





# External Service Providers Policy

POLICY DATES: JOHN CALVIN EXTERNAL SERVICE PROVIDERS POLICY			
Formulated	March 2025		
Implemented	March 2025	Reviewed	
Next Review Due	MARCH 2028		
POLICY AUTHORISATION			
Principal	Daniel Coote	Signature	
Board Chairman	Colin Mulder	Signature	

## 1. Purpose

1.1. External service providers (including any organisation defined as a contractor, sub-contractor, supplier, consultants or third party, or other person who is not a staff member or volunteer working with John Calvin School can be seen as representatives of Free Reformed School Association (John Calvin School) and should display conduct that is appropriate and will enhance a positive reputation.

John Calvin School has zero tolerance towards the abuse and neglect of children and young people. Therefore, the purpose of this Policy is to outline the responsibilities, procedures and practices required by all external service providers working within John Calvin School in relation to keeping children and young people free from abuse and neglect.

This Policy aligns with John Calvin School's Staff Code of Conduct Policy. Continued association by external providers with John Calvin School depends upon them observing and complying with this Policy.

Free Reformed School Association's policies are developed consistent its mission and goals as a Free Reformed based organisation.

## 2. Scope

2.1. This Policy applies to any external service provider working for John Calvin School across all our operational environments and without fail wherever children and young people are participating in our organisation's activities, programs, services or facilities.

2.2. This policy is aligned with the Australian Human Rights Commission National Principles for Child Safe Organisations.

2.3. This policy is developed within the framework of Free Reformed School Association's foundational Free Reformed doctrines according to the three forms of unity and Statement of Faith.

## 3. Policy

3.1. Roles and Responsibilities: John Calvin School has systems in place to ensure that all services, including those delivered by external service organisations, are effectively monitored and evaluated to ensure that any individual engaged in these services comply with the relevant organisational and legislative requirements. External service providers are required to read and comply with contracts (including partnership agreements and Memorandums of Understanding). These contracts must be approved by the Business Manager or a staff member of John Calvin School who is authorised to approve contracts. The contracts may be adapted to the nature of the

relationship between John Calvin School and any external organisations, but at a minimum, clauses should include that:

- it is the external provider's responsibility to ensure that their employees and any sub-contractors engaged by them to undertake work with John Calvin School comply with current legislative requirements and John Calvin School policies and procedures where applicable.
- external providers are responsible for informing their sub-contractors and employees about John Calvin School's requirements.
- any external provider or their employees who fail to comply at any time with John Calvin School's associated policies and procedures may face a financial penalty of/ or termination of the contract. Legal action will be taken wherever necessary.

### 3.2. Lawful and Reasonable Directions: the following standards apply:

3.2.1. External providers must comply promptly, conscientiously and effectively with all lawful and reasonable decisions and directions given by a person having authority to grant such directions.

3.2.2. External providers must not knowingly or deliberately impede compliance with, or implementation of, a lawful and reasonable decision or direction.

3.2.3. When making decisions or giving directions, external providers must act within their legal and organisational responsibilities and delegations. External providers must make competent decisions and provide fair and reasonable guidance and directions.

### 3.3. Safeguarding Children and Young People: Safeguarding children and young people is a shared responsibility within our organisation, including those engaging on behalf of external organisations.

Any contracts (including Partnership Agreements and Memorandums of Understanding) should address safeguarding children and young people obligations. Where applicable, it is the responsibility of all at John Calvin School, from Executive to staff, volunteers and external providers, to:

- protect children and young people from all forms of abuse and neglect by our people;
- be alert to incidents of child abuse and neglect occurring outside the scope of our operations and services that may have an impact on the children and young people to whom we provide a service;

and

- create and maintain a child-safe culture that is understood, endorsed and put into action by all the individuals who work for, volunteer, support or access our programs and services.

We expect all within our organisation, regardless of their role or level of responsibility, to act to safeguard children and young people from such harm by:

- adopting appropriate safeguarding practice and behaviour set within our policy and procedural guidelines when carrying out their roles, and
- reporting any abuse and neglect of which they become aware to our management and/or to external authorities responsible for child protection or to police, regardless of whether that abuse is being perpetrated by staff within our organisation, or by those outside our organisation including those from the child's family, extended family, their family's extended network or strangers.

We expect all within our organisation, including external providers, to promote equity and respect diversity by:

- actively anticipating children and young people's diverse circumstances and responding effectively to those with additional vulnerabilities:
- informing children and young people of their rights and giving all children and young people access to information, support and complaints processes:
- respecting the rights of children and young people to participate in decision-making.

