



# Protective practices for staff in their interactions with children and young people

Guidelines for staff working or volunteering  
in education and care settings

**A Staff Meeting** (or two?)

# Protective Practices for Staff in their Interactions with Students



- The guidelines provide clear advice to adults for the establishment of positive, caring and respectful relationships.
- They aim to safeguard the emotional and physical wellbeing of children and young people by promoting in adults an enhanced understanding of appropriate relationship boundaries.
- In respecting these boundaries, staff can feel confident about meeting their responsibilities and meeting the expectations of the professional communities in which they work.



# Five Main Themes

1. Key duty of care requirements of staff in their relationships with students
2. Managing professional boundaries and staff responsibilities
3. Appropriate physical contact, non-physical intervention and physical restraint
4. Working with students with special needs
5. Cultural considerations



# Duty of Care

**A staff member's duty of care is very high and they are required to ...**

- take reasonable care to protect children and young people from all reasonably foreseeable risk of injury
- ensure that the physical and emotional welfare of children and young people is safeguarded
- ensure their behaviour is guided by this duty of care both within and beyond the education and care setting



# Scenarios (1 and 2)

1. The bus has returned from excursion and all students except 2 have been collected. The parents are un-contactable and the wait has been over an hour. The teacher opts to drive the students to their homes as it is getting dark and his colleague needs to go elsewhere and therefore can't stay to assist.
2. The teacher likes to play x-box at home as a way to unwind. Consequently it is not unusual to chat at school with the kids about what level they have reached with their games, share different 'cheats' etc. Sometimes he and the kids swap games and he has played online a few times. The teacher feels that it's okay and 'above board' as the conversation is strictly gaming and there is no personal contact as everyone is in their own house.

# Managing professional boundaries



**Education and care professions rely on fostering positive relationships in ways that do not compromise children and young people's welfare.**

The professional boundaries apply beyond specific sites and cohorts of children and young people

The boundaries relate to;

1. Communication
2. Personal disclosure
3. Physical contact
4. Place
5. Targeting individuals
6. Role
7. Possessions



## Scenario 3

- The teacher was sent a joke from their mate in connection with a topical issue. Eg: “My wife kept looking through the window, anxious as the flood waters kept rising... When it reached the sill, I thought it was time I let her in”. ... The teacher thought it was funny and shared it with a few students who were gathering around their front desk in the morning as class started.

# COMMUNICATION – examples of boundary violations



## How do you communicate?

- Inappropriate comments about appearance, including excessive flattery
- Inappropriate conversation of a sexual nature (eg questions about sexuality or sexual relationship with others)
- Discriminatory treatment based on their perceived or actual sexual orientation
- Use of inappropriate pet names or vilification or humiliation
- Jokes or innuendo of a sexual nature, obscene gestures, language
- Facilitating/permitting access to pornographic or sexually explicit material
- Failing to intervene in sexual harassment
- 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.



# Scenario 4



3. There are a number of staff who head to karaoke on Thursday night at the pub. They love to sing and they feel good about the opportunity to let their hair down and have fun.

The next day the teacher is in a good mood about the fun and shares it with the Year 12 class they teach. The conversation just centres around what songs they like to sing and who else is good at singing.

## PERSONAL DISCLOSURE – examples of boundary violations



- Discussing personal lifestyle details of self, other staff or children and young people

## PHYSICAL CONTACT – examples of boundary violations

- Unwarranted or unwanted touching
- Corporal punishment
- Inappropriate or unnecessary physical contact (eg massage, kisses, tickling games)
- Inappropriate use of physical restraint (see p 18)

# PLACE – examples of boundary violations

(\*without the site leader's authority)



- Inviting/allowing children and young people to attend the staff member's home
- Allowing access to a staff member's personal internet locations (eg social networking sites)
- \*Attending children and young people's homes or their social gatherings
- \*Being alone with a child or young person outside of a staff member's responsibilities
- Entering change rooms or toilets occupied by children or young people when supervision is not required or appropriate
- \*Transporting a child or young person unaccompanied
- Using toilet facilities allocated to children and young people
- Undressing using facilities set aside for children and young people, or in their presence

# Scenario 5



The teacher has been at the school for a couple of years and is known for her relational, friendly and supportive manner with students. It is not unusual for teenage girls to come to her with their problems, where she can relate to the issues they are going through as they are similar to her childhood. She feels she is making a difference in being a listening ear to them.

