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## CODE OF CONDUCT FOR STAFF POLICY

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### 1. PREFACE

John Wollaston Anglican Community School (the School) is committed to providing a child-safe environment which safe-guards all students and is committed to promoting practices which provide for the safety, welfare and well-being of children and young people. The School expects all school community members including staff, volunteers, students, visitors, interns, trainees and contractors to share this commitment.

School staff are in a unique position of responsibility and authority and must make every effort to ensure that our School provides a child safe environment. The Anglican Schools Commission (ASC) and the School explicitly forbids the use of any form of child abuse, corporal punishment or other degrading punishment.<sup>1</sup> Teachers in particular are of primary importance when it comes to detecting abuse and preventing abuse from occurring.

### 2. INTRODUCTION

This *Code of Conduct for Staff Policy* (the *Code*) details the standards of behaviour and clear expectations of all employees of John Wollaston Anglican Community School regarding staff conduct in keeping with the School's Vision, Mission and Core Values; the *Child Safe Policy (WA)*; the *Mandatory Reporting of Child Sexual Abuse Policy and Procedures (WA) Policy*; the *Reporting of Abuse and Neglect Policy and Procedures (WA)*; the *Allegations of Misconduct against Employees in ASC Schools and Guidelines for the interviewing of Students by Police* of the Anglican Schools Commission (ASC) and the Department of Education WA's *Guide to Registration Standards and Other Requirements for Non-Government Schools (The Guide)*.

The Principal provides and discusses this *Code of Conduct for Staff Policy* with all staff at the commencement of their employment at the School. The *Code* is also included in the *Staff Handbook* and on the Staff Shared drive at J:\Staff Read Only\SCHOOL POLICIES\Current Policies. The *Code* is intended to apply to all employees, volunteers, visitors, interns, trainees and contractors in their work with the School. It should be read in conjunction with the *Child Safe Policy (WA)*; the *Mandatory Reporting of Child Sexual Abuse Policy and Procedures (WA) Policy* the *Reporting of Abuse and Neglect Policy and Procedures (WA)* and the *Allegations of Misconduct against Employees in ASC Schools and Guidelines for the interviewing of Students by Police* which can also be found at J:\Staff Read Only\SCHOOL POLICIES\Current Policies\1. ASC POLICIES.

This *Code* does not attempt to provide a rigid detailed and exhaustive list of what to do in every aspect of an employee's work. Instead, it sets out general expectations of the standards of behaviour required and gives some examples of the types of behaviour that are or are not acceptable.

The *Code* places an obligation on all employees to take responsibility for their own conduct and to interact and work with colleagues cooperatively to achieve a consultative and collaborative workplace where children are safe and employees experience professional satisfaction, feel valued and supported, develop an allegiance to the School and are happy and proud to work.

The *Code* will help to make our School a safer environment for children and it will also reduce the risk that staff will be unjustly accused of unprofessional and abusive conduct.

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<sup>1</sup> Refer to the *Glossary of Definitions Appendix 2*

Nothing in this *Code* should be taken to limit the circumstances in which the School may take disciplinary action in respect of an employee.

By accepting a contract of employment at John Wollaston Anglian Community School the employee is required to comply with the *Code of Conduct for Staff Policy*.

### 3. WHO HAS TO COMPLY WITH THE CODE OF CONDUCT?

3.1 All employees of John Wollaston Anglican Community School (employee/s of the School) must comply with this *Code*. Volunteers, visitors and contractors are also expected to comply with this *Code*.

3.2 Staff, visitors, volunteers and contractors will be held accountable for breaches of the *Code*.

#### How to Comply

1. You must:
  - a. conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the School;
  - b. comply with the School's policies and procedures;
  - c. act ethically and responsibly; and
  - d. be accountable for your actions and decisions.
2. If you are responsible for engaging or managing external consultants, contractors or volunteers, it is your responsibility to make them aware of the School's expectations of conduct consistent with the School's *Code of Conduct* during the period of their engagement. They should be told that any conduct that is not consistent with the *Code* may result in the engagement of a contractor, consultant or volunteer being terminated.

### 4. PRINCIPLES OF THE CODE OF BEHAVIOUR

4.1 As the School has a duty of care to its students, the expectation and understanding are that all staff will act in the best interests of the students and that the welfare and safety of students will be of paramount concern. All interactions therefore should be transparent and meet the principles of the *Code of Conduct*.

4.2 This *Code of Conduct* is intended to provide staff and community members with guidance as to the expected behaviours of all staff, visitors, volunteers and contractors engaged by John Wollaston Anglican Community School.

4.3 Staff are expected to promote the safeguarding role of the School, in a manner which is in accord with professional expectations and best practice of the teaching profession, as well as the expected norms of our community. They must be aware that their actions will be subject to scrutiny by other staff and by the community and they must be prepared to give an account of their behaviours to leadership when requested.

4.4 Any staff member who is unsure about appropriate boundaries in a particular circumstance or must act contrary to either specific or implied boundaries, must promptly consult with their line manager to discuss the possible breaches. If a breach inadvertently occurs, the staff member must bring it to the attention of the Principal immediately.