### 3.4. Professionalism and Ethical Conduct: the following standards apply:

3.4.1. During their engagement, external providers must act in a professional and respectful way that enhances their professional reputation and the reputation of John Calvin School. External providers should always act appropriately in the presence of staff and students, both within and outside school hours. At all times, external providers should conduct themselves in a manner that does not bring John Calvin School or themselves into disrepute.

3.4.2. External providers must treat other external providers, John Calvin School staff, students, parents and carers with respect and without harassment, victimisation or discrimination. External providers must not behave in ways that a reasonable person would consider to be offensive, intimidating, humiliating or threatening.

3.4.3. External providers whose work involves interacting with students have a special responsibility to comply with duty of care requirements and to not be engaged in inappropriate behaviour such as illegal, anti-social, scandalous or disreputable activities, which may negatively impact on them being seen as appropriate role models for those students.

3.4.4. External providers must be aware of the policies, procedures and delegations that are applicable to their actions. Principals/Managers must make relevant information available to external providers. External providers are required to read and understand policy documents issued to them or circulated to them.

3.4.5. External providers must uphold and comply with:

- applicable laws, regulations, industrial awards and agreements (Commonwealth, State and local);
- applicable professional standards and codes of practice that do not conflict with government or Free Reformed School Association policy.

3.4.6. External providers must act promptly in reporting breaches of the law, Free Reformed School Association policies, government policies and directives, as well as misconduct and maladministration under the State Service Code of Conduct and these Free Reformed School Association Standards, to their Principal/Manager or other relevant John Calvin School staff members.

3.4.7. External providers are expected to always behave in ways that promote the safety, welfare and wellbeing of students and staff, in accordance with relevant work, health and safety legislation.

3.4.8. External providers must maintain the accuracy, integrity and appropriate confidentiality of all John Calvin School information.

3.4.9. All external providers are accountable for their official decisions and conduct.

3.4.10. Dress, personal appearance and hygiene are important elements of professional presentation. External providers must ensure their appearance and presentation is clean, tidy and appropriate for their work role. External providers must ensure that resources related to their work at John Calvin School are not misused, including financial, material, intellectual, information, system and knowledge resources.

3.5. Duty of Care is essentially a duty to do everything reasonably practicable to protect others from foreseeable harm. While this applies in all aspects of a staff

member's work, it is particularly important for those external providers who interact with students.

The following standards apply:

3.5.1. External providers must actively seek to maintain a physically-safe environment for students in accordance with the Work Health and Safety Act 2012

3.6. Reportable Conduct: includes a range of conduct committed against or in the presence of children, including criminal and non-criminal behaviour. Reportable conduct involves:

- significant emotional or psychological harm
- significant neglect
- physical violence
- a sexual offence
- sexual misconduct
- grooming
- relevant offences such as failing to report child abuse and female genital mutilation.

3.7. Reportable Conduct Scheme: requires leaders of specific organisations to notify an independent regulator when concerns are raised about conduct related to child abuse involving a worker and conduct investigations.

3.8. Significant Emotional or Psychological Harm to Students: the following standards apply:

3.8.1. External providers must not engage in emotional or psychological harmful conduct that could harm a child's:

- wellbeing
- development
- or both

Significant means the harm is more than trivial. It is also important to know that something doesn't have to have a permanent impact or effect to be considered significant. Examples of significant emotional or psychological harm include:

- direct and indirect exposure to domestic and family violence
- verbal abuse, such as telling a child they are worthless

- humiliating a child in front of their peers.

### 3.9. Physical Violence: the following standards apply:

#### 3.9.1. External providers must not engage in:

- actual physical violence: the intentional or reckless application of physical force to a person without lawful justification or excuse; or
- apprehended physical violence: any act which intentionally or recklessly causes a person to apprehend immediate and unlawful violence to the person.

Examples of actual physical violence include hitting, punching, pushing, kicking and spitting.

Examples of apprehending physical violence include words or actions which indicate that physical violence will occur to the child in the future.

There may be occasions, however, where physical intervention is appropriate in order to protect students.

In these circumstances, this would be deemed reasonable action providing that the physical intervention is to prevent harm or further harm to students and that the employee seeks to avoid inflicting physical harm where possible.

### 3.10. Sexual Misconduct: the following standards apply:

3.10.1. The External provider's interactions with all staff and students must be seen to be professional at all times.

3.10.2. External providers must not engage in behaviour that raises a reasonable suspicion that they have engaged in or will engage in sexual conduct with students or that the standards applying to the professional employee/student relationship has or will be breached.

