

Professional Boundaries: Guidelines for Tasmanian Teachers

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Version Control

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1. Introduction

What are “professional boundaries”?

The work of a teacher involves interacting with students. The relationships that develop should always remain professional, determined solely by the teacher’s professional responsibilities to those who are students. Teachers have status and authority in the community by virtue of their profession, and must take care not to allow personal desires, misdirected intentions, or unqualified decision-making to come into play in their professional work. When a teacher’s actions with respect to their own or other students move outside the scope of their professional expertise and responsibilities then professional boundaries have been crossed.

These Guidelines, prepared by the Teachers Registration Board of Tasmania (TRB), are intended to provide information about professional boundaries in teacher-student relationships. Teachers, as professionals working with young people, are placed in a position of trust and must not abuse that trust.

In carrying out their work, teachers must consider the welfare and best interests of students to be of paramount importance.

Intended audience for these Guidelines

The Guidelines are for all registered teachers, those with a limited authority to teach, and pre-service teachers undertaking professional experience in their initial teacher education program. The Guidelines can assist employers in providing guidance and mentoring to teachers. Members of the public — including parents, carers, school students, and other professionals — can use these Guidelines to inform them about appropriate teacher-student relationships.

Status of these Guidelines

The Guidelines are not a statutory code but should be read and considered in conjunction with the relevant employer’s Code of Conduct (or similar document) and other resources made available by the teacher’s employer.

The Guidelines highlight issues and situations that may arise for teachers, and provide guidance about appropriate teacher behaviours. They cannot, however, provide an exhaustive list of unacceptable, unwise or ‘at-risk’ behaviours which may breach the boundaries associated with teacher-student relationships. Importantly, just because a certain behaviour or activity is not specifically prohibited, it does not follow that it is ethical or will not lead to a disciplinary action or, indeed, to criminal prosecution.

Teachers must exercise their own good judgment and common sense in applying the material contained in the Guidelines to the situations in which they may find themselves. Teachers are also encouraged to seek advice from a trusted supervisor or their principal if they are in any doubt about the appropriateness of their personal conduct or proposed conduct, or the conduct or proposed conduct of another teacher.

2. Being aware of professional boundaries

Teachers' professional obligations and the nature of professional boundaries are discussed more fully later in this document, together with some specific examples. The following questions, however, may assist teachers in recognising when professional boundaries are at risk of being crossed¹.

- Am I dealing with a particular student differently from the way I deal with other students under the same circumstances?
- Am I behaving in a way that puts my own emotional needs above the student's needs or welfare?
- Am I providing career/professional counselling or personal counselling, and is this part of my professional responsibility?
- Am I sharing information with a student because I think it will help the student or because I need to be liked?
- Am I interacting with the student in an 'online environment' consistently with how I would act with that student in class or at school?
- Am I engaging in behaviours and discussions either personally or 'online' that are unsuitable for this particular group of students?
- Is my dress, availability, language or demeanour different from the normal with a particular student?
- Would I modify my behaviour with a student if a colleague were present?
- Would I judge my conduct negatively if I observed it in another teacher?
- Is it possible that my actions will have negative outcomes for the student?
- Is it possible that the consequences of my actions will negatively affect people's confidence in my good character and/or fitness to teach, and my suitability to work with children?
- Would my actions bring the teaching profession into disrepute?
- How would I feel explaining my actions to the Teachers Registration Board?

The Australian Public Service Commission² has developed a decision-making model in the form of the easy-to-remember acronym REFLECT (see Annexure 3). Teachers and others may find this helpful in evaluating and dealing appropriately with any teacher conduct that is a concern to them.

3. What are your obligations as a professional?

The *Australian Professional Standards for Teachers* makes specific reference to teachers' professional relationships and obligations. Standard 4 requires that teachers create and maintain supportive and safe learning environments, and Standard 7 requires that teachers engage professionally with colleagues, parents/carers and the community.

Teachers owe a duty of care to their students and must act to ensure that their physical and emotional wellbeing are safeguarded. As professionals, teachers should:

- maintain an up-to-date knowledge and understanding of, and implement and comply with, student protection policies as they apply in their workplace
- maintain appropriate relationships with students that respect professional boundaries;
- understand that a student's tolerance or encouragement of a teacher's behaviour is not a justification for a teacher continuing unacceptable behaviour
- be aware of any teacher who may seem too familiar with students or shows too much attention to one student
- consult a supervisor about the conduct/behaviour of a colleague if it raises concerns;
- intervene and report boundary violations by a teacher to their Principal, the police, their employer, and/or the TRB, as the case may require
- practise self-awareness, identifying times in their own lives when they may experience heightened vulnerability and manage work accordingly.