4.5 Staff are responsible for their own actions and should avoid any conduct which might be construed by a reasonable person as inappropriate. When considering their actions, staff could consider the following:

- a. How might this interaction be perceived by others?
- b. Am I treating this student differently to others?
- c. Can I achieve the same outcome through different interaction?
- d. Would I do this or say this if a colleague were present?
- e. Would I condone my conduct if I observed it in another adult?
- f. What guidance would my employer give me in this situation?

## 5. WHAT HAPPENS IF I BREACH THE CODE OF CONDUCT?

- 5.1 As an employee of the School, you hold a position of trust and are accountable for your actions.
- 5.2 All alleged breaches of the *Code* will be subject to scrutiny and if substantiated, staff may be warned, suspended or have their employment terminated. If the breach is considered to be grooming, the School is obliged to report this to the Teachers' Registration Board of Western Australia (TRBWA) (where a teacher is involved) and the Department of Education of Western Australia as a critical incident. Any potentially illegal activity will be reported to the Police and appropriate action will be taken by the Principal.
- 5.2.1 The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.
- 5.2.2 Employees are required to report all objectively observable behaviour that is not permitted by the *Code*, other than those subject to Mandatory Reporting obligations, to the Principal, the Head of Senior School, the Head of Primary or the Chair of School Council. NB: If the prohibited behaviour is by the Principal then it should be reported to the Chair of School Council.
- 5.2.3 Factors the School may consider when deciding what action to take may include:
- the seriousness of the breach;
  - the likelihood of the breach occurring again;
  - whether the employee has committed the breach more than once;
  - the risk the breach poses to employees, students or any others; and
  - whether the breach would be serious enough to warrant formal disciplinary action.
- 5.2.4 Actions that may be taken by the School in respect of breaches of the *Code* include management or remedial action, training or disciplinary action ranging from a warning to termination of employment and reporting of the matter (in the case of a teacher) to the TRBWA. The School reserves the right to determine in its entirety the response to any breach of this *Code*.

## 6. PRINCIPLES

### 6.1 PRINCIPLE 1: EMPLOYEE EXPECTATIONS

- 6.1.1 As an employee of the School, you should comply with the School's policies and procedures, particularly those that apply to child safety and wellbeing, at all times. You should know where you can access them for checking purposes. You should contribute, where appropriate, to School policies, discussions, learning and reviews about child safety and wellbeing. The School's policies and procedures are available on the Staff Shared drive at J:\Staff Read Only\SCHOOL POLICIES\Current Policies for staff access.
- 6.1.2 If you are uncertain about the scope or content of a policy with which you must comply, or any legal obligations to which you are subject, you should seek clarification from your line manager or the Principal.
- 6.1.3 You should also be familiar with the legislation under which you are employed as this may specify requirements with which you need to comply.
- 6.1.4 As an employee of the School, you are expected to:
- perform your duties to the best of your ability and be accountable for your performance;
  - follow reasonable instructions given by your line manager or his/her delegate;
  - comply with lawful directions;
  - carry out your duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve your knowledge and skills, including through participation in relevant professional learning;
  - act honestly and in good faith in fulfilling your duties;
  - be respectful, courteous and responsive in dealing with your colleagues, students, parents/guardians/carers and members of the public;

- g. demonstrate appropriate personal and professional boundaries;
- h. work collaboratively with your colleagues; and
- i. ensure that your conduct, whether during or outside working hours, is consistent with the Christian Ethos of the School and does not damage the reputation of the School.
- j. dress in a professional manner that is appropriate for your role.

### 6.1 How to Comply

1. Inform the Principal if you are charged with or convicted of a serious offence. You must also inform the Principal if you become the subject of a Violence Restraining Order.
2. If you become aware of a serious crime committed by another staff member, you are required to report it to the Principal, who may be required to inform the Police and/or the Department of Child Protection and Family Support and/or the TRBWA.
3. Identify and mitigate risks to student's safety and wellbeing as required by the ASC's *Risk Management and Compliance Policy, Framework and Strategy* and the School's *Risk Management Policy*.
4. Report any concerns that you may have about the safety, welfare and well-being of a child or young person.
5. Report any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people;
6. Report any concerns you may have about any other employee, contractor or volunteer engaging in objectively observed 'reportable conduct' as described in 5.2.2 above or any allegation of 'reportable conduct' that has been made to you (see 7 below), and
  - a. if you become aware that an employee, contractor or volunteer has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving 'reportable conduct'; and
  - b. if you become the subject of allegations of 'reportable conduct' whether or not they relate to your employment in the School.

You should refer to the ASC's *Child Safe Policy (WA)* and *Mandatory Reporting of Child Sexual Abuse Policy and Procedures (WA)* (with which the School must comply), for further information about these obligations.

7. Staff should make themselves familiar with the procedure for handling allegations against staff and students. It is expected that staff who form a belief that the boundaries or *Code of Conduct* have been breached will inform the Principal either by writing to the Principal confidentially or by making an appointment to meet with the Principal to discuss the matter. (See also 5.2.2). However, if the breach of the *Code of Conduct* falls with the staff member's Mandatory Reporting obligations, see 8. below.
8. Please note that teachers, and some other employees, have Mandatory Reporting obligations under the Children and Community Services Act 2004 (WA) where they have reasonable grounds to suspect a child is at risk of sexual harm and have current concerns about the well-being of the child. You should refer to the ASC's *Child Safe Policy (WA)* and *Mandatory Reporting of Child Sexual Abuse Policy and Procedures (WA)* (with which the School must comply), for further information about these obligations.
9. Any allegation of abuse received from a former student, their parent or guardians should be reported to the Principal or, if the allegation involves the Principal, the report should be made to the Chair of School Council. Notification to the appropriate authority can then be made.