## TARGETING INDIVIDUALS – examples of boundary violations



- Tutoring (outside education sector's directions or knowledge)
- Giving personal gifts or special favours
- Singling the same children and young people out for special duties or responsibilities
- Offering overnight/weekend/holiday care of children and young people

## ROLE – examples of boundary violations

- Adopting an ongoing welfare role that is beyond the scope of their position
- Photographing, audio recording or filming children or young people via any medium (in the absence of parental and site leader's consent)
- Using personal rather than school equipment for approved activities



## POSSESSION – examples of boundary violations

- Correspondence or communication (via any medium)
- Still/moving images or audio recordings on personal equipment or kept in personal locations
- Uploading or publishing still/moving images or audio recordings



# Consequences of boundary violations

## **Professional boundary violations by a staff member represent:**

- a breach of trust
- a failure to meet a duty of care
- a failure to follow conduct requirements of the employer.

## **When staff violate boundaries they risk:**

- harmful consequences for the child or young person
- seriously undermining the learning process
- seriously undermining their professional reputation
- formal directions or other disciplinary action from their employer or registering/regulating authority.

***Any concern*** a staff member has about whether a situation may compromise or breach a professional relationship should be discussed with the site leader and an approved plan of action developed and followed.

# Professional Boundaries – a self-examination



- Am I dealing in a different manner with a particular child or young person than with others under the same circumstances?
- Is my dress/availability/language/demeanour different from the normal with a particular child or young person?
- Would I modify my behaviour with a child or young person if a colleague were present?
- Would I judge my conduct negatively if I observed it in another adult?
- Is it possible that the consequences of my actions will have negative outcomes for children and young people?
- Is it possible that the consequences of my actions will negatively affect people's confidence in my suitability to work with children and young people?



# Scenario 6



- With Facebook a handy social networking tool, the staff member values it as a way of keeping up with their friends as well as connecting to new people as they become part of the community. They have met quite a few people through playing sport and have many of these locals as friends on Facebook. Some of the people in their team are students, but they feel this is okay as they are 'older' and they have a different relationship with them outside of school. They have also built quite good relationships with parents of the school through responding to the invitations of friendship.

# MANAGING professional boundaries when using social networking sites – a guide



**Staff are expected to model responsible and respectful conduct**

**The internet does not provide the privacy or control many assume**

**Staff should be aware of the following expectations;**

- The information and images available on their site(s) represents them in a light acceptable to their role with children and young people?
- they **do not** have children or young people in their education community as 'friends' on their personal/private sites
- comments on their site about their workplace, work, colleagues or children or young people, if published, would not cause hurt or embarrassment to others, risk claims of libel, or harm the reputation of the workplace, their colleagues or children and young people

# MANAGING professional boundaries when working one on one – a guide



**When providing one-to-one learning assistance or feedback, behaviour assistance, counselling, testing or assessment.**

## **Make it public**

- The more visible, public and busy the location the better
- Use the site's authorised IT systems.
- Do not use personal email or websites to communicate with children and young people

## **Make it authorised**

- Parents should be informed/give consent
- Activity must be authorised by the site leader

## **Make it timely**

- As far as possible, provide support during normal work hours, and do not conduct excessively long sessions

# MANAGING professional boundaries when privacy is important – a guide



Counsellors, etc. rely on a degree of privacy for children and young people (e.g. dignity, confidentiality or assessment)

Schools need to balance privacy with duty of care obligations.