4. Professional boundaries

The key to quality teaching is having positive professional relationships with students. There is national and international evidence that teachers can have a powerful impact on students.

Teachers must act professionally **at all times** in their relationships with students and recent former students. The absence of a direct teacher-student relationship does not negate the requirement for a teacher to maintain professional boundaries.

The teacher-student relationship is not equal. Teachers are in a unique position of trust, care, authority and influence with their students, which means that there is **always** an inherent power imbalance between teachers and students. Professional boundaries are breached when a teacher misuses the power imbalance in the teacher-student relationship such that the student's welfare is compromised³.

Some conduct will clearly breach those boundaries, as most teachers will recognise.

While there may be some 'grey areas' around professional boundaries, teachers must take responsibility for establishing and maintaining appropriate professional boundaries with their students. When interacting with students, teachers must use good judgement and think very carefully of the implications and potential consequences of engaging in certain behaviours with students.

When teachers become confidantes, friends, or counsellors of students (where counselling is not a part of the teacher's legitimate role in the educational setting), a dual relationship is created which may create an ambiguity or blurring of the teacher-student relationship where the teacher's role becomes less defined. These interactions may foster inappropriate relationships with students.

Professional boundaries may be categorised into specific types of boundaries, although these categories cannot be considered mutually exclusive². They include:

- a) **Emotional boundaries** – Teachers engage in emotional self-regulation to use appropriate levels of emotion in interactions with students and to cope with the emotions of others in teaching settings.
- b) **Relationship boundaries** – Relationships between teachers and students are generally strictly professional relationships, with a recognition that the teacher is not a 'friend' to students, in the way students are friends with other students.
- c) **Power boundaries** – Teachers are in a position of power and authority over students and must ensure they do not abuse their position.
- d) **Communication boundaries** – Teachers' communication with students should focus on student educational needs. Problems in maintaining boundaries often relate to issues of self-disclosure by teachers to students.
- e) **Physical boundaries** – Teachers must understand appropriate physical contact and ensure they do not engage in inappropriate physical contact. Teachers may touch and be touched by students in certain circumstances only.

To further assist with an understanding of professional boundaries, see Annexure 2, which gives examples of unacceptable behaviours⁵.

The following suggestions may assist teachers in maintaining professional boundaries with students:

- Use only appropriate authority and power in dealings with students.
- Keep dealings with students open and available to scrutiny from appropriate authorities.
- Treat students fairly, without treating any students as 'favourites'.
- Actively avoid situations which could be regarded as private or personal between the teacher and student.
- Use only employer-sanctioned means of communicating with students, including authorised IT systems, not personal email or private messages on websites.
- Where practical, ensure that there is written consent in advance of one-to-one meetings with a student.
- When meeting with students, meet in an appropriate environment (e.g., open classroom).
- When appropriate, keep accurate/comprehensive records of meetings with students, including the reasons for the meeting and records of which senior staff members authorised the meeting or were made aware of it.
- Keep the content of meetings with students professional.

- If in more informal surrounds (e.g., sports coaching, school camps) be mindful that you are still in a professional relationship.

Where new teachers are just a few years older than the students they teach, they must be especially vigilant to ensure they do not view or treat students as peers or friends.

As with all people, teachers have their own unique vulnerabilities. Teachers who experience difficulties in their personal lives or are socially or emotionally immature may be particularly susceptible to engaging in 'at risk' conduct/behaviours with students. The attention, admiration and sometimes adoration bestowed by students on a teacher can be overwhelming and may be the catalyst for teachers to engage in inappropriate conduct, particularly when a teacher is emotionally vulnerable. Typical teacher vulnerabilities may include viewing students as peers, experiencing adult relationship issues, immaturity, need for attention, an under-developed personal moral compass, and lack of personal crisis management skills.

Teachers must consider their motivation in their interactions with students. Every action a teacher plans with respect to his or her students should be prefaced by teachers asking themselves:

Whose needs are being met by my course of action?

There is only one acceptable answer to this question: the needs of the student. Engaging in conduct with students to satisfy a teacher's own needs is unacceptable⁶. It is a betrayal of the trust of students, parents, the profession, and the community.

There will be instances where some conduct is undertaken by teachers quite legitimately and for laudable reasons. For example, a teacher may provide breakfast or money for lunch for a student from a highly disadvantaged background, or may assist a student who seeks their advice on a personal matter because the student has no other trusted adult to turn to. However, any such activity by the teacher should be undertaken as transparently as possible, with the knowledge and consent of the teacher's principal or supervisor, and an accurate record kept.

