



## CODE OF CONDUCT - STAFF

### 1. RATIONALE

St Hilda's is committed to providing a child-safe environment which safe guards all students and is committed to promoting practices which provides for the safety, wellbeing and welfare of our children and young people. St Hilda's expects all school community members including staff, volunteers, students, visitors and contractors to share this commitment.

School staff are in a unique position of responsibility and authority and must make every effort to make sure that our school provides a child safe environment. Teachers in particular are of primary importance when it comes to detecting abuse and preventing abuse from occurring.

### 2. SCOPE

This Code of Conduct details the standards of behaviour expected of all employees of the School.

This Code does not attempt to provide a rigid, detailed and exhaustive list of what to do in every aspect of your 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 work with colleagues cooperatively to achieve a consultative and collaborative workplace where children are safe and people are happy and proud to work.

In all situations, and in particular regard to managing students' behaviour, the School explicitly forbids child abuse, corporal and degrading punishment. (See Section 4. Definitions.)

This Code of Conduct will not only help in making our school a safer environment for children, it will also reduce the risk that staff will be unjustly accused of unprofessional or abusive conduct.

#### **Who has to comply with the Code of Conduct?**

All employees of the School must comply with this *Code*. Volunteers, visitors and contractors are also expected to comply with this *Code*.

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

#### ***How to Comply***

*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; and*
- (c) behave respectfully, ethically and responsibly.*

*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.*

### 3. BACKGROUND

Nothing in this Code should be taken to limit the circumstances in which the School may take disciplinary action in respect of an employee. This *Code* should be read in conjunction with the Child Protection Policy which can be found on the St Hilda's Policy Centre.

### 4. DEFINITIONS

**Corporal punishment**, as defined in the Guide to the Registration Standards and Other Requirements for Non-Government Schools is: '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), paragraphs 11 and 15: CRC/C/GC/8, 2 March 2007).

**Degrading punishment**, as defined in the 'Guide' is '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'. Please see St Hilda's Child Protection Policy for a definition of **child abuse**.

**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 their relationship'.

### 5. LEGISLATION

Relevant Legislation includes but is not exclusive to:

Corruption and Crime Commission 2003

Criminal Code Act 1913

School Education Act 1999

School Education Regulations 2000

Working with Children (Criminal Record Checking) Act 2004

Teacher Registration Act 2012

The Teacher Registration (General) Regulations 2012

Children and Community Services Act 2004 (WA) Equal Opportunity Act 1984

Criminal Code Amendment (Cyber Predators) Act 2006

Occupational Safety and Health Act 1984

Worker's Compensation and Injury Management Act 1981

Guide to the Registration Standards for Non-government schools

Australian Human Rights Code of Conduct – Published by Australian Human Rights Commission

National Child Safe Organisation Principals

### 6. RELATED POLICIES AND PROCEDURES

School Community Code of Conduct  
Child Protection Policy  
Complaints Resolution Procedure  
Protective Practices Policy  
Intellectual Property Policy  
Occupational Health & Safety Policy  
Anti-Bullying & Workplace Harassment Prevention Policy  
Personal Use of Social Media  
Social Media for School Usage Policy  
Staff Grievance Policy  
Student Code of Conduct  
Supportive School Environment Policy  
Use of Student Images Policy  
Whistleblower Policy  
Teacher-Student Professional Boundaries – A Resource for WA Teachers (TRBWA)

## 7. GUIDELINES

### St Hilda's Culture and Community

- At St Hilda's our **Purpose** is to provide a vibrant school community that educates and inspires students for life
- Our **Vision** is preparing girls for the future by developing tenacity, confidence and compassion
- Our **Values** include:
  - **Respect** - We value sensitivity and concern for the wellbeing of others. This means being caring, compassionate and honest. We learn in a safe and supportive school environment, while respecting our natural environment and cultural heritage.
  - **Inclusion** - We acknowledge that we are a diverse community and must have regard for the feelings, wishes or rights of others in everything we do. We value diversity of cultural expression.
  - **Excellence** – We encourage the pursuit of personal best in all areas and respect the achievements of others. We have a lifelong commitment to the quest for knowledge.
  - **Justice** - We are committed to participation and citizenship. We promote democratic processes and social justice. We believe in fairness and equity for the achievement of a just, responsible society.

### 7.1 Principles of the Code of Behaviour

As the School has a duty of care to its students, the expectation and understanding is that all staff and students 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.

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 St Hilda's.

Staff are expected to behave in a manner which promotes the safeguarding role of the School, in a manner which is in accord with school expectations, professional expectations and best practice of the teaching profession, as well as the expected norms of our community. You must be fully aware that your actions will be subject to

appropriate scrutiny by other staff and by the community, and you must be prepared to give an account of your behaviours to senior leadership and members of the Executive Leadership Team when requested.

Any staff member who is unsure about appropriate boundaries in a particular circumstance or must act contrary to either specific or implied boundaries, must consult as early as possible with their line manager/Head of Department to discuss the possible breaches. If a breach inadvertently occurs the staff member must bring it to the attention of the Executive Leadership Team immediately.

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:

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

## **7.2 Employee Expectations**

As an employee, you should be familiar with the School's policies and procedures, know where you can access them for checking purposes and be able and willing to comply with the school's policies and procedures. The policies and procedures are available on the St Hilda's Policy Centre.