## 6.2 PRINCIPLE 2: GOOD TEACHING PRACTICE (This Principle is for Teachers)

6.2.1 As a professional teacher it is expected you will provide quality teaching appropriate for your students, recognising the diversity of learners in your care and making every effort to help all students equally so they have every chance of succeeding.

6.2.2 Good teaching also means you will work closely with your colleagues and the parents/guardians/carers of your students and respond appropriately and promptly to any concerns they have.

### 6.2 How to Comply

1. You differentiate your lessons to cater for all learners and show no favouritism, bias or prejudice in your dealing with your students.
2. You make all effort to facilitate the provision of ancillary support to a student as is determined by their needs, to enable their equitable access to educational programs. Examples of ancillary support include extension programs for gifted and talented students; assistive technologies; counselling.
3. You create and maintain a classroom environment that promotes and enables student participation and is welcoming, culturally safe and inclusive for all children and their families.
4. As a professional you will look for and take advantage of every learning opportunity that is appropriate to your role.
5. As part of your treating all students with respect, you will have high expectations of all of your students.
6. It is expected you will regularly review the School's policies and make every effort to comply with them. You should involve students in making decisions about activities, policies and processes that concern them wherever possible.
7. You maintain regular communication with your students' parents/guardians/carers.
8. As a professional teacher who understands that things change and improvement is always possible, you will work cooperatively with your colleagues and share ideas and experiences in a collegial manner.

## 6.3 PRINCIPLE 3: RESPECT FOR PEOPLE

6.3.1 Staff should understand their responsibilities to safeguard and promote the human rights, safety and well-being of all students and other staff.

6.3.2 One of the School's Core Values is 'Respect'. The School expects employees to treat each other with respect and courtesy. Our daily interaction with others reflects on the School's reputation. Therefore, all employees are expected to be approachable, courteous and prompt in dealing with other people, including students, parents/guardians/carers, other employees and members of the community.

6.3.3 Employees who work with students have a special responsibility in presenting themselves as appropriate role models for those students. Maintaining a high standard of personal presentation and modelling effective leadership and respect in your interactions with students can have a profoundly positive influence on a student's personal and social development.

### 6.3 How to Comply

1. Model effective leadership and respect in your interactions with students.
2. Listen and respond to the views and concerns of students, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.

3. Continually monitor and reflect on your own practice, so as to model appropriate behaviour and to follow the guidance in this *Code of Conduct*.
4. Do not use rude or insulting behaviour, including verbal and non-verbal aggression. Abusive, threatening, intimidating or derogatory language and physical abuse or intimidation towards other employees, volunteers, students, visitors, interns, trainees, contractors and parents/guardians/carers are unacceptable. You must not use information and communication technologies, such as email, SEQTA direct message, mobile phones, text or instant messaging, blogs, social media sites and other websites to engage in this type of behaviour.
5. You must not discriminate against or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent. Your obligations in this regard, are set out in the ASC's *Equal Employment Opportunity, Discrimination and Harassment Policy*, the *Dispute and Complaint Resolution Policy and Procedures* and the School's *Bullying and Harassment Policy (students)*. Unlawful harassment or discrimination may constitute an offence under the Equal Opportunity Act 1984 or federal industrial or discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law. (The School takes reports of unlawful discrimination and harassment or bullying seriously and will consider action it considers appropriate if such conduct is found to have occurred including disciplining or dismissing offenders. Many incidents can be addressed effectively if reported early).
6. You should ensure that you are aware of the ASC's *Equal Employment Opportunity, Discrimination and Harassment Policy* and *Dispute and Complaint Resolution Policy and Procedures*. If you believe you are being unlawfully harassed or discriminated against or bullied:
  - a. where you feel comfortable in doing so, ask the person to stop or make it clear that you find the behaviour offensive or unwelcome. It may be useful to speak with your line manager or the Gender and Workplace Equity Officer in the first instance to seek guidance on how to do this, and/or
  - b. raise the issue as a grievance in accordance with the ASC's *Equal Employment Opportunity, Discrimination and Harassment Policy* and *Dispute and Complaint Resolution Policy and Procedures* as soon as possible after the incident(s) has occurred.
7. Do not lie about or exaggerate a complaint. The School will view this as a very serious matter, and you may be disciplined or dismissed.

#### 6.4 PRINCIPLE 4: DUTY OF CARE AND OCCUPATIONAL SAFETY AND HEALTH

6.4.1 As an employee of the School, you have a duty of care to students in your charge to take all reasonable steps to protect them from crisis or harm that can be reasonably predicted.

6.4.2 The duty encompasses a wide range of matters, including (but not limited to):

- the provision of adequate supervision
- ensuring grounds, premises and equipment are safe for students' use
- implementing strategies to prevent bullying from occurring in the School, and
- providing medical assistance (if competent to do so) or seeking assistance from a medically trained person to aid a student who is injured or becomes ill at school.