**Good practice** in managing these circumstances;

- health/physical care should be provided respectfully and in a manner approved by the young person and his/her parents
- counselling should be provided in unlocked rooms with part-glass doors that are located near staff traffic areas
- avoid out of hours contact
- provide all parents with written information about the school's counselling and pastoral care services
- ensure student appointments and counselling notes are documented appropriately

# MANAGING professional boundaries in a country school – a guide



- ❑ contact should be generated via the relationship the staff member has with the parents of children and young people or by an event (such as a sporting event)
- ❑ staff should avoid being alone with children and young people in these situations
- ❑ staff should conduct themselves in a way that will not give others reason to **question their suitability** to work with children and young people and that will not create discomfort for children and young people in their learning relationship with them. **Consuming alcohol** in these situations may lessen a staff member's capacity to judge when a professional boundary is at risk
- ❑ staff should politely refuse to discuss matters relating to the workplace and should not discuss children and young people's learning or social progress other than at times specifically set aside for that purpose
- ❑ any concern a staff member has about whether or not a situation may be compromising or breaching a professional relationship should be discussed with the site leader and an approved plan of action followed.

# MANAGING professional boundaries in boarding houses – a guide



- ❑ Staff working in boarding houses face particular challenges in providing a ‘home-like’ environment in ways that do not compromise their professional boundaries or the welfare of children and young people.
- ❑ While this clearly involves the development of caring, and sometimes close, friendships it does not remove the staff member’s responsibility to work within ***all the professional boundaries outlined*** in these guidelines and to follow its best practice advice.
- ❑ Managing privacy, working one-to-one, appropriate physical contact, responding to inappropriate sexual behaviour (in children or in adults), using social network sites, non-physical interventions and the examples of professional boundary violations are all particularly pertinent to boarding house staff.



**BREAK TIME**

# Scenario 7



- Paul teaches Year 12 art. Across the course of the year you notice Paul and Stephanie, a very talented Year 12 art student, spending increasing amounts of time together in the art area, usually working on Stephanie's pieces. Sometimes this occurs during lesson breaks or after school when others are not usually around.





# Staff responsibilities in responding to behaviour

## Suspected child abuse

- A report of suspected abuse must be made to CARL *irrespective of who is implicated:*
- The report must be made in consultation with the site leader (if the complaint is about the site leader then contact the CEO)
- The complexities of these situations are acknowledged.
- Nevertheless, staff must manage their sensitivities or discomforts because their duty of care to the child or young person remains their paramount legal, professional and moral responsibility



# Staff responsibilities in responding to behaviour

## Inappropriate behaviour

- Staff may observe inappropriate / borderline behaviours in other adults
- Staff must ensure, through their site leader, that the adult concerned is made aware of potential adverse impact. Consider especially young or newly appointed staff
- Staff must act if young people disclose information about inappropriate behaviours of other adults. **Do not** minimise, ignore or delay responding to such information.
- Inform the site leader as a matter of urgency and report to the Child Abuse Report Line, (CARL ph. 13 14 78) if appropriate

# Scenario 8



- There is a student at the school who has special needs. She is very sociable and sometimes has trouble discerning appropriate behaviours. She is a sweet child who is endearing to all due to her chatty and cute behaviour, she is quite demonstrative, preferring to hug on greeting. Being so pleasant and relational, it is easy to simply respond with a shared hug.



# Staff responsibilities in responding to behaviour

## Behaviour of children and young people towards staff

- When a young person engages in inappropriate behaviour of a sexual nature, immediate respectful steps must be taken to discourage them. Report and document this promptly with the site leader
  
- If, due to these behaviours, you suspect sexual abuse.
  - make a mandatory notification - Child Abuse Report Line on 13 14 78
  - consider the safety of other children and young people in contact with the child
  - Develop, document and communicate a plan of action
  
- When young people seek an inappropriate relationship with a staff member, report the information to the site leader and seek assistance

# Staff responsibilities in responding to behaviour



## Behaviour of children and young people towards staff (cont.)

- ❑ Examples of behaviours that should be reported and addressed are:
  - receiving gifts of an inappropriate nature or at inappropriate times (eg not as part of end of the year gift giving that some children and families follow)
  - flirtatious gestures and comments
  - inappropriate social invitations
  - inappropriate touching or invasions of personal space
  - inappropriate postings using any medium
  - correspondence or communication that suggests or invites an inappropriate relationship.
  
