Child Safe Code of Conduct

1. Purpose

The Victorian Curriculum and Assessment Authority (**VCAA**) Child Safe Code of Conduct (**the Code**) outlines the child safe principles and minimum expectations for appropriate behaviour that VCAA Staff must observe when in the company of, or in contact with, children and young people.

The Victorian Government introduced the Child Safe Standards (**the Standards**), which are compulsory minimum standards for organisations that provide services for children (or are used by children) to help protect them from harm. The Standards require organisations that provide services for children to have a Code of Conduct that establishes clear expectations for appropriate behaviour with children. The Standards apply to the VCAA, as a category 1 entity under the *Child Wellbeing and Safety Act 2005* (Vic).

1. Scope and application

This Code applies to all **VCAA Staff** in a broad range of situations where interaction with children and young people may occur, including via the use of telephones, information technology and social media.

“**VCAA Staff**” includes anyone aged over 18 engaged by the VCAA (whether paid or unpaid, employee, honorary or volunteer), Department of Education and Training (**DET**) staff undertaking work or activity for the VCAA, personnel employed by an agency or labour hire arrangement working at the VCAA, board members, other committee or group members and contractors.

A reference in this policy to “**staff**” or “**staff member**” means **VCAA Staff**.

VCAA Staff may come into contact with children as part of their duties including visits to early childhood education and care services and schools, arranging selection processes and student events, conducting student consultations, and conducting or administering assessments such as Victorian Certificate of Education (**VCE**), Victorian Certificate of Applied Learning (**VCAL**) and National Assessment Program – Literacy and Numeracy (**NAPLAN**) or Education State Target assessments.

It is important that all staff are aware of the department’s obligations under the VCAA’s **Reportable Conduct Scheme Policy**, whereby allegations of employee misconduct involving children can be made against a staff member even if the conduct occurred outside of their work.

1. Definitions

**Child or young person**

In this Code, the terms ‘child’, ‘children’, and the terms ‘young person’ or ‘young people’ mean a person or persons under the age of 18.

**Child abuse**

In this Code, the term child abuse means

* Sexual abuse and grooming
* Physical abuse or violence
* Serious emotional and psychological abuse
* Serious neglect
1. Code of conduct

The VCAA is committed to the safety and wellbeing of children and young people. It recognises the importance of, and the responsibility for, ensuring our organisation provides a safe, supportive and enriching environment which respects and fosters the rights and wellbeing of children and young people with whom we have contact.

The VCAA’s Code aims to protect children and young people and reduce any opportunities for child abuse or harm to occur. It is intended to complement child safety and protection legislation, VCAA policies and procedures and the Code of Conduct for Victorian Public Sector Employees.

All VCAA Staff are responsible for supporting the safety, participation, wellbeing and empowerment of children they come into contact with and must:

* adhere to the VCAA’s Child Safe Policy at all times and abide by the VCAA’s commitment and obligation to creating a child safe organisation
* treat everyone with respect, including valuing children’s ideas and opinions
* model appropriate adult behaviour
* take all reasonable steps to protect children and young people from abuse and harm by being vigilant to signs of abuse and harm
* provide a welcoming, inclusive and safe environment for all children and young people
* promote the cultural safety, participation and empowerment of all children and young people
* work with children and young people in an open and transparent way, so that other adults always know about the work you are doing with children and young people, for example, by ensuring that where appropriate, interactions with children and young people can be observed by other adults
* disclose any information of charges, convictions of abuse and all other offence history in accordance with any applicable Criminal Record Check policy
* challenge unacceptable behaviour and report all allegations or suspicions of abuse to the VCAA CEO
* respect the privacy of children and young people and their families and only disclose information to people on a need to know basis and in accordance with privacy legislation
* encourage children and young people to ‘have a say’ and participate in all relevant organisational activities where possible, especially on issues that are important to them.