##### 6.4.3 Duty of care

6.4.3.1 As an employee of the School, you have a duty of care to students in your charge. That duty is to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. For example, preventative measures should be taken against risks from known hazards and from foreseeable risk situations. The standard of care that is required, such as the degree of supervision, needs to be commensurate with the students' maturity and ability.

6.4.3.2 Duty of care to students applies during all activities and functions conducted or arranged by the School. The risks associated with any activity need to be assessed and managed before the activity is undertaken.

6.4.3.3 You should ensure that you are aware of the School's *Duty of Care Policy (Staff)*; *Emergency Procedures Lock-In Policy*; *Evacuation Policy*; *Excursions, Incursions, Camps and Tours Policy* and the ASC's *Reporting Critical and Emergency Incidences in ASC Schools in Western Australia*.

#### 6.4.4 **Occupational Safety and Health**

6.4.4.1 You also have a responsibility under occupational safety and health legislation to take care of your own health and safety at work. It is also your responsibility to ensure that your activities do not place your own safety at risk and that of your co-workers, students or other persons that you may come into contact with at work.

6.4.4.2 Considerations of safety relates to both physical and psychological well-being of individuals.

6.4.4.3 You should ensure that you are aware of and comply with the School's *Occupational Safety and Health Policy*.

### **6.4 How to Comply**

1. Do not expose students or anyone else at your workplace to, any risk or hazard.
2. You should be familiar with the School's *Emergency Procedures Lock-In Policy* and *Evacuation Policy*.
3. Do not leave students unsupervised either within or outside of class. You should be punctual to class and allocated supervision.
4. Remain with students at after school activities until all students have been collected. In the event that a student is not collected you should remain with the student until collected or seek advice from your line manager.
5. Playground supervision is an integral part of the responsibility of staff. Do not be late to playground duty. Actively supervise your designated area, being vigilant and constantly moving around. Even if you are not on duty, you have a responsibility should you see something concerning or untoward as you walk across the campus.
6. Look out for bullying or any other form of discriminatory behaviour, and report incidents to the appropriate staff member. Additional detail about student bullying is set out in the School's *Bullying and Harassment Policy*.
7. Attend promptly to ill or injured students. Should additional assistance be required you should contact Primary Reception or Secondary Student Services Reception.
8. You should ensure that you understand and comply with the School's *Health Care Policy*, including do not store or administer medication to students unless their use complies with the School's *Health Care Policy*.

### 6.5 **PRINCIPLE 5: MAINTAIN PROFESSIONAL RELATIONSHIPS BETWEEN EMPLOYEES AND STUDENTS.**

- 6.5.1 Employees need to treat students with courtesy and respect and provide an environment that encourages students to do the same.
- 6.5.2 Employees must demonstrate appropriate personal and professional boundaries;
- 6.5.3 As an employee of the School you work in a co-educational environment with students from three (3) to 18 years. You are expected to always behave in ways that promote the safety, welfare and well-being of children and young people. You must actively seek to prevent harm to children and young people, and to support those who have been harmed.
- 6.5.4 While not all employees are required to manage and supervise students, it is important for all school employees to understand and observe the School's child protection policies.
- 6.5.5 The detection and prevention of grooming behaviour is a vital consequence of complying with this principle. (See *Appendix 1*)

## 6.5 How to Comply

### Supervision of students

1. Do not be alone in an enclosed space with a student. Where you are left with the responsibility of a single student, you should ensure that this is in an open space in view of others. Where this is not possible or practical it should be discussed with your line manager and/or the Principal.
2. Do not drive a student in your car unless you have specific permission from a member of the Executive and/or the Principal and written permission from the parent to do so. In the event of an emergency you should exercise discretion but then report the matter to a member of the Executive and/or the Principal.
3. If you wish to conduct a private conversation with a student you should consider the time and venue carefully to avoid placing yourself in vulnerable situations. It is preferable to leave the door open. You should not locate yourself between the student and the door.
4. When confiscating personal items, such as mobile phones or jewellery, ask students to hand them to you. These items should then be forwarded to the Dean of Pastoral Care or Dean of Pastoral Care Primary for safe-keeping. With regard to all other items, only take items directly from students in circumstances where concern exists for the safety of the student or others and your own safety is not jeopardised by this action.

### Physical contact with students

1. You must not impose any form of physical, corporal or demeaning punishment on a student in the course of your professional duties. Refer to the School's *Behaviour Management Policy and Procedures Secondary School* and *Promoting Positive Behaviours: Policy and Procedures Primary School* for more information.
2. When physical contact with a student is a necessary part of the teaching/learning experience, you must exercise caution to ensure that the contact is appropriate and acceptable. You should seek reassurance from the student before making contact or asking for a volunteer if necessary, to demonstrate a particular activity.
3. Attention to the toileting needs of young children should be done with caution. It may be appropriate to have the door open. For students with a disability, the management of toileting needs should be included in the student's individual education plan.
4. When congratulating a student, a handshake or pat on the shoulder is acceptable as long as the student is comfortable with this action. Kissing of students is not acceptable.
5. Assessing a student who is injured or ill may necessitate touching the student. Always advise the student of what you intend doing and, if they are conscious, seek their consent.
6. Sometimes in ensuring duty of care you may be required to restrain a student from harming him or herself or others using reasonable force. Any such strategy must be in keeping with the School's behaviour management practices or individual student management plans. You should report and document any such incidents to the Head of Senior School, Head of Primary or the Principal.