3.10.3. External providers must not, unless there are specific work-related reasons, provide or exchange personal information such as telephone numbers with any student.

3.10.4. External providers must not engage in sexual conduct with a student at any time, either during or outside school hours.

3.10.5. Sexual misconduct is conduct that may overlap with criminal conduct. When performed in a sexual manner or with a sexual intention, sexual misconduct includes:

- inappropriate behaviour



- physical contact
- voyeurism (which means watching someone or others)

speech or other communication, including electronic communication.

Sexual misconduct is conduct that doesn't meet the acceptable standard of behaviour by a worker or volunteer and is committed in a sexual manner or with sexual intention. Sexual misconduct may occur in a variety of settings, including in person communication and online communication.

Examples of sexual misconduct include inappropriate comments to a child about an area of their body in a sexual manner and inappropriate touching of a child. Another example would be intentionally showing a sexually explicit movie to a child for sexual gratification.

3.10.6. External providers must discourage and reject any advances of a sexual nature initiated by a student. Should such a situation arise, the employee must report any such instances immediately to their supervisor/senior officer to assist in preventing repetition and avoiding subsequent allegations.

3.11. Grooming: means befriending and establishing an emotional connection with a child (and/or the child's guardian, family or friend or a worker) for the purpose of establishing trust to normalise sexually harmful behaviour or engage in an unlawful act, criminal offence or sexual misconduct against a child.

Grooming occurs in a pattern of manipulative or controlling behaviours. These behaviours can take place in a range of settings. Examples of grooming behaviour include:

- isolating a child from their peers to spend time alone
- befriending a child in person and continuing to communicate with the child online
- giving gifts, money or alcohol to a child, parent or friend to gain access to a child
- inappropriate touching of a child, including tickling and play fighting
- asking a child not to tell anyone about their behaviour.

3.11.1. Sexual conduct can also include 'grooming'. Grooming behaviour can also be a sexual offence under section 125D of the Criminal Code Act 1924. If you are unsure if an allegation of grooming behaviour is criminal offence, you should contact Tasmania Police.

3.12. Discrimination and Harassment: John Calvin School commits itself to providing a workplace free of all forms of discrimination and harassment. Common types of harassment include:

- intimidatory harassment
- bullying
- sexual harassment

The following standards apply:

3.12.1. External providers must not discriminate against or harass any colleague, John Calvin School staff member, student, parent or carer, nor discriminate in how services are provided to the community. All external providers working at John Calvin School have the responsibility to act equitably towards John Calvin School staff, students and the general public in accordance with the John Calvin School policies and relevant legislation, including the Tasmanian Anti-Discrimination Act 1998, Equal Employment Opportunity Act 1987, Workplace Relations Act 1996.

3.13. Use of Tobacco, Alcohol Other drugs and Medication: the following standards apply:

3.13.1. Smoking (including vaping) is not permitted in John Calvin School buildings, vehicles, facilities, and school grounds.

3.13.2. External providers have an occupational health and safety obligation, in accordance with the Work Health and Safety Act 2012, to ensure that their use of alcohol, drugs or other medications does not adversely affect their work performance or endanger the health and safety of others.

This includes behaviour at official functions where alcohol is served.

3.13.3. External providers must not provide students with alcohol or illicit drugs and must not encourage or condone the illegal use of alcohol, including underage drinking or excessive alcohol consumption or the use of illicit drugs.

3.13.4. External providers should avoid social contact with students under the age of 18 years where the consumption of alcohol or drugs occurs.

3.13.5. External providers must not consume or be affected by alcohol and/or drugs in any circumstances where they are responsible for students.

3.14. Conflict of Interest: An apparent conflict of interest exists when an employee's private interests have the potential to interfere with the proper performance of their work duties. An actual conflict of interests exists when a reasonable bystander, in possession of the relevant facts, would conclude that the employee's private interests are likely to interfere with the proper performance of their work duties. An

apparent or actual conflict of interest must be identified, declared and avoided or resolved in favour of the public interest. Situations that may give rise to a conflict of interest might include:

- financial interests of the employee, a friend or relative that could influence the impartiality of the performance of duties;
- personal beliefs or attitudes that may influence the impartiality of the advice given;
- party political activities or membership of politically active groups if it impedes the employee serving the government of the day;
- personal relationships with other external providers, applicants for positions, students or business customers;
- dealings with a friend, a relative or colleague who is also a student or parent;
- representative duties where an employee who is representing the interests of John Calvin School is also asked to represent the interests of a community group;
- private employment that may conflict with John Calvin School duties; or
- approval of expenditure that will benefit the employee, a friend, a relative or an organisation with which the employee identifies.

