



Staff and Student Professional Boundaries

This policy applies to all teaching staff, boarding staff, non-teaching staff, College Council Members, Volunteers (direct and indirect), Third Party Contractors and External Education Providers (together, known as "staff" for the purposes of the policies related to Child Protection). Those areas related to teachers only are noted as such.

Penrhos College recognises that all staff, not just teachers, hold a unique position of influence, authority, trust and power in relation to students at the College. As such, it is their duty, at all times, to maintain professional boundaries with students.

A breach of staff-student professional boundaries may constitute sexual abuse, and a pattern of unprofessional conduct may indicate grooming behaviour.

Educating staff about professional boundaries positions staff to take action to reduce or prevent child protection incidents from occurring.

The following policy and guidelines are designed to raise awareness of situations where professional boundary violations may occur and some strategies to minimise the risk of boundary violations.

The practice of protective behaviours, at all times, will also reduce the possibility of vexatious claims being brought against staff.

The Professional Standards for Teachers in Western Australia

This policy reflects information about professional boundaries provided by the Teachers Registration Board of Western Australia (TRBWA) in its publication [Teacher-Student Professional Boundaries - A Resource for WA Teachers](#) (the Resource). The information in the Resource is designed to assist registered teachers to meet the [Professional Standards for Teachers in Western Australia](#) (the Professional Standards).

It is a requirement under Standard 4 of the Professional Standards that teachers create and maintain supportive and safe learning environments.

The following criteria under Standard 4 are particularly relevant to maintaining professional boundaries:

- 4.4 Maintain student safety; and
- 4.5 Use ICT safely, responsibly and ethically.

In addition, it is a requirement under Standard 7 of the Professional Standards that teachers engage professionally with colleagues, parents/carers and the community.

The following criteria under Standard 7 are particularly relevant to maintaining professional boundaries:

- 7.1 Meet professional ethics and responsibilities; and
- 7.2 Comply with legislative, administrative and organisational requirements.

Penrhos College's Policy

Penrhos College is committed to providing a safe physical and emotional environment where all of our students are respected and treated with dignity in an appropriate professional and caring manner where the risk of child abuse is minimised, and a safe and supportive child-safe environment is maintained.

It is our policy that:

- staff exercise their responsibilities in a way that recognises professional boundaries with regard to their relationships with students at all times;
- staff identify, discourage and reject any advances of a sexual nature initiated by a student;
- staff interaction with students is professional at all times, including inside and outside of school hours;
- conflict of interest issues must be reported to the Principal as soon as practicable;
- equal learning opportunities are given to each student without discrimination; and
- appropriate consequences will be applied to staff who breach professional boundaries.

What are Professional Boundaries?

Professional boundaries are parameters that describe the limits of a relationship in circumstances where one person (a student) entrusts their welfare and safety to another person (a staff member), in circumstances where a power imbalance exists.

The fact that College staff are in a unique position of trust, care, authority and influence with students means that there is always an inherent power imbalance that exists between them. It also means that professional boundaries must be established, maintained and respected at all times.

In most cases this power imbalance is clear, however sometimes it may be more difficult to recognise especially for younger staff members who may only be a few years older than their students. They need to ensure that they do not treat students as peers or friends.

The following guidelines are not exhaustive, and, given that sometimes “grey areas” may occur, it is expected that all staff (no matter their age or experience) use their own good judgment, think very carefully about the implications and potential consequences of engaging in certain behaviours with students, and always err on the side of caution.

When unsure about whether professional boundaries are being, or have been, breached, ask yourself:

- Would I modify my behaviour if a colleague was present?
- Should I discuss this matter with another colleague?

- How would I feel about explaining my actions at a staff meeting, to the Principal, to parents/guardians or the TRBWA?
- Am I sharing information for the student's benefit, or for my benefit?
- Am I dealing with this student differently from others in similar circumstances?
- Is my dress, availability, language or demeanour different from normal when dealing with this particular student?

Intimate Relationships

Staff must not initiate or develop a relationship with any student that is or can be misinterpreted as having a romantic or sexual, rather than professional basis. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents/guardians.

Such relationships have a negative impact on the teaching and learning of students and colleagues and may carry a serious reputational risk for the staff member and, in turn, the College.