### Relationships with students

1. You must not have a romantic or sexual relationship with a student. It is irrelevant whether the relationship is homosexual or heterosexual, consensual or non-consensual or condoned by parents/guardians/carers. You are reminded of:
  - a. the law prohibiting sexual relations with a person under the age of consent (16 years); and
  - b. the law prohibiting sexual relations between a teacher and his or her student under the age of 18 years.
2. You must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student. An overly familiar relationship with any student (including any adult student) who, you are responsible for teaching, tutoring, advising,



assessing, or for whom you provide pastoral or welfare support, raises serious questions of potential grooming behaviour, conflict of interest, trust, confidence, dependency, and of equality of treatment. Such relationships may also have a negative impact on the teaching and learning environment for other students and colleagues and may carry a serious reputational risk for the School.

3. If you consider that a student is being overly familiar, seeking to establish a personal relationship with you or has developed a 'crush' on you, you should report your concerns to the Head of Senior School, Head of Primary and/or the Principal as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.
4. At all times when speaking with students, care must be taken to use appropriate language. You must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments. The use of nicknames for teachers is not permitted. Do not allow students to address you by your first name or use a nickname. An exception is the School Chaplain who may be known as Father 'John' or Chaplain 'Mary'.
5. You may, as part of your pastoral care role, engage in discussion with students. This is entirely appropriate. However, you must be cautious about making personal comments about a student or asking questions that probe your own or a student's sexuality or relationships. You must not hold conversations with a student of an intimately personal nature where you disclose information about yourself.
6. You must not:
  - a. invite students to your home
  - b. visit students at their home or
  - c. attend parties or socialise with students, unless you have the express permission of the Principal and the child's parents/guardians/carers.
7. You must not engage in private tutoring or coaching students from the School without the express permission of the Principal.
8. You must not invite students to join your personal electronic social networking site or accept students' invitations to join their social networking site (see *Principle 6: Appropriate Use of Electronic Communication and Social Networking Sites*).
9. You must not give gifts to students. You should also carefully consider your position before accepting any gift from a student or parent (see *Principle 9: Declaring Gifts, Benefits and Bribes*).
10. Wherever practical, you should avoid teaching or being involved in educational decisions involving family members or close friends. Where it is not practical to avoid such situations completely, another member of staff should make any significant decisions relating to the student's assessments and have those endorsed by a line manager.
11. You should be respectful of and sensitive to, the needs of children with culturally diverse or indigenous backgrounds and cultural practices.

### **Child Protection**

1. You must be aware of and comply with the ASC's *Child Safe Policy (WA)*; the *Mandatory Reporting of Child Sexual Abuse Policy and Procedures (WA)*; the *Reporting of Abuse and Neglect Policy and Procedures (WA)* and the *Allegations of Misconduct against Employees in ASC Schools and Guidelines for the interviewing of Students by Police*. These policies can be found on the Staff Shared drive at J:\Staff Read Only\SCHOOL POLICIES\Current Policies.

## 6.6 PRINCIPLE 6: APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES

- 6.6.1 The School provides electronic communication facilities for its students and employees for educational and administrative purposes. It monitors and views data stored or transmitted using the School's facilities. By its nature, electronic communication is a fast and informal way of communicating. However, once a document or image has been sent, there is no way to recall it and it exists forever.

### 6.6 How to Comply

1. Do not expose students or anyone else at your workplace to any risk or hazard. You must comply with the *Media and Public Relations Policy (ASC)*; *Use of Electronic Facilities (ASC) JWACS version* includes *Network Use Agreement*; *Social Media Policy*, *SEQTA Engage Use and Etiquette Statement*; *Staff Handbook: Communication p. 18* and *Staff Handbook: Information Communication Technology (ICT) p. 24*. This includes:
  - a. exercising good judgement when using electronic mail, following the principles of ethical behaviour;
  - b. using appropriate and professional language in electronic mail messages;
  - c. being aware that if an issue addressed in an email/direct message becomes the subject of a legal dispute, then that email/direct message would be discoverable: that is, the court and all parties to the-dispute would be entitled to see it;
  - d. not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
  - e. not inviting students into your personal social networking site or accepting an invitation to theirs;
  - f. not using social networking sites to email or contact students;
  - g. not showing or provide children with access to inappropriate images or material;
  - h. remembering the transmission, storage, promotion or display of offensive, defamatory or harassing material is strictly forbidden; and
  - i. reporting any situations where you become aware of the inappropriate use of electronic communication and social networking sites.
2. You must never use the School's networks to view, upload, download or circulate any of the following materials:
  - a. sexually related or pornographic messages or material;
  - b. violent or hate-related messages or material;
  - c. racist or other offensive messages aimed at a particular group or individual;
  - d. malicious, libellous or slanderous messages or material; or
  - e. subversive or other messages or material related to illegal activities.

