to 6</b></p> <ul style="list-style-type: none"> <li>- Approach the child at their level</li> <li>- Offer reassurance by holding a hand, touching arm, shoulder</li> </ul>
Reciprocating Physical Contact	<p><b>Years K to 1</b></p> <ul style="list-style-type: none"> <li>- Respond to a hug by a student if they initiated it. Where possible, direct students to side by side contact</li> <li>- Verbalise your personal space boundaries – Example: “I do not like it when you lean against me, please sit next to me”</li> <li>- Encourage students to sit next to, rather than on the lap of an adult during mat times, story time</li> </ul> <p><b>Years 2-6</b></p> <ul style="list-style-type: none"> <li>- If a student approaches adult for a hug, direct them to side by side contact.</li> </ul>
Initiating Physical Contact	<ul style="list-style-type: none"> <li>- Side to side physical contact during story sessions</li> <li>- Hand on a shoulder to reassure, congratulate</li> <li>- Gently squeeze a student’s hand to indicate that you will speak to them next, while indicating with eye contact</li> <li>- First Aid emergencies where a child needs to be relocated to First Aid space (<i>see</i> Comforting a distressed child)</li> </ul>
Proprioceptive Strategies for Calming a student	<ul style="list-style-type: none"> <li>- If authorised by an Individual Education Plan and through consultation with an Occupational Therapist and/or Educational Psychologist, deep pressure hugs or pressure applied to limbs, elbows is appropriate.</li> </ul>



## **Attachments**

- A. Guidelines for Appropriate Relationships
- B. Working With Students on an Individual Basis
- C. Reporting

## **Review and Authorisation**

- A. New policy created September 2012
- B. Reviewed by Council and Coordinator August 2016
- C. To be reviewed August 2020

*Helen Sugars Duff*

**Appropriate Relations Policy – Attachment A**  
**Guidelines for Appropriate Relationships**

Some considerations and guidelines include the following:

- A.** Consider the child’s age, developmental level, maturity and level of care required e.g. touching a child to gain their attention, guiding or comforting a distressed child.
- B.** Work in an open environment, e.g. in confidential interviews or a one-to-one meeting, the door should be open with visual access and the Coordinator must be informed. Exceptions apply for professions with strict confidentiality requirements and in which the parents have given consent.
- C.** Be alert to cues from students about how comfortable they are in your proximity and respect their need for personal space.
- D.** Be sensitive when interacting with students who may misinterpret your actions such as those students who may have been traumatised by abuse or adolescents seeking attention from a member of the opposite sex.
- E.** Be aware of cultural norms that may influence the interpretation of your behaviour towards students.
- F.** Be cautious about physical contact in games or practical instruction. If you need to make physical contact for demonstrations, explain the activity and what you will do, and maintain a safe and appropriate distance.
- G.** Physical contact should be made in a way that makes students feel comfortable, e.g. shaking hands, a congratulatory pat on the back, or with young children by gently guiding them or holding their hand for reassurance. Physical contact such as stroking hair or limbs, or allowing a student to sit on your lap should be developmentally appropriate and in full public view. It may be appropriate for a very young child who is distressed but can never be justified for an older student in any circumstance. Massaging a student or allowing a student to massage you is inappropriate physical contact.
- H.** The collection and storage of photographs of students must be for educational purposes. All images of students must be stored securely on School approved hard drives or network drives.
- I.** Be aware that the giving and receiving of gifts, giving extra attention, accepting a different standard of behaviour from a student or having ‘special time’ with a student must be appropriate and justified as a strategy to meet teaching and learning outcomes.
- J.** Be aware that talking about sex or making comments of a sexualised nature, when outside the sexual health curriculum, is unprofessional. This behaviour may be perceived as sexual harassment, misinterpreted and/or cause distress to a child.

- K.** Obtain parental permission when meeting with students off the school grounds for outside of school activities.
- L.** The provision of your personal contact details should be justified in terms of educational purposes. Use school email for all electronic communication with students and parents.

**Appropriate Relations Policy – Attachment B**  
**Working With Students on an Individual Basis**

The following suggestions may assist teachers to maintain professional boundaries with students when providing one-to-one learning assistance/feedback, assessment or pastoral care.

Make it Purposeful	<ul style="list-style-type: none"> <li>• Consider whether it is essential to meet with the student one-to-one.</li> </ul>
Make it Public	<ul style="list-style-type: none"> <li>• The more visible, public and busy the location the better.</li> <li>• One to One contact should occur on school grounds</li> <li>• Use the school’s authorized IT systems. Do not use personal email, social network platforms or website to communicate with students.</li> </ul>
Make it Authorised	<ul style="list-style-type: none"> <li>• Parents/Carers should be informed about and give consent for such individual assistance.</li> <li>• Have the activity authorized by the school Coordinator or a supervising colleague</li> </ul>
Make it Timely	<ul style="list-style-type: none"> <li>• As far as possible, provide support during normal work hours and do not conduct excessively long sessions.</li> </ul>

## **Appropriate Relations Policy – Attachment C**

### **Reporting**

There may be instances where the suspected conduct of a teacher may not trigger a mandated legal report but may be of concern to other teachers. As a professional, teachers must:

- Understand that tolerance of the behavior by others is not relevant.
- Be prepared to consult the Coordinator, a colleague or the Council President about concerns regarding Staff Conduct or the behavior of Colleagues.

#### **Tools for Reporting**

- Speak with Coordinator, a Colleague or the Council President
- Email the Coordinator, a Colleague or the Council President
- Fill in an Incident Report Form and lodge with the Coordinator or council President if concerns relate to the conduct of Coordinator.
- Fill in a Serious Incident Form and lodge with the Coordinator or Council President if concerns relate to the conduct of Coordinator
- Fill in a Complaint/Concerns form and lodge with Coordinator or council President if concerns relate to the conduct of Coordinator