5. What is grooming?

Child grooming has been described as follows:

Child grooming [is] a premeditated behaviour intended to secure the trust and cooperation of children prior to engaging in sexual conduct, ... [O]ffenders take a particular interest in their child victim to make them feel special with the intention of gaining their trust. As trust is developed between the child victim and the offender, offenders then seek to desensitise child victims to sexual conduct by introducing a sexual element into the relationship.⁷

Teachers interact with children in educational settings and sometimes in other locations. It is important that teachers maintain professional boundaries and refrain from conduct which may be identified as grooming. It is also important that teachers are able to identify unacceptable conduct in others and feel confident to report it to appropriate authorities if they observe it.

Identifying the warning signs

In addition to the behaviours identified in Annexure 2, a variety of signals, patterns of behaviour and warning signs are often present which may indicate that a teacher has crossed professional boundaries and is grooming a student. Such behaviours include a teacher:

- making a student feel special — for example, by spending extra time with the student, arranging to drive the student home, buying the student lunch or other items, asking the student to be a special helper in the class, or touching the student unnecessarily, with no clear professional purpose or educational reason
- focusing on a student who is emotionally vulnerable — for example, a student who is having problems with their parents or is new to the school and hasn't established their circle of friends yet
- attempting to bribe or coerce a student into silence about the teacher's inappropriate conduct
- involving him/herself in a student's home life, for example by gaining the trust of the student's family and becoming involved in the life of the family⁸
- using social media, without an authorised educational context, to foster an inappropriate relationship with a student.

6. Sexualised or romantic/sexual relationships

Current students

For teachers, engaging in sexualised or romantic/sexual relationships with any student, regardless of their age, is completely inappropriate, and—depending on the age of the student—may also be a crime. It will result in disciplinary action.

Recent students

Sexualised or romantic/sexual relationships with recent students may breach teacher-student professional boundaries. In Tasmania, teachers should understand that a such a relationship that commences within **two years** of the student completing compulsory education or turning 18 (whichever is later) is likely to lead to an investigation or inquiry by the TRB and may result in disciplinary action.

A significant factor in teacher-student relationships is the difference in power and authority between the two parties and the high level of trust the student and their family places in the teacher. These differences do not suddenly disappear at a specific point in time. They linger as an imbalance between the two individuals and act as a potential impediment to their capacity to make decisions in their own and others' best interests.

Consequently, a teacher who enters into a sexualised or romantic/sexual relationship with a recent student — whether or not they actually taught that student — cannot assume that they will be

protected from disciplinary action by claiming a relationship began only after the school term concluded or after a student turned 18 years of age.

The length of time between a student ceasing to be a student and the beginning of an intimate relationship is only one of a number of critical factors that regulatory authorities will take into consideration when judging the appropriateness of a teacher's conduct in these circumstances. Other factors that teacher regulatory authorities may take into account include:

- the age difference between the teacher and the recent student
- the emotional and social maturity of the recent student
- the vulnerability of the recent student
- evidence regarding of the nature of the past teacher-student relationship, including the closeness, dependence, significance, and length of the relationship in the educational setting
- any other conduct that may impact on the teacher's good character and/or fitness to teach during the professional relationship with the student.⁹

7. Consequences of breaches of professional boundaries

Across various teacher jurisdictions there have been disciplinary cases which have involved examples of transgression of professional boundaries between teachers and students which have led to findings against registered teachers of misconduct, serious misconduct, and a lack of suitability/fitness to teach.

For violations at the more extreme end of the spectrum of seriousness, there are instances where criminal charges and sanctions have applied. In addition, the teacher's registration has been suspended or canceled, because of the teacher's actions or inaction.

8. Q&A professional boundaries

From whom should a teacher seek guidance if they think they observe a breach of professional boundaries by another teacher?

A teacher in this situation has a duty of care and must be prepared to intervene if necessary. Depending on the nature of the breach, it may also be appropriate or a requirement to report the matter to one or more of the following: a senior teacher, mentor, line manager, Head of Department or Principal, the teacher's employer, the Child Protection Advice and Referral Service, Tasmania Police and the TRB Tasmania.

From whom should a teacher seek guidance or clarification in regard to these Guidelines?

A senior teacher, mentor, line manager, Head of Department or Principal.

What should a teacher do when a student comes close to breaching or does breach student-teacher boundaries?

