



## GENERAL POLICIES 2025

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#### **Disclaimer:**

All content contained in this Handbook including general advice, recommendations, resources, references and policies are provided in good faith and have been obtained through research using reputable sources. The material is purely of an advisory nature and is intended to provide general guidelines for music teachers. Individuals and schools are advised to contact the relevant authority regarding any specific matter relating to the content in this Handbook. The VMTA accepts no legal responsibility for any of the material provided.



## CHILD SAFETY CODE OF CONDUCT

This policy has been developed by the Victorian Music Teachers' Association. It applies to our membership and has been authorised for their professional use.

The VMTA Member, Emily Thomas (*Emily's Music Studio*), is committed to the safety and wellbeing of children and young people. The member recognises the importance of, and a responsibility for, ensuring the teaching community is a safe, supportive and enriching environment which respects and fosters the dignity and self-esteem of children and young people, and enables them to thrive in their learning and development.

This Code of Conduct aims to protect children and reduce any opportunities for child abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviours and situations. It is intended to complement child protection legislation, Department policy, school policies and procedures and professional standards, codes of ethics as these apply to staff and other personnel.

The VMTA Member, Emily Thomas (*Emily's Music Studio*), will support implementation and monitoring of the Code of Conduct, and will plan, implement and monitor arrangements to provide inclusive, safe and orderly schools and other learning environments. The VMTA Member Emily Thomas (*Emily's Music Studio*) will also provide information and support to enable the Code of Conduct to operate effectively.

All staff, contractors, volunteers and any other member of the learning community involved in child-related work are required to comply with the Code of Conduct by observing expectations for appropriate behaviour below. The Code of Conduct applies in all situations and in the use of digital technology and social media.

### Acceptable behaviours

As staff, volunteers, contractors, and any other member of the learning community involved in child-related work individually, we are responsible for supporting and promoting the safety of children by:

- upholding the learning community's statement of commitment to child safety and adhering to the learning community's child safety policy at all times.
- taking reasonable steps to protect students from abuse
- treating students and families in the learning community with respect both within the learning environment and outside the learning environment as part of normal social and community activities.
- listening and responding to the views and concerns of students, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child
- promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students
- promoting the cultural safety, participation and empowerment of students with culturally and/or linguistically diverse backgrounds
- promoting the safety, participation and empowerment of students with a disability
- reporting any allegations of child abuse or other child safety concerns to the school's leadership
- understanding and complying with all reporting or disclosure obligations (including mandatory reporting) as they relate to protecting children from harm or abuse.
- if child abuse is suspected, ensuring as quickly as possible that the student(s) are safe and protected from harm.



## Unacceptable behaviours

As staff, volunteers, contractors, and any other member of the learning community involved in child-related work we must not:

- ignore or disregard any concerns, suspicions or disclosures of child abuse
- develop a relationship with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, offering gifts)
- exhibit behaviours with students which may be construed as unnecessarily physical (for example, inappropriate sitting on laps)
- put students at risk of abuse (for example, by locking doors)
- initiate unnecessary physical contact with students or do things of a personal nature that a child can do for themselves, such as using the toilet or changing their clothes
- engage in open discussions of a mature or adult nature with or in the presence of students
- use inappropriate language in the presence of students
- express personal views on cultures, race or sexuality in the presence of students
- exhibit behaviours or engage in activities with students which may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context
- ignore behaviours by other adults towards students when they appear to be overly familiar or inappropriate
- discuss content of an intimate nature or use sexual innuendo with students, except where it occurs relevantly in the context of parental guidance, delivering the education curriculum or a therapeutic setting
- treat a child unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity
- communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting etc) except where that communication is reasonable in all the circumstances, related to learning or extra-curricular activities or where there is a safety concern or other urgent matter
- photograph or video a child in a learning environment except in accordance with school policy or with parent/guardian permission (whichever applies) or where required for duty of care purposes
- in the learning environment or at other events where students are present, consume alcohol or take illicit drugs under any circumstances.

I, \_\_\_\_\_ (*print name*), confirm I have been provided a copy of the Code of Conduct for *Emily's Music Studio*.

Signed: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/2025

*The content of this policy can be changed at the discretion of the VMTA Board at any time without notification.*



## **CONFIDENTIALITY OF INFORMATION RELATING TO CHILD PROTECTION MATTERS POLICY**

This policy has been developed by the Victorian Music Teachers' Association. It applies to our membership and has been authorised for their professional use.