- ❑ Sexual harassment, via any medium\* at any time or place, or assault of a staff member by a child or young person should be dealt with following normal behaviour management protocols, with the involvement of parents and, where appropriate, police.



# Appropriate physical contact

## Happens in our day to day interactions with students

- is normal and welcome
- to assist or encourage a student
- e.g first aid, toileting, non-intrusive comforting, non-intrusive encouragement or congratulations

# Scenario 9



Children are naturally demonstrative in their affections, and sometimes needy for comfort. In early childhood classes, it is not unusual for them to want to climb in their teacher's lap or 'hang off' the teacher as they sit for morning welcome. The reception teacher is okay with this as they acknowledge it is necessary for some children to adjust to school and it is an important aspect of relationship building in their classroom.

# Good practice with school-age children and young people



- Seek permission to touch
- Avoid being with a child or young person in a one-to-one
- Do not presume that physical contact is acceptable
- Respect signs that a young person is uncomfortable with touch
- Use verbal directions rather than touch
- Use the above approach for demonstrations in dance, sport, music and drama
- Discourage younger children from inappropriate expectations of hugs or cuddles (gently and without embarrassment or offence)





# Non-physical intervention

## Using non-physical intervention in a student management situation (page 17)

- Always the preferred option
- Talk, talk, talk... about options, safe places, consequences
- Direct others away
- Seek the assistance of other staff (or SAPOL)
- Do not hold children against their will



# Physical Restraint

Staff may use physical restraint if **all** non-physical interventions have been exhausted or are impossible in the circumstances **only** where the child or young person is:

- Attacking another child or young person or adult
- Posing an immediate danger to him/herself or others
- Do not** place yourself at risk

# Safe Practice when using Physical Restraint



To prevent injury where others are threatened. It must be;

- reasonable and proportionate
- the minimum force needed
- take into account age, stature, disability, understanding and gender

# Working with children and young people with additional needs or disabilities



The previously discussed principles are still applicable but practices may vary according to different needs

- Greater vulnerability needs greater vigilance
- Specific training may be needed
- Individual intervention plans more likely to apply
- Site specific behaviour codes or management policies likely to apply

Staff have a duty of care to protect children and young people from physical and emotional harm and, while the ways of meeting the duty may differ for different groups, the duty itself remains unqualified. Staff are expected to meet this duty in a manner that respects the dignity of all children and young people as well as their vulnerabilities.

# Cultural Considerations



Different cultures have different attitudes and traditions surrounding the concept of appropriate touch. Staff have a responsibility to become as familiar as possible with these values

Critical that staff appreciate culturally specific expectations regarding touch so that embarrassment or offence can be avoided

Some children and young people have backgrounds of severe trauma, including possibly witnessing or being subject to extreme violence or trauma

Diplomacy, care and effort in staff interactions with those known or suspected to have escaped traumatic circumstances is needed



# Teachers Registration Board

The Teachers Registration Board of SA (TRB) conducts its own investigations and makes determinations relating to the cancellation of a teacher's registration, the imposition of conditions upon that registration and other penalties.

Not all of the matters that come before the TRB are related to professional boundary breaches or even child protection.

The link below takes you to a recent TRB newsletter. Page 10 of that newsletter lists some matters recently determined by the Board. They are indicative of the kinds of issues with which it deals and are instructive.

[http://www.trb.sa.edu.au/pdf/Newsletter\\_2011\\_web.pdf](http://www.trb.sa.edu.au/pdf/Newsletter_2011_web.pdf)



# Final thoughts?

1. Key duty of care requirements of staff in their relationships with students
2. Managing professional boundaries and your responsibilities
3. Appropriate physical contact, non-physical intervention and physical restraint
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**QUESTIONS or COMMENTS**