Sometimes students intentionally or unintentionally cross boundaries with teachers, for example, in the way they speak to teachers or by initiating inappropriate contact with teachers. In these circumstances, a teacher needs to respond quickly but respectfully, removing themselves or the student from the inappropriate contact, or ending an inappropriate conversation. The specific way a teacher handles this will depend on the age and intention of the student. Teachers should take the opportunity to report the contact to an appropriate senior teacher.

Challenging situations can arise when teenage students who are becoming aware of their own sexuality flirt with teachers. Teachers need to be alert to such behaviour by students and take steps to avoid situations that allow students to engage in such behaviour or stop the behaviour if it starts.

How should a teacher manage a private or other professional relationship with a student outside of school, including, for example, where the teacher may also be the student's sports coach or instructor or be involved in other extra-curricular activities with the student outside of the school environment?

A teacher's conduct towards a student or students should remain professional, no matter the setting. Teachers are always in a position of trust and authority with students, whether they are involved with the student in or outside of the school setting. Teachers should maintain appropriate boundaries when they are interacting with a student away from the normal school situation. Teachers remain accountable for their personal conduct and relevant professional standards and responsibilities continue to apply.

Is it acceptable for a teacher to have students as 'friends' on social media?

Teachers should reject requests on social media from students to be a 'friend' on their personal accounts. Teachers should not have unauthorised social media contact with students.

It is imperative that teachers are familiar with their employers' social media policy.

Social media, by its very nature, exposes both teachers and students to significant risks when it comes to the boundaries between teachers and students as it blurs the distinction between personal and professional interactions.

Teachers should be using school-sanctioned platforms to communicate with their students (e.g., providing them with links to educational resources, posting homework assignments, monitoring a discussion forum on topics related to the curriculum or answering specific questions). All students from the associated class must have access to the space, and all communications must be visible to at least one other staff member. If an employer allows teachers to communicate with students via social media, and a teacher wants to use social media, an arrangement ought to be made to establish a separate professional account. Students should be aware that the account is moderated by authorised school personnel.

Communications with students must focus solely on educational issues. Teachers should not engage in online discussions with their students that are not the type of discussions they would engage in with students in class settings.

If teachers are considering using social media as part of their professional practice, they might ask themselves:¹⁰

- How can I use this media appropriately?
- What are the risks?
- What are the benefits?
- What protocols/permissions need to be considered?
- Are there other ways that I can achieve the objectives without using social media?
- Have I provided one or more senior teachers with access so that the interaction is always able to be checked by senior staff?
- Is it clear to students that this account is monitored by several staff members, even if they don't use it to communicate?
- Do *all* my students have access to this social media forum?

Is it ever acceptable for a teacher to socialise with a student or students?

Teachers involved in social or sporting groups, or working in small towns or rural communities, face additional challenges in managing professional boundaries with students and their families. They are more likely to have social relationships with the parents of the students who attend their school and are therefore more likely to see their students out of school hours, in social or sporting settings, or at various community clubs or associations.

Social engagements are an important part of community life, and contribute positively to the wellbeing of teachers working in these communities. The recommendations below may assist teachers to enjoy these social or sporting engagements without compromising their professional responsibilities or crossing professional boundaries.¹¹

- Social contact should be generated via the relationship the teacher has with the parents/carers or adult siblings of students, or by an event (e.g., a social or sporting event).
- Teachers should avoid being alone with their students in these situations and, where it is unavoidable, do so with the informed consent of parents.
- Teachers should conduct themselves in a way that will not give others reason to question their fitness/suitability to teach and that will not create discomfort for their students.
- Consuming alcohol in these situations may lessen a teacher's capacity to judge when a professional boundary is at risk, so alcohol consumption should be avoided or limited.
- Teachers should politely avoid discussing matters relating to their workplace and should not discuss students' learning or progress at social or sporting occasions.
- Any concern a teacher has about whether or not a situation may be compromising or may breach professional boundaries should be discussed with a senior/supervising colleague or their Principal in advance, and an approved plan of action followed.

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Annexure 1 – Context for this document

The Teachers Registration Board of Tasmania (TRB) is an independent statutory authority and incorporated body established under the *Teachers Registration Act 2000* (the Act). Its purpose is to regulate the teaching profession in Tasmania, and to promote, maintain and apply the Australian Professional Standards for Teachers.

Section 7A of the Act requires that -

In performing its functions and exercising its powers, the Board must consider the welfare and best interests of students to be of paramount importance.

In Tasmania, effective regulation of teachers contributes to the protection of students by ensuring that only those who are of good character and fit to teach gain and continue to hold a registered status with the TRB.