Anyone who has access to information regarding a case of suspected child abuse must keep such information confidential and secure and must only disclose or discuss this information with those involved in managing the situation.

VMTA Members must not provide undertakings that are inconsistent with the reporting obligations for the VMTA or relevant School's Child Protection Program. In particular, you must not promise a student that you will not tell anyone about the student's disclosure.

Students and any other parties who become involved in the investigation (this may include other students) should be informed of the reporting process and be required to maintain confidentiality.

Inappropriate disclosure will be subject to disciplinary action.

### **Protection of Reporter's Identity**

Reports or referrals made to DHHS Child Protection or Child FIRST are confidential and the report's identity is generally protected by law. Exceptions include if:

- the reporter chooses to inform the child or family of the report
- the reporter consents in writing to their identity being disclosed
- a court or tribunal decides it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child
- a court or tribunal decides the reporter is required to attend court to provide evidence

The identity of the person who makes a report to the Police, including reports under s 327 of the *Crimes Act 1958* (Vic) (Obligation to Report a Sexual Offence), will remain confidential unless:

- the person themselves discloses their identity or they consent in writing to their identity being disclosed
- a court or tribunal decides that it is necessary in the interests of justice for the person's identity to be disclosed.

### **Reporter Liability**

A person who makes a mandatory report in accordance with the *Children, Youth and Families Act 2005* (Vic) will not be held liable for the eventual outcome of any investigation.

If a report is made in good faith it does not constitute a breach of professional ethics on the part of the reporter and the reporter cannot be held legally liable in respect of the report.

### **Protection of Personal Information**



How an individual teacher, school employer or the VMTA handle the information it collects about individuals in the course of conducting its activities (referred to in the *Privacy Act 1988* as personal information) is very important. The people these organisations deal with expect parties to handle personal information properly as there is a legal obligation to do so. Personal information is information, or an opinion, about an identified individual, or an individual who is reasonably identifiable:

- whether the information, or opinion, is true or not
- whether the information, or opinion, is recorded in a material form or not.

### **Requests for Information**

If you receive a request from the Police or DHHS Child Protection for information relating to a student who has been impacted (or is suspected to have been impacted) by child abuse, you should:

- obtain the request for information in writing, and
- ensure that the written request includes:
  - o the name of the Police or DHHS Child Protection Officer, the organisations they work for and their contact details;
  - o a description and reasons why the information and/or documents being sought;
  - o what authority the officer or organisation believes that they have access to the requested information and documents.

When information and/or documents are requested in this way, you may be permitted to share the information, however you are not compelled to do so.

### **Information Sharing with the VMTA Membership**

The VMTA takes great care to assess the relevance and appropriateness of sharing information about a child protection incident before providing any information about child abuse to relevant authorities, because even the confirmation of an incident or allegation can lead to the identification of a victim.

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## MANDATORY REPORTING POLICY

This policy has been developed by the Victorian Music Teachers' Association. It applies to our membership and has been authorised for their professional use.

### Source of Obligation

The *Children, Youth and Families Act 2005 (Vic)* (CYFA) requires that mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child Protection when they believe that a child (aged under 17) is in need of protection from significant harm from physical injury or sexual abuse.

If a report is made by mandatory reporters in accordance with CYFA mandatory reporting obligations, an additional report to the Police under *s 327 Crimes Act 1958 (Vic)* may not be required unless you have further information. This policy must be read in conjunction with the *Signs of Child Abuse Document*.

### Who Must Make a Mandatory Report?

Mandatory reporters are defined by the CYFA and include:

- Teachers
- Directors

### Reporting by Non-Mandated Staff

If you are not a Mandatory Reporter, you still have the option of making a report to DHHS under the CYFA if you believe on reasonable grounds that a child is in need of protection. The CYFA states that any person who believes on reasonable grounds that a child is at risk of harm should report their concerns to DHHS Child Protection.

All VMTA Members who work in the school system and have concerns that a student may be in need of protection, or may have been the victim of a sexual offence, should notify their relevant School Child Safety/Protection Program Officer as soon as possible to discuss their concerns.

If the VMTA Member operating outside of the school system has concerns that a student may be in need of protection, or may have been the victim of a sexual offence, they can seek advice from the VMTA or from DHHS. Also refer to *The Failure to Disclose Offence Factsheet*.