## 6.7 PRINCIPLE 7: USE OF ALCOHOL, DRUGS OR TOBACCO

- 6.7.1 Occupational Safety and Health is of fundamental importance to the School. Maintaining a safe work environment requires everyone's continuous cooperation.
- 6.7.2 You are responsible for ensuring your capacity to perform your duties is not impaired by the use of alcohol or drugs and that the use of such substances does not put at risk your or any other person's health and/or safety.

### 6.7 How to Comply

#### General

1. You must not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances,

2. Do not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;
3. You must notify your line manager if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
4. Take action to resolve any alcohol or other drug-related problems that you have; and
5. Consult with a member of the Executive and/or the Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

#### **Drugs**

1. You must not have illegal drugs in your possession while at work, Any illegal drugs found on school property or in the possession of any person on school property may result in disciplinary action including the termination of your employment and referral to the Police and/or the TRBWA;
2. The same applies to situations off campus where a staff member is on duty and/or has students in his/her care;
3. You must not give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
4. You must not supply or administer prescription or non-prescription drugs to students unless authorised to do so.

#### **Alcohol**

1. You must not take alcohol to school or consume it during school hours or at any John Wollaston function at any time school students are present including those events conducted outside school premises unless expressly permitted to do so by the Principal. A John Wollaston function is any occasion organised by the School and/or in the School's name, including dances, farewells, excursions, sporting fixtures and fund raising events;
2. You must not purchase alcohol for, or give alcohol to, any John Wollaston student (or to any other person under the age of 18 years); and
3. You must not encourage or condone the use of alcohol by students of any age during educational activities.

#### **Tobacco and Electronic Cigarettes (E-cigarettes)**

1. You must not smoke, vape or permit smoking or vaping in any John Wollaston buildings, enclosed areas or on the school grounds. This includes all buildings, gardens, sports fields, cars and car parks.
2. You must not smoke or vape whilst at any John Wollaston function even if it is not on school campus. This includes, amongst all other activities, camps, tours and excursions.
3. You must not purchase tobacco, tobacco products or e-cigarettes for any John Wollaston student or give them tobacco, tobacco products or e-cigarettes.

### **6.8 PRINCIPLE 8: IDENTIFYING AND MANAGING CONFLICTS OF INTEREST**

- 6.8.1 Private interests can, or have the potential to, influence a person's capacity to perform their duties and in turn compromise their integrity and that of the School.
- 6.8.2 As an employee of the School, you must not act in conflict with the School's best interests. A conflict of interest can involve:
  - a. pecuniary interests i.e. financial gain or loss or other material benefits
  - b. non-pecuniary interests i.e. favours, personal relationships and associations.
- 6.8.3 Conflict of interest also includes:

- a. the interests of members of your immediate family or relatives (where these interests are known);
- b. the interests of your own business partners or associates, or those of your workplace; or
- c. the interests of your friends.

### **6.8 How to Comply**

1. As an employee of the School, you must not act in conflict with the School's best interests.
2. When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to the Principal.
3. You should also report, to the Principal, situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.

## **6.9 PRINCIPLE 9: DECLARING GIFTS, BENEFITS OR BRIBES**

- 6.9.1 As an employee of the School, you may be offered a gift or benefit as an act of gratitude. There are some circumstances when to refuse a gift would be perceived as rude, insulting or hurtful. You are expected to exercise sound judgement when deciding whether to accept a gift or benefit.
- 6.9.2 Accepting gifts and other benefits has the potential to compromise your position by creating a sense of obligation and undermining your impartiality. It may also affect the reputation of the School and its staff. You must not create the impression that any person or organisation is influencing the School or the decisions or actions of any of its employees.

### **6.9 How to Comply**

1. If you are offered a bribe (i.e. anything given in order to persuade you to act improperly), you must refuse it, explain why it is not appropriate, and immediately report the matter to the Principal.
2. If you are offered a gift or benefit, you should always consider the value and purpose of a gift or benefit before making any decision about accepting it. A gift that is more than \$100, including gift cards and vouchers, must not become personal property. You should either politely refuse it or advise the contributor that you will accept it on behalf of the School.
3. When a gift is accepted, you must advise the Principal. She/he will determine how it should be treated and make a record of its receipt. Depending on the nature and value of the gift it may be appropriate to record the gift in the Asset Register as a donation or other such record established for that purpose.
4. Sometimes employees might in the course of their work, win a prize of significant monetary value e.g. a computer from another organisation. Prizes are usually considered the property of the School. If you win a prize, you must advise the Business Manager or the Principal who will determine how the prize should be treated and recorded.

## **6.10 PRINCIPLE 10: COMMUNICATION AND PROTECTING CONFIDENTIAL INFORMATION**

- 6.10.1 You should be mindful of confidentiality when in discussions with parents/guardians/carers. You cannot always give a guarantee of confidentiality especially if the matter under discussion requires Mandatory Reporting.
- 6.10.2 School employees should maintain the confidentiality of School information. (Refer to Confidential Information below).

6.10.3 School employees should be aware that there are strong legal requirements around the collection, release and privacy of information.

6.10.4 Before asking for information or disclosing information, staff need to assure themselves that they are acting in a legal manner. If unsure you should discuss the matter with your line manager.