Royal Commission into Institutional Responses to Child Sexual Abuse

The Royal Commission into Institutional Responses to Child Sexual Abuse has highlighted the fact that members of professions, such as teachers, are placed in a position of trust and must not abuse that trust.

In research done for the Royal Commission into Institutional Responses to Child Sexual Abuse, Professor Munro and Dr Fish stated:

[T]he challenges posed by the problem of child sexual abuse are (1) that perpetrators seek to conceal their activities; (2) children and young people who are abused can be unable or slow to ask for help; and (3) many of the behavioural indicators of abuse and ‘grooming’ are ambiguous, requiring judgement or interpretation to decide if they are cause for concern. ‘Grooming’ involves actions by the perpetrator to increase their chances of abusing a child undetected¹³.

Awareness raising and professional development about professional boundaries between teachers and students is one way for assisting members of the teaching profession to identify and take action to reduce or prevent child grooming and other inappropriate behaviour from occurring.

Annexure 2 - Examples of Types of Breaches of Professional Boundaries⁵

Type of professional boundary breach	Example
Emotional	<ul style="list-style-type: none"> • Showing preferential treatment to certain students without legitimate reasons. • Using subtle forms of control to allow a student to develop an inappropriate emotional dependency on the teacher. • Engaging in a role along the lines of 'friend' or 'personal counsellor' (unless this is a legitimate designated role).
Relationships	<ul style="list-style-type: none"> • Engaging in intimate, romantic, or sexual relationships with a student (current or former). • Engaging in flirtatious behaviour with a student. • Touching or gesturing intimately, e.g., hugging one or two particular students after an awards program. (This is distinct from the types of touching a teacher of younger children might engage in for reassurance or as part of normal classroom management). • Expressing romantic feelings towards a student verbally, in writing or in any other form. • Encouraging particular students to address teachers informally, when it is not the normal convention at that school. • Meeting a student alone outside school without a valid context and without appropriate school/parent permissions in advance. • Taking a student for an unauthorised outing, e.g., coffee, the movies or other social events. • Favouring a particular student, with no educational or valid purpose. This can include spending extra time with the student for inappropriate purposes or in inappropriate circumstances, e.g., driving the student home (without prior authority). • Gaining the trust of a student's family and friends as a way of further integrating themselves in the student's life, such as inviting the student and their family to attend a teacher's holiday home.

Type of professional boundary breach	Example
Power	<ul style="list-style-type: none"> • Giving a student a gift privately, e.g., money, credit for a mobile phone or a meal. • Using teacher authority to harm or threaten to harm a student. • Withholding information from a student to manipulate the student, e.g., to be alone with the student. • Rewarding or punishing a student based on an inappropriate teacher-student relationship, or favouring a student based on what the student does for the teacher. • Using a student to gain a personal benefit, such as monetary gain, goods, services or useful information from a student • Bribing a student into silence about the teacher's inappropriate conduct.
Communication	<ul style="list-style-type: none"> • Talking or joking with a student about personal matters or sexually inappropriate matters that are outside curriculum content. • Making inappropriate comments about a student's appearance, including excessively flattering comments. • Vilifying or humiliating students. • Facilitating or allowing access to pornographic or overtly sexual material. • Using pet names for a few particular students. • Engaging in correspondence of a personal nature with students, including letters, phone, SMS texts and/or social media. This does not include appropriate class postcards or bereavement cards. • Using social media to interact with a student without a valid educational context and appropriate safeguards. • Offering advice on personal matters to a student, where it is not done in an authorised situation, such as an authorised pastoral care situation. • Asking a student questions about sexual matters or personal matters that are not associated with their educational needs or without informing other appropriate staff. • Not immediately stopping, respectfully, discussions of a personal/sexual nature, even if they are initiated by a student. • Breaching the confidentiality of others with a student.

Type of professional boundary breach	Example
Physical	<ul style="list-style-type: none"> • Touching of a student without a valid/authorised reason or context. Examples of valid reasons include removing a student from danger where physical contact is the only way to protect the student from the danger, consoling an upset child, or providing first aid. • Touching of a student, personally or with an object (such as a pencil or ruler) that is unwarranted, unwanted and/or inappropriate. • Initiating or permitting inappropriate physical contact by or on a student, e.g., massage or tickling games. • Allowing students to push too close, or otherwise make inappropriate contact with a teacher. • Being present when students dress or undress, when not in an authorised supervisory role.

Annexure 3 — Ethical Decision-Making Model²