VCAA Staff **must not**:

* seek to use children or young people in any way to meet the needs of adults
* develop inappropriate relationships with children or young people
* display violent behaviour towards a child or young person
* ignore or disregard any concerns, suspicions or disclosures of child abuse
* initiate unnecessary physical contact with children or young people or exhibit behaviours with children or young people which may be construed as inappropriate
* put children or young people at risk of abuse (for example, by allowing unnecessary one-adult/one-child encounters to occur)
* conduct a sexual relationship with a child or young person or indulge in any form of sexual contact with a child or young person
* engage in open discussions of a mature nature in the presence of children
* use inappropriate, offensive, harassing, abusive, sexually provocative, demeaning, culturally inappropriate or discriminatory language when speaking with, or in the presence of, a child or young person
* discriminate against any child or young person, including because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
* use any computer, telephone, video and digital camera or other device to exploit or harass children or young people or expose children or young people to offensive or sexualised content
* develop ‘special’ relationships with specific children or young people or show favouritism through the provision of gifts or inappropriate attention
* exchange personal contact details with a child or young person such as phone number, social networking sites or email address, unless necessary for the purposes of performing their work duties, and then only work contact details may be provided
* have contact with a child or young person client or their family outside of the VCAA, unless necessary for the purposes of performing their work duties

All VCAA staff are obliged to report any breaches of this Code of Conduct to the VCAA CEO. In instances where a reportable allegation has been made, the matter will be managed in accordance with the VCAA’s Reportable Conduct Policy and may be referred to Victoria Police.

Any breach of this Code may result in disciplinary procedures in accordance with the relevant industrial instrument and/or relevant terms of engagement.

1. Roles and responsibilities

**All VCAA Staff** are responsible for contributing to achieving a child safe environment. They are responsible for:

* adhering to the Code of Conduct for Victorian Public Sector Employees and the VCAA’s Child Safety Code of Conduct

**People Managers, Directors and Executive Directors** are also responsible for:

* ensuring staff are aware of and adhere to this policy and procedures
* coaching staff on managing child safety risks
* ensuring staff understand and adhere to the VPS Code of Conduct and the VCAA Child Safety Code of Conduct
* ensure new staff are aware of roles and responsibilities during induction processes
* encourage discussion and learning about child safe risks and changing risks

The **Chief Executive Officer** is also responsible for:

* ensuring policies and procedures are current and address the risks of child abuse
* addressing allegations of child abuse by VCAA staff
* promoting internal and external discussion about a culture of child safety
* promoting understanding and practices of cultural safety
* facilitating learning on cultural safety and procedures
* ensuring organisations the VCAA works with understand our Code and related policies
* seeking external feedback on our practices
1. Privacy and confidentiality

The VCAA respects the privacy of children and young people, their families, teachers and VCAA staff, and will comply with the *Privacy and Data Protection Act 2014* (Vic) in relation to the collection, use and disclosure of personal information.

In order to comply with obligations under the Code and the Child Safe Standards, the VCAA and the VCAA CEO are required to disclose information to Victoria Police, and regulators.

The VCAA Privacy Policy is available at: <http://www.vcaa.vic.edu.au/Pages/aboutus/policies/index.aspx>

1. VCAA contacts

If you have questions about the Code, or wish to speak to someone about child safety at the VCAA, please contact us by phone or email

(03) 9032 1700
1800 134 197
vcaa@edumail.vic.gov.au

1. Commission for Children and Young People

More information about the Child Safe Standards, including information sheets, is available from the Commission for Children and Young People: <https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/the-child-safe-standards/>

**General enquiries**

**Telephone**: 1300 78 29 78

**Fax**: (03) 8601 5877

**Email**: childsafe@ccyp.vic.gov.au

1. Related policies and procedures
* VCAA Child Safe Policy
* VCAA Reportable Conduct Policy
* VCAA Reporting Matters of Concern Policy
* Pre-employment Checks, including Working with Children Check
* VCAA Complaints Policy
* Code of Conduct for Victorian Public Sector Employees

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