## **6.10 How to Comply**

### **Communication**

1. You are required to comply with the School's *Privacy Policy* and any school policy relating to communication with parents/guardians/carers.
2. You should not disclose personal information about another staff member to students or parents/guardians/carers or discuss their work performance, except if authorised by the Principal in the context of grievance resolution.
3. All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with students, members of the school community, or the public.
4. The media should not be given access to students or allowed entry to the School without the express permission of the Principal. You should not make any comments to the media about the School, students or parents/guardians/carers without the express permission of the Principal. The Principal is the School's official spokesperson to the media. The Community Engagement Coordinator is the Principal's delegate if he/she is unavailable.

### **Confidential Information**

1. As an employee of the School, you must only use confidential information for the work-related purpose it was intended.
2. Unless authorised to do so by legislation, you must not disclose or use any confidential information without the express permission of the Principal.
3. You must make sure that confidential information, in any form, cannot be accessed by unauthorised people.

### **Privacy**

1. Sensitive and personal information should only be provided to people who are authorised to have access to it.
2. You should always exercise caution and sound judgment in discussing the personal information of students, parents/guardians/carers, staff and other people with other employees of the School. Normally information should be limited to those who need to know in order to conduct their duties, or to those who can assist in carrying out the School's work because of their expertise.
3. The School is legally required to report the loss, unauthorised access to or disclosure of personal information resulting in serious harm, to any individuals to whom the information relates and the Office of the Australian Information Commissioner. In accordance with this requirement you are required to notify the Principal in relation to any such loss, access or disclosure, including School information that may be contained on School or personal devices. For more information please refer to the 'Notification of Data Breach' section of the School's *Privacy Policy*.

## **6.11 PRINCIPLE 11: RECORD KEEPING**

6.11.1 All employees have a responsibility:

- a. to create and securely maintain full, accurate and honest records of their activities, decisions and other business transactions; and
- b. to capture or store records in the School's record systems.

### 6.11 How to Comply

1. You must not destroy or remove records without appropriate authority.
2. Line managers have a responsibility to ensure that the employees reporting to them comply with their records management obligations.
3. Employees responsible for assessing and recording marks for students' work must do so accurately, fairly and in a manner that is consistent with relevant policy and the requirements of the School.
4. Employees must maintain the confidentiality of all official information and documents which are not publicly available, or which have not been published.

### 6.12 PRINCIPLE 12: COPYRIGHT AND INTELLECTUAL PROPERTY

- 6.12.1 When creating material, you need to ensure the intellectual property rights of others are not infringed and information is recorded about any third party copyright/other rights included in materials.
- 6.12.2 If you develop material that relates to your employment with the School, the copyright in that material will belong to the School. This may apply even if the material was developed in your own time or at home. Please also refer to your *Letter of Appointment (Employment Contract)*.

### 6.12 How to Comply

1. Advice relating to sharing or licensing the School's intellectual property should be sought from the Principal.
2. Do not give away or assign the School's intellectual property without the approval of the Principal.
3. You should not use the School's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal.

## 7. RELEVANT POLICIES

Related policies, some referred to specifically in the text of the *Code* and others which are inferred:

- *Allegations of Misconduct against Employees in ASC Schools and Guidelines for the interviewing of Students by Police (ASC)*
- *ASC and its schools Induction Policy (ASC)*
- *ASC Code of Conduct for Students Policy and Procedures (ASC)*
- *ASC Conflict of Interest Policy*
- *ASC Recruitment and Selection Policy and Procedures*
- *ASC Use of Private Vehicle Policy*
- *ASC Whistleblowing Policy and Procedures*
- *Behaviour Management Policy and Procedures Secondary School*
- *Bullying and Harassment Policy*
- *Child Safe Policy (WA) (ASC)*
- *Code of Conduct for Parents/Visitors Policy (to be written)*
- *Complaint and Dispute Resolution Policy- ASC Schools JWACS*
- *Dispute and Complaint Resolution Policy and Procedures (ASC)*
- *Duty of Care Policy*
- *Emergency and Critical Incident Management Policy*
- *Emergency Procedures Lock-In Policy*

- *Equal Employment Opportunity, Discrimination and Harassment (ASC)*
- *Evacuation Policy*
- *Excursions, Incursions, Camps and Tours Policy*
- *Health Care Policy*
- *Inclusive Education Policy*
- *Mandatory Reporting of Child Sexual Abuse Policy and Procedures (WA) Policy (ASC)*
- *Occupational Safety and Health Policy*
- *Occupational Safety and Health Policy Framework (ASC)*
- *Privacy Policy*
- *Privacy Policy and Procedures (ASC)*
- *Promoting Positive Behaviours: Policy and Procedures Primary School*
- *Reporting Critical and Emergency Incidences in ASC Schools in Western Australia (ASC)*
- *Reporting of Abuse and Neglect Policy and Procedures (WA) (ASC)*
- *Restraint of Students Policy and Procedures (ASC)*
- *Risk Management and Compliance Policy, Framework and Strategy (ASC)*
- *Social Media Policy*
- *Student Code of Conduct: Primary*
- *Student Code of Conduct: Secondary*
- *Students with Disability (ASC)*
- *Use of Electronic Facilities (ASC) JWACS version*
- *Visitors on School Premises Policy*
- *Workplace Learning Policy*

## 8. RELEVANT LEGISLATION

Relevant legislation includes but is not limited to:

- Corruption, Crime and Misconduct Act 2003 (*also known as Corruption and Crime Commission Act 2003*)
- School Education Act 1999
- School Education Regulations 2000
- Teacher Registration Act 2012
- Teacher Registration (General) Regulations 2012
- Working with Children (Criminal Record Checking) Act 2004

## 9. ACKNOWLEDGEMENT

- Association of Independent Schools NSW
- Association of Independent Schools WA (AISWA)
- Department of Education WA. (2019). *Guide to the Registration Standards and Other Requirements For Non-Government Schools*. Perth WA. Retrieved from <https://www.education.wa.edu.au/standards>.
- Government of Western Australia. (2019). *Teacher-Student Professional Boundaries* [Pamphlet]. Perth WA: Teacher Registration Board of Western Australia. Retrieved from <https://www.trb.wa.gov.au/Professional-Conduct/Teacher-Student-Professional-Boundaries>



**CODE OF CONDUCT FOR STAFF**

**10. STAFF ACKNOWLEDGEMENT**

By signing this Acknowledgement, you are agreeing to abide by this *Code of Conduct* to the best of your ability and acknowledge that you understand that breaches of this *Code of Conduct* will be taken seriously and could result in termination of your employment.

I, \_\_\_\_\_ have read, understood and agree to comply with the terms of this *Code of Conduct*.

Employee Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Principal Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

**Induction pertaining to the Code of Conduct (2020 Standards Guide p 18)**

Date	Inductor Name	Inductor Signature	Employee Signature

*The signed original of this page will be kept on the staff member's Personnel File and a copy passed on to the employee for personal retention.*



## UNDERSTANDING GROOMING BEHAVIOUR

### Grooming

The use of a variety of manipulative and controlling techniques with a vulnerable subject in order to establish trust or normalise sexually harmful behaviour with the overall aim of facilitating exploitation and/or avoiding exposure.

From p.37. Department of Education WA. (2019). *Guide to the Registration Standards and Other Requirements For Non-Government Schools*. Perth WA. Retrieved from <https://www.education.wa.edu.au/standards>.

### Grooming

Child grooming has been described in a paper released by the Australian Institute of Criminology, as follows:

Child grooming, a premeditated behaviour intended to secure the trust and cooperation of children prior to engaging in sexual conduct, is a process that commences with sexual predators choosing a location or target area likely to be attractive to children. A process of grooming then commences during which offenders 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.

By virtue of their role, teachers have access to children at school, and sometimes in other locations. Therefore, 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 report it to appropriate authorities if they observe it.

### Identifying the warning signs

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

### Such behaviours include a teacher:

- Speaking about a student constantly, without a valid educational or pastoral reason.
- Hovering near a student inappropriately.
- 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 unnecessary physical contact with the student, with no clear professional purpose or educational reason.
- Focussing inappropriately 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 a student into silence about the teacher's inappropriate conduct.
- Involving themselves in a student's home life without legitimate reason, for example by gaining the trust of the student's family and becoming involved in the life of the family.
- Using social media, without an authorised educational context, to foster an inappropriate relationship with a student.

**The following questions may be of further assistance to teachers in recognising when professional and/or legal boundaries are at risk of being breached:**

- Am I dealing with a particular student in a different manner than with other students under the same circumstances?
- Am I behaving in a way that puts my own emotional needs above a student's needs or welfare?
- 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 in the way I would act with that student in class or at school?
- Am I engaging in behaviours and discussions either personally or 'online' that are or should be beyond the realm of children or teenagers?
- Is my dress, availability, language or demeanour different from normal, with a particular student?
- Would I modify my behaviour with a student if a colleague or parent was present?
- Would I judge my conduct negatively if I observed it in another teacher?
- Is it possible that the consequences of 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 suitability/fitness to teach and work with children?
- How would I feel explaining my actions to the student's parent or guardian?
- How would I feel explaining my actions to my teacher regulatory authority?

From p. 16 – 17. Government of Western Australia. (2019). *Teacher-Student Professional Boundaries* [Pamphlet]. Perth WA: Teacher Registration Board of Western Australia. Retrieved from <https://www.trb.wa.gov.au/Professional-Conduct/Teacher-Student-Professional-Boundaries>

## GLOSSARY OF DEFINITIONS

### Child abuse

Four forms of child abuse are covered by WA law and are defined by the Department of Communities:

- (1) Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or caregiver.
- (2) Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level, and includes sexual behaviour in circumstances where:
  - (a) the child is the subject of bribery, coercion, a threat, exploitation or violence;
  - (b) the child has less power than another person involved in the behaviour; or
  - (c) there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
- (3) Emotional abuse includes:
  - (a) psychological abuse; and
  - (b) being exposed to an act of family and domestic violence.
- (4) Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged, or they are injured. Neglect may be acute, episodic or chronic.

### Corporal punishment

Any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm [UN Committee on the Rights of the Child, General Comment No. 8 (2006)].

### Degrading punishment

Any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child [UN Committee on the Rights of the Child, General Comment No. 8 (2006)].

### Emotional abuse

Emotional abuse occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings.

### Psychological abuse

Repeatedly treating and speaking to a child in ways that damage the child's perceptions, memory, self-esteem, moral development and intelligence. It is a form of emotional abuse.

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