A Mandatory Reporter must make a report even if their relevant School Child Safety/Protection Program Office or the VMTA does not share their belief that a report must be made.



## **What Gives Rise to a Mandatory Report?**

A mandatory report must be made when you form a belief on reasonable grounds that a child is in need of protection where the child has suffered, or is likely to suffer, significant harm as a result of:

- physical injury or sexual abuse; and
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

## **Reasonable Grounds**

The concept of 'reasonable grounds' requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source.

There may be reasonable grounds for forming such a belief if:

- a child states they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused;
- someone who knows the child states that the child has been physically or sexually abused;
- a child shows signs of being physically or sexually abused;
- the VMTA Member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on a child's safety, stability or development;
- the VMTA Member observes signs of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision; or
- a child's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the child;

Grounds for belief include matters of which a person has become aware and any opinions based on those matters.

## **Significant**

'Significant' means that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

What is 'significant' is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's safety, welfare or wellbeing. Significant harm can result from a single act or omission or an accumulation of these.

## **Physical Injury or Sexual Abuse**

To assist in identifying physical injury or sexual abuse, refer to the *Signs of Child Abuse Document*.

## **Parents Have Not Protected, or Are Unlikely to Protect, the Child from Harm of That Type**

The meaning of this phrase is not defined by legislation, but some examples may assist.

A parent who 'has not protected, or is unlikely to protect that child from harm of that type' includes a parent who wants to protect his or her child from harm, but lacks the means to.

It also includes a parent who has the means to protect his or her child from harm, but does not want to. A parent may be rendered 'unlikely to protect' that child for many reasons. For example:

- that parent does not, or refuses to recognise that harm is occurring;
- that parent or child may be subject to domestic violence; or
- that parent's partner may be abusive or harmful to the child.

'Parent' includes:

- the child's father, the child's mother
- the spouse or domestic partner of the mother or father of the child
- a person who has custody of the child
- a person who is named as the father on the child's birth certificate; a person who acknowledges that he is the father of the child by an instrument under the *Status of Children Act 1974 (Vic)*; and
- a person in respect of whom a court has made a declaration or a finding or order that the person is the father of the child.

## **What to Report and When**

A report becomes mandatory as soon as is practicable after forming the belief. A report must include details of the belief, and the reasonable grounds of that belief. Additional reports must be made on each occasion where you become aware of any further reasonable grounds for the belief.

Refer to the Victorian Department of Education's *Guide to Making a Report to Child Protection* or Child FIRST (Child and Family Information, Referral and Support Team) for guidance on making a decision on whether to report.

## **How is a Report/Referral Made?**

Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

A report to DHHS Child Protection should be considered if the VMTA Member forms the view the child is in need of protection because:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability or development;
- the harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's safety, stability and development; or
- the child's parents cannot or will not protect the child from harm.





To report concerns about the immediate safety of a child within their family unit, call the 24 hour Child Protection Crisis Line 13 12 78.

Concerns that require immediate attention should be made to the local or regional Human Services Child Protection office, or the After Hours Child Protection Emergency Services on 131 278.

### **What If I Don't Have a Reasonable Belief?**

If you don't have a reasonable belief about a child, but still have concerns, you can refer the matter to the relevant School Child Safety/Protection Program Officer or seek advice from the VMTA.

There is also the option to refer the matter to Child FIRST.

A referral to Child FIRST should be considered if a VMTA Member forms the view that the concerns have a low-to-moderate impact on the child and the immediate safety of the child is not compromised.

A referral can be made when the following factors may affect a child:

- significant parenting problems;
- family conflict;
- a family member's physical or mental illness, substance abuse, disability or bereavement;
- isolated or unsupported families; and
- significant social or economic disadvantage.

### **What Happens After a Report/Referral is Made?**

After receiving a report, DHHS Child Protection may seek further information, usually from professionals who may also be involved with the child or family, to determine whether further action is required. In most cases, DHHS Child Protection will inform the reporter of the outcome of the report.

After receiving a referral, Child FIRST may consult an experienced community-based Child Protection practitioner in their assessment. The assessment may lead to the involvement of a local family services organisation.

In most cases, Child FIRST will inform the referrer of the outcome of the referral.

Child FIRST must report the matter to DHHS Child Protection if they form the view the child is in need of protection. Reports made to the Police will be dealt with in accordance with Police practice.