The following standards apply:

3.14.1. External providers must not engage with another employee, or allow themselves to be separately engaged by John Calvin School, to provide goods or services that they could reasonably be expected to provide as part of their departmental employment.

3.14.2. External providers are required to:

3.14.3. Avoid conflicts of interest if possible, and avoid creating conflicts for others.

3.14.4. Disclose in writing to their supervisor any perceived or actual conflict of interest as soon as they become aware that there is or may be a conflict, and where there is a change of supervisor, to notify that person of the conflict and the means being used to manage it. Resolve or otherwise manage the conflict with their supervisor and document how this was achieved.

3.15. Receiving and Giving Gifts and Benefits: the following standards apply:

3.15.1. External providers should not seek or encourage favours or gifts for services performed in connection with official duties.

3.15.2. External providers may not accept a monetary gift in connection with their work duties under any circumstances.

3.16. Confidentiality – Using and Disclosing Official Information: as an External Provider working at John Calvin School you may be entrusted with access to information of a sensitive or confidential nature to enable you to carry out your duties. You may also be provided with information from members of the community, i.e. parents and students which may be of a similar sensitive or personal nature.

The following standards apply:

3.16.1. External providers must ensure that confidential, private and sensitive information is handled carefully and that the integrity of such information is maintained at all times.

3.16.2. External providers must only use John Calvin School's official information, proprietary knowledge and intellectual property for John Calvin School work, except where specific consent of John Calvin School has been given for another purpose. This requirement continues to apply after they have left John Calvin School's engagement. After ceasing service with John Calvin School, you must not use confidential information obtained during the course of your employment for other work or non-work-related purposes.

External providers should be aware that unauthorised disclosure of John Calvin School information is contrary to this Policy and may result in a grievance report to their manager.

3.17. Personal Information: external providers must be aware of and comply with the provisions of the Personal Information Protection Act 2004. The following standards apply:

3.17.1. External providers must not make private use of official information.

3.17.2. Personal information collected or held by external providers must be held securely to avoid loss, unauthorised access, unauthorised use, modification or disclosure, and all other misuse.

3.17.3. External providers may only disclose information not normally provided to the public:

- if it is required as part of their duties;
- proper authority has been given to them to do so;
- when needed or authorised to do so by law; or
- when called to give evidence in court.

3.18. Making Public Comment: the following standards apply:

3.18.1. External providers must comply with John Calvin School policy when making a public comment about John Calvin School's work. Public comment includes public speaking engagements, comments on radio and television, expressing views in letters to the media or in books, journals, the internet, Web 2 technologies and resources such as blogs, wikis, social networking sites or other notices that the public may view.

3.19. Procedure for dealing with allegations and apparent breaches: while this Policy is not binding upon external service providers working with John Calvin School, they can be seen as representatives of John Calvin School and should display conduct that will enhance a positive reputation. Continued association with John Calvin School of these persons depends upon them observing and complying with this Policy.

Any breaches of this Policy may result in a termination of the External Service Provider Contract to work in schools.

3.20. Grievance Procedure: if an external provider does not adhere to this Policy, staff should report possible breaches to the School Principal or their relevant manager as soon as possible or by the end of the working day.

#### 4. References and Additional Related Documents

- John Calvin School's Safeguarding Children and Young People Policy
- John Calvin School's Safeguarding Children and Young People Commitment Statement
- John Calvin School's Staff Code of Conduct

## POLICY DEFINITIONS

### GENERAL DEFINITION OF TERMS:

Where referred to in this document:

**The School** refers to the John Calvin School to whom the Policy applies.

**The Board** means the Board of Directors of Free Reformed School Association.

**Executive** is a forum including Principals and the Business Manager.

**Principal** means the person charged with responsibility for the operation of an Association, or a person acting from time to time in that position.

**Business Manager** is the person appointed to the position of Business Manager of the Association, or a person acting from time to time in that position.

**Manager** means a person appointed to a managerial position within JOhn Calvin School.

**Staff** is any person either employed by the Free Reformed School Association either on a casual, part-time or permanent basis as well as volunteers, contractors and sub-contractors engaged in working at a John Calvin School.

**Parent** is a person who is the legal guardian of a child enrolled at a John Calvin School.

**Child** means any student enrolled at a John Calvin School