The professional relationship of staff and students may be breached by:

- flirtatious behaviour or dating;
- development of an intimate personal relationship;
- sexual relations;
- the use of sexual innuendo, inappropriate language and/or material with students;
- unwarranted and inappropriate touching;
- unwarranted and inappropriate filming or photography;
- deliberate exposure to sexual behaviour of others (e.g. pornography);
- having intimate contact without a valid context via written or electronic means (e.g. email, letters, telephone, text messages, social media sites or chatrooms);
- going out, whether alone or in company, to social events such as the movies or dinner; and
- exchanging gifts of a personal nature that encourages the formation of an intimate relationship.

Staff should also be aware that developing or encouraging romantic or sexual relationships with recent former students (over 18 years of age) may violate professional boundaries and are strongly discouraged from doing so. Refer to the Relationships with Former Students section of this policy.

Personal Relationships

Staff must not initiate or develop a relationship with any student that is or can be perceived or misinterpreted as having a personal rather than professional element. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents or guardians.

It is the student's perception of staff behaviour and not the intention of the staff member that is important.

An established and expected professional relationship between staff and students may be compromised by staff:

- bribing a student into being silent about that staff member's behaviour;
- targeting students who are 'vulnerable' - such as students who are struggling academically, socially challenged, don't have many friends or who are struggling at home;
- ingratiating themselves to the family of a student in order to spend more time with the student -such as accepting a dinner invitation with the family;
- using a student to personally gain - such as using their connections;
- giving a student money, unless it is for an emergency such as a lost bus fare or having no food. Staff should notify their supervisor or the Principal and keep a record of such an emergency action;
- offering advice on personal matters to a student unless it is a component of the staff member's formal role (e.g. as a guidance counsellor or chaplain);
- refusing to stop conversations of a personal or sexual nature when initiated by the student;
- casually touching a student on the shoulder or head whether or not in the presence of other adults including the student's parents/guardians;
- attending parties or socialising with students outside of organised *School/College* events (without parental/guardian permission);
- encouraging individual students to call them by their first name (especially if the staff member is a teacher) when it is not the College norm to do so;
- allowing a student to develop an emotional dependency on them;
- sharing personal details about their private lives with students; or
- meeting with students outside of school hours without permission from the *School/College*.

Staff must recognise at all times that their role is not to be a “friend” or “parent” to a student.

Staff/Student Interaction in Rural Areas

Staff members in [#schools] in rural communities and in [#schools] that are semi-rural in nature may have specific requirements regarding their roles due to being close members of the general community as well as of the College. For example, staff may be required to attend sporting and social engagements.

The Resource provides the following guidance for staff members in a rural or semi-rural community to help them to enjoy social or sporting engagements while also maintaining professional boundaries:

- an invitation to an event should be due to the staff member's connection with a parent/guardian or due to their interest in the event such as a sporting event;
- staff should avoid being alone with students at events outside of College hours;
- staff should act in ways that do not bring into question their fitness to teach or cause concern for students;

- public consumption of alcohol should be avoided or limited to ensure that the staff member is careful about boundaries;
- staff should not discuss College related matters; and any concerns a staff member has about boundaries in relation to social events should be flagged with a supervisor or senior colleague.

Relationships with Former Students

If a staff member engages in a romantic/sexual relationship with a student once that student has left the College, the relationship may generate concerns that the relationship resulted from a breach of professional boundaries, including grooming behaviour while the former student was under the care of the staff member.

When it is believed that an emotional dependency arose during the student's time at the College it is likely that the relationship will be considered a violation of staff-student professional boundaries, and may constitute grooming behaviour. This is because the imbalance of power and authority that exists in the staff/student relationship does not suddenly disappear after the student finishes their schooling.

The College will investigate a complaint that a staff member has abused their position and acted unprofessionally in engaging in a relationship with a former student. In considering whether there has been a breach of professional boundaries, the College may take the following factors into account:

- the nature of the relationship, including its closeness, dependence and significance;
- the length of the relationship while the former student was attending the College; and
- any conduct the staff member undertook which gives cause for concern.

Staff should not assume that they will be protected from disciplinary action by claiming that a relationship began only after the student left the College as there may be a reasonable belief that the emotional intimacy of the relationship developed while the staff/student relationship existed.

Fair Learning Opportunities

The main focus of teaching is effective student learning and as such, teachers are expected to support their students with their professional expertise so as to offer them the best education in their individual circumstances. The quality of teaching and learning between teachers and students characterises their relationship.

