



PMSA Professional Relationships with Students Policy

1. PREFACE

The Presbyterian and Methodist Schools Association is aware of its duty of care and responsibility for the welfare and wellbeing of the students of all its schools and the children in its Early Learning Centres, and recognises the need to maintain high professional, ethical and personal standards amongst its entire staff.

2. POLICY INTENT

The purpose of this policy is to clearly outline to all employees, volunteers and contractors that any action that encompasses inappropriate behaviour that compromises the employees' ability to have professional relationships with students will not be tolerated by the PMSA, and may, in certain circumstances, result in the initiation of disciplinary action under the PMSA Employee Discipline Policy and Procedure.

This policy also outlines the standard of behaviour expected of employees and what an individual can do to address the inappropriate behaviour. The focus on this policy is to promote and encourage professional relationships with students.

3. SCOPE

This policy applies to all employees, volunteers and contractors in their relationships with students, and applies to conduct occurring in any work related context which has a relevant connection with the individual's employment, engagement or duties including, but not limited to, conferences, work functions, training events, business trips and work-related social events (during and outside work hours).

This policy also applies, but is not limited to, behaviour that occurs via email, text messages, internet chat rooms, instant messaging, social media and other electronic media. Personal conduct that occurs outside of work, and is not directly associated with work, is capable of relevance to this policy if there is a relationship between conduct and relevant professional standards and responsibilities. These obligations are heightened if the inappropriate behaviour involves or is witnessed by a student.

Behaviour which would typically be considered to be a child protection matter is covered by the Child Protection Policy.

4. RELEVANT LEGISLATION

Child Protection Act (1999) (Qld)
Child Protection Regulation 2000 (Qld)
Education and Training Legislation Amendment Act 2011
Education and Care Services National Law (Queensland) Act 2011
Education and Care Services National Regulations 2011
Education (General Provisions) Act 2006 (Qld)
Education (General Provisions) Regulation 2006 (Qld)
Education (Accreditation of Non-State Schools) Act 2001 (Qld)
Education (Accreditation of Non-State Schools) Regulation 2001 (Qld)

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Education (Queensland College of Teachers) Act 2005 (Qld)

Education Services for Overseas Students (ESOS) Act 2000 (Cth)

Education (Overseas Students) Act 1996 (Qld)

Working with Children (Risk Management and Screening) Act 2000 (Qld)

Working with Children (Risk Management and Screening) Regulation 2011 (Qld)

5. ASSOCIATED POLICIES

PMSA EEO, Anti-Discrimination, Sexual Harassment & Bullying Policy

PMSA Code of Conduct

PMSA Child Protection Policy

PMSA Employee Complaints Policy and Procedure

PMSA Employee Discipline Policy and Procedure

PMSA Gifts & Other Benefits Policy

PMSA Procedural Fairness (Natural Justice) Policy

PMSA Enterprise Agreement 2013

PMSA Recruitment and Selection Policy

PMSA Risk Management Policy

PMSA Social Media Policy

6. POLICY STATEMENT

The PMSA expects that all Employees, volunteers and contractors will have professional relationships with students and will conduct themselves in a professional manner at all times including out of normal work hours. This expectation exists to maintain the confidence in all PMSA staff, particularly the teaching profession. The PMSA will:

- promote appropriate standards of behaviour at all times
- implement training and awareness-raising strategies to ensure that all employees, volunteers and contractors know their rights and responsibilities with regard to professional standards
- encourage the reporting of behaviour that breaches this policy
- protect individuals from victimisation or reprisals for being involved in a complaint under this policy
- provide an effective procedure for complaints based on the principles of natural justice.



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7. RESPONSIBILITIES

In accordance with the PMSA values and standards of expected behaviour outlined in the PMSA Code of Conduct, all employees, volunteers and contractors have a responsibility to conduct themselves in a manner that upholds the values, reputation and Christian ethos of the PMSA by conducting themselves in a professional manner at all times, including outside of work hours:

All employees (regardless of role or level of responsibility) also have a responsibility to:

- ensure they have professional relationships with students
- ensure they do not engage in inappropriate behaviour that involves a student or otherwise breaches this policy
- report any incidences of inappropriate or unprofessional behaviour that involves a student
- not victimise another person for making or being involved in, a complaint of inappropriate behaviour
- treat information in relation to allegations of inappropriate behaviour confidentially
- cooperate during any investigation of a complaint
- participate in any awareness training provided by the PMSA and/or relevant school to ensure understanding of and compliance with this policy.

Principals and Managers have a responsibility to:

- model professional behaviour themselves, ensuring they do not engage in conduct in breach of this policy
- monitor the work environment to ensure that acceptable standards of behaviour are observed at all times. If Managers observe behaviour which may constitute inappropriate behaviour, they should take appropriate steps to ensure the behaviour stops and is appropriately dealt with
- ensure employees and other relevant people understand this policy
- treat all complaints of inappropriate behaviour involving a student seriously and investigate promptly, confidentially and impartially.