## **International Students**

The relevant School authority or VMTA must notify the VRQA if the alleged abuse relates to an international student and the relevant School authority or VMTA has issued a *Confirmation of Appropriate Accommodation and Welfare* (CAAW) letter in relation to that student thereby assuming responsibility for approving the student's accommodation, support and general welfare.

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# **TEACHER AND STUDENT PROFESSIONAL BOUNDARIES POLICY**

## **Preamble**

This policy has been developed by the Victorian Music Teachers' Association. It applies to our membership and has been authorised for their professional use.

Music educators hold a unique position of influence, authority, trust and power in relation to their students. As such, it is their duty, at all times, to maintain professional boundaries with students.

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 VMTA Members.

## **The Victorian Music Teachers' Association Policy**

The Victorian Music Teachers' Association is committed to its Members, Staff, Board of Directors and Volunteers providing a safe physical and emotional environment where all 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:

- VMTA Members exercise their responsibilities in a way that recognises professional boundaries with regard to their relationship with students at all times.
- VMTA Members identify, discourage and reject any advances of a sexual nature initiated by a student.
- VMTA Members' interaction with students is professional at all times, including inside and outside of school hours.
- Equal learning opportunities are given to each student without discrimination.
- Appropriate consequences will be applied to VMTA Members 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 music teacher), in circumstances where a power imbalance exists.

The fact that VMTA Members 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 teachers who may only be a few years older than their students.

The following guidelines are not exhaustive, and given that sometimes “grey areas” may occur, it is expected that all teachers (no matter their age or experience) use their own good judgement, think very carefully about of 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?
- How would I feel about explaining my actions at a staff meeting?
- 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 language or demeanour different from normal when dealing with this particular student?

### **Intimate Relationships**

VMTA Members 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/carers. Such relationships have a negative impact on the teaching and learning of students and colleagues, and may risk the reputation of the VMTA Members and, in turn, the VMTA itself.

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 chat rooms);
- 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.

VMTA Members 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. The imbalance of power and authority that exists in the staff/student relationship does not suddenly disappear after the student finishes their schooling. VMTA Members should not assume that they will be protected from disciplinary action by claiming that a relationship began only after the student ceased music lessons as there may be a reasonable belief that the emotional intimacy of the relationship developed while the staff/student relationship existed.

### **Personal Relationships**

VMTA Members 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 carers. 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 VMTA Members and students may be compromised by VMTA Members when:

- attending parties or socialising with students outside of organised School/Studio events (without parental/carer permission);
- sharing personal details about their private lives with students; or
- meeting with students outside of school/studio hours without permission from the School/parent/carer.

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

### **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.

VMTA Members 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 VMTA Members 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 VMTA Members and students should be via a professional/official email system and reflect a professional staff/student relationship.
- VMTA Members should not communicate with students via text message where it is not in a professional context.
- VMTA Members should not give out their personal telephone numbers or social media contact details where it is not in a professional context.
- VMTA Members 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 their School/Studio.
- VMTA Members should not exchange personal pictures with a student.
- VMTA Members are not expected or encouraged to respond to the concerns of parents/carers or students on holidays, weekends or in the evening outside of normal studio hours.
- Any student personal contact numbers or other personal contact details made available to VMTA Members should only be used for relevant communications.

## **Physical Contact with Students**

All VMTA Members should be aware that situations may arise that can be perceived in a manner that was not intended. For this reason, all VMTA Members should adhere to the following guidelines for contact with students:

- teachers 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 teachers must remain vigilant whilst engaging in necessary contact situations. Once consent has been withdrawn no further contact can be or should be made.

## **School System: 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.
- 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, VMTA Members need to be far more diligent in developing and maintaining these boundaries.

If a VMTA Member working in the school system feels that a conflict of interest may exist, they should notify the Child Protection Program/Wellbeing Officer at their School. Should the VMTA Member operate in their own Studio and require advice, they can contact VMTA.

In a School System, any significant decisions relating to these students should be referred to the Director of Music or other senior staff member and endorsed by a supervisor.

## **School System: Disclosure of Staff/Student Interactions**

It is the VMTA's policy that all VMTA Members are encouraged to declare any interactions with students outside school hours with their relevant school personnel. These interactions may include instances where the VMTA Member is:

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

Schools maintain their own records of such declarations made by staff members related to their interactions with students, or relationships with students, that exist outside of teaching hours or school premises.

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