Teachers should demonstrate their commitment to student learning by:

- maintaining a safe and challenging learning environment that promotes mutual respect;
- recognising and developing each student's abilities, skills and talents by catering to their individual abilities and respecting their individual differences;
- encouraging students to develop and reflect on their own values;
- interacting with students without bias;
- not engaging in preferential treatment;
- not discriminating against any student on the basis of race, sex, sexuality, disability or religious or political conviction; and

- always making decisions in students' best interests.

Electronic Communications between Staff & Students

It is expected that all staff at the College will adhere to the following guidelines:

- all use of technology should be for educational purposes or for the organisation of co-curricular activities;
- all email communication between staff and students should be via the College email system and reflect a professional staff/student relationship;
- staff should not communicate with students via text message where it is not in a professional context;
- staff should not give out their personal telephone numbers or social media contact details, unless requested and sanctioned by the College;
- staff are not to accept or request students as 'friends' on social media or otherwise use social media to communicate in any way that is not condoned or approved by the College;
- if the College asks a staff member to interact with students on social media, the staff member must use a professional account specifically for the purposes of student communication;
- staff should not exchange personal pictures with a student;
- teachers are not expected or encouraged to respond to concerns of parents/guardians or students on holidays, weekends or in the evening, however, staff are requested to respond to parent concerns within 48 hours of their receipt; and
- any student personal contact numbers or other personal contact details made available to the College should only be used for College communications.

Physical Contact with Students

All staff should be aware that situations may arise that can be perceived in a manner that was not intended. For this reason, all staff at the College should adhere to the following guidelines for contact with students both in and outside of College grounds:

- staff should avoid unnecessary physical contact with students;
- minimal, non-lingering, non-gratuitous physical contact in the context of the situation is acceptable (e.g. congratulatory pat on the back or handshake); and
- contact for sport, drama and dance instruction is acceptable in a class situation but not in a 1:1 situation. If physical contact is required for specific technical instructions, it must be brief and only with the consent of the student. Note that a student may withdraw consent for this contact either verbally or gesturally and staff must remain vigilant whilst engaging in necessary contact situations. Once consent has been withdrawn no further contact can be or should be made.

Off-Campus Excursions and Camps

During off-campus excursions or camps, the same physical contact guidelines apply as well as the following:

- checking of sleeping arrangements, or supervising of students changing should be done, where possible, with another staff member present and always in a manner that respects students' privacy and personal space;
- always knock and advise of presence prior to entering a bedroom or dormitory; and
- ensure that while in a bedroom or dormitory a strict staff/student relationship is upheld and that inappropriate behaviour, such as sitting on a student's bed, is not undertaken.

Managing Conflicts of Interest

Where personal relationships with students such as family relationships and close friendship networks exist, questions of conflicts of interest may arise.

This may be more prevalent in close or rural communities where professional boundaries may be tested due to the nature and size of the community. In these circumstances, staff need to be far more diligent in developing and maintaining these boundaries.

Where a staff member feels that a conflict of interest may exist, they should notify the Principal, or the Chair of the Council if the conflict involves the Principal and arrangements should be implemented to avoid the conflict situation if possible. For example, the teaching of students by a staff member with a conflict should be avoided.

Any significant decisions relating to these students in the College (such as the appointment of classes or selection in sports teams) should be referred to another staff member and endorsed by a supervisor.

Disclosure of Staff/Student Interactions

It is Penrhos College's policy that all staff are encouraged to declare any interactions with students outside school hours. These interactions may include instances where the staff member is:

related to the student;

- friends with the student's parents or family; or
- given parental consent to interact with the student for academic purposes outside of school hours and has notified the College.

Penrhos College maintains records of all declarations made by staff members related to their interactions with students, or relationships with students, that exist outside of school hours or College premises.

These records are kept in electronic form indefinitely.

Staff Responsibilities

All staff are to:

- follow the guidelines as set out in this policy;
- immediately report any conflicts of interest; and
- remove themselves from decision making where a conflict has been identified.

Where a staff member breaches this policy Penrhos College may take disciplinary action, including in the case of serious breaches, summary dismissal (where appropriate).

Implementation

These guidelines are implemented through a combination of:

- staff training and development in professional conduct;
- student and parent/guardian education and information;
- effective management of teachers engaging in inappropriate relationships with students;
- effective management of conflicts of interest;
- effective communication and incident notification procedures;
- effective record keeping procedures; and
- initiation of corrective actions where necessary.