8. INAPPROPRIATE BEHAVIOUR

Inappropriate behaviour, for the purposes of this policy, refers to inappropriate conduct in the course of duty, and may include out of hours conduct, including, but not limited to:

- an employee, volunteer or contractor without a valid educational purpose allowing oneself to be in a one-on-one situation with a student without being in the presence of others or in an otherwise public setting
- an employee, volunteer or contractor without a valid educational purpose providing their phone number or address to a student or students
- an employee, volunteer or contractor without a valid educational purpose exchanging phone calls and/or text messages with a student or students
- an employee, volunteer or contractor without a valid educational purpose adding a student as a contact or “friend” on social media or engaging in online discussions using social media with a student or group of students (such conduct is also covered by the Social Media Policy)



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- an employee, volunteer or contractor without a valid educational purpose participating in a social event with a student or students, particularly when the social event is not attended by parents and/or does not involve family or community ties
- an employee, volunteer or contractor allowing a student to enter the employee's place of residence
- an employee, volunteer or contractor entering a student's place of residence
- an employee, volunteer or contractor without a valid educational purpose transporting students in their own vehicle unless they have specific permission from the student's parent/guardian, their supervisor and/or the Principal prior to the journey, where there is no feasible option available to provide alternative transportation or in the event of an emergency situation
- an employee, volunteer or contractor without a valid educational purpose giving gifts outside of acceptable professional norms to a student or students
- an employee, volunteer or contractor becoming engaged in a romantic, or physical relationship with a student
- Generally avoid, and otherwise limit, physical contact with students where there is no reasonable cause any other conduct that would be in breach of relevant professional standards that are expected of someone engaged in a profession or vocation which requires them to work with children and/or students.

The QCT has released guidelines to provide a more detailed understanding and discussion in relation to professional boundaries. Teachers are expected to familiarise themselves with this guideline, as amended from time to time, to obtain further guidance. The guideline is expected to be reviewed and updated periodically.

9. CONDUCT OF A SEXUAL NATURE INVOLVING CHILDREN AND YOUNG PEOPLE

- 8.1 Conduct of a sexual nature involving children and young people is dealt with under the PMSA Child Protection Policy.
- 9.2 The sexual harassment, including the more severe forms of sexual harassment of a student, by an employee, volunteer or contractor of the PMSA, including any actions with a person younger than 18 for the sexual gratification of the employee, volunteer or contractor, will fall within the definition of "abuse" and will be dealt with under the PMSA Child Protection Policy.

10. PROCEDURES FOR DEALING WITH INAPPROPRIATE BEHAVIOUR INVOLVING A STUDENT

An employee, volunteer, contractor, student, parent or member of the community of the PMSA, who reasonably believes that an employee, volunteer, or contractor has engaged in inappropriate behaviour, or has been witness to inappropriate behaviour, is encouraged to report the matter to any of the following people within the PMSA:

- Principal
- Supervisor/ Manager
- HR Manager

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- Contact Officer (if available in the relevant school)

Where the person allegedly engaging in the inappropriate behaviour is the supervisor/manager, the matter should be reported to the next level of management or to the HR Manager. Where the alleged inappropriate behaviour involves the Principal, it must be reported to the Chair of the School's Council.

11. TREATMENT OF EMPLOYEES WHO MAKE COMPLAINTS

Any victimisation of, or detrimental action towards, any person who has made a complaint, been a party to a complaint or been involved in the investigation of a complaint of inappropriate behaviour in accordance with this policy will be treated seriously, and may result in disciplinary action, under the PMSA Employee Discipline Policy and Procedure.

Any intentional misuse of this policy, including by knowingly making a false or vexatious complaint of inappropriate behaviour, will be treated seriously and may result in disciplinary action.

12. BREACHES OF THIS POLICY

The PMSA may take action, under the PMSA Employee Discipline Policy and Procedure, against any individual when a breach of this policy is identified. Where inappropriate behaviour is found to be substantiated, the consequences for the person against whom the complaint is made will be determined under the PMSA Employee Discipline Policy and Procedure and will depend on the relevant individual circumstances.

The consequences may include, but are not limited to, an apology, counselling, participation in further training, or disciplinary action including termination of employment.

Where the person who has been found to have engaged in the inappropriate conduct is a volunteer or contractor, their engagement with the PMSA may be terminated.

When considering a potential breach of this policy, the PMSA will consider any mitigating factors such as, but not limited to, the presence of family or community ties, parental consent and the degree of inappropriate behaviour.

13. DEFINITIONS

For the purpose of this policy:

"Conduct of a Sexual Nature" includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made verbally or in writing.

"Contractor" is an individual / company who is not an employee, and is engaged by the PMSA on a contract for services.



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“Family or community ties” refers to a relationship where an employee, volunteer or contractor has a relationship with a student’s parents or family.

“PMSA” is the Presbyterian & Methodist Schools Association which includes the PMSA Corporate Office, Brisbane Boys’ College, Clayfield College, Somerville House and Sunshine Coast Grammar School.

“PMSA Employee” refers to a person employed by the PMSA under the PMSA Enterprise Agreement, a Modern Award or an Individual Contract.

“PMSA School” means Brisbane Boys’ College, Clayfield College, Somerville House and Sunshine Coast Grammar School. This also includes PMSA Early Learning Centres, unless expressly stipulated otherwise.

“Principal” refers to the person who has the executive authority for the School or the School Principal’s delegated representative”.

“Student” includes any person regardless of age who is enrolled or on exchange/study tour at any PMSA school or other school, or Early Learning Centre.

“Inappropriate behaviour” is defined in part 8 of this Policy.

“Victimisation” refers to less favourable treatment of a person or persons or subjecting them to some form of detriment because the person:

- has made a complaint or has proposed to make a complaint in accordance with the Policy
- has acted as a witness or has proposed to act as a witness in a complaint
- has supported a victim or intends to support a victim of a complaint
- has been made a respondent in a formal complaint investigation.

“Volunteer” is an individual who offers their services to the PMSA for no remuneration. This includes, but is not limited to, Council, Board, Foundation, Association and Committee members.

14. AMENDMENT REGISTER

Date of Issue	Page No	Details of and reason for amendment
20/04/16	All	Policy drafted by Livingstones
12/09/16	All	Policy approved by PMSA Council