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 direct line manager or a member of the Executive Leadership Team.

You should also be familiar with the legislation under which you are employed as this may specify requirements with which you need to comply.

As a school employee, 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/Head of Department 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 opportunities;
- act honestly and in good faith in fulfilling your duties;
- be respectful, courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- work collaboratively with your colleagues;
- ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the School and does not damage the reputation of St Hilda's; and
- dress in a professional manner that is appropriate for your role.

### **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 Communities and/or the Teacher Registration Board WA.
3. Report any concerns that you may have about the safety, welfare and wellbeing of a child or young person.
4. Report any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people;
5. Report any concerns you may have about any other employee, contractor or volunteer engaging in objectively observed conduct that is not permitted by the Code; and
  - 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 conduct not permitted by the Code; and
  - if you become the subject of allegations of conduct not permitted by the Code, whether or not they relate to your employment in the School.

You should refer to the School's Child Protection Policy for further information about these obligations.

6. 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 has been breached will familiarise themselves with the Staff Grievance Policy located on the St Hilda's Policy Centre. Please see the procedures outlined in this Policy for dealing with a staff grievance. St Hilda's is committed to ensuring that grievances are handled impartially, fairly, ethically, in a timely manner, sensitively, with discretion and free of unfair repercussions for anyone involved.
7. From January 2009, teachers and boarding supervisors are required by law to make a mandatory report of child sexual abuse when a belief, based on reasonable grounds, is formed that sexual abuse is occurring or has occurred. This applies if you are working in a paid or unpaid capacity as a teacher and/or boarding supervisor. **Staff who are not teachers or boarding supervisors** must report all forms of abuse to the school's Principal. Reports of abuse involving the Principal must be reported to the Chair of Council. NB: Sexual abuse that occurred before 1 January 2009 is not considered a mandatory report but must be reported to the Principal.
8. In cases where a former student (under the age of 18), or the parent or guardian of a former student, makes an allegation about child sexual abuse at the School occurring before 2009, the Department of Communities – Child Protection Service is to be notified.

### **7.3 Good Teaching Practice**

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.

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

#### **How to Comply**

- 1. You differentiate your lessons to cater for all learners and show no favoritism, 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 maintain a safe classroom environment;*
- 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 school policies and make every effort to comply with them;*
- 7. You maintain regular communication with your students' parents/ guardians; and*
- 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 collegiate manner.*

### **7.4 Respect for People**

Staff should understand their responsibilities to safeguard and promote the welfare of students and other staff.

St Hilda's 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, respectful, courteous and prompt in dealing with other people, including students, parents, other employees and members of the community.

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

### **How to Comply**

1. *Model effective leadership and respect in your interactions with students;*
2. *Continually monitor and reflect on your own practice, so as to model appropriate behaviour and to follow the guidance in this Code of Conduct;*
3. *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, contractors, students and parents is unacceptable. You must not use information and communication technologies, such as email, mobile phones, text or instant messaging, blogs, social media sites and other websites to engage in this type of behaviour;*
4. *You must not engage in unlawful discrimination against, harassment of, or bullying towards a fellow employee, contractor, volunteer, student or parent/guardian. Your obligations in this regard are set out in the School's Anti-Bullying and Workplace Prevention Policy, Student Code of Conduct and Supportive School Environment Policy. 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;*
5. *You should ensure that you are aware of the School's Anti-Bullying and Workplace Prevention Policy. If you believe you are being unlawfully harassed or discriminated against or bullied:*
  - (a) *where you feel comfortable 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 Department Head 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 school's Anti-Bullying and Workplace Prevention Policy as soon as possible after the incident(s) have occurred; and*
6. *Do not lie about or exaggerate a complaint.*

#### **7.5 Duty of Care and OH&S**

As a school employee, you have a duty of care to students in your charge to take all reasonable steps to protect them 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.

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 the Health Centre, Wellness Centre or a medically trained person to aid a student who is injured or becomes sick at school.

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.

You should ensure that you are aware of the school's Duty of Care Policy, Excursions/Camps/Trips/Tours Forms & Checklist, Inter School Sport procedures and Student Exchange Programs. See also Section 9 of the Staff Handbook 2019 which outlines the School's Risk Management procedures.

#### **7.5.1 Out of Hours Care: Extend-ED**

The person responsible at the Extend-ED service is the staff member employed to lead Extend-ED and the holiday program. In addition, the person in day to day charge will accept this responsibility in writing and will be made aware of when they are taking this responsibility on.

#### **7.5.2 Occupational Health and Safety**

You also have a responsibility under occupational health and safety 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.

Considerations of safety relates to both physical and psychological wellbeing of individuals.

You should ensure that you are aware of and comply with the School's Safety and Health policies via the St Hilda's Policy Centre including the Emergency and Evacuation Procedures, and Lockdown Procedures.

#### **How to Comply**

- 1. Do not expose students or anyone else at your workplace to any risk or hazard;*
- 2. Read the School's evacuation and/or lock down procedures;*
- 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, excluding IGSSA Sports. In the event that a student is not collected you should remain with the student until collected, or seek advice from your line manager/Head of Department or a member of the Executive Leadership Team. Students who return to the School from IGSSA Sports should be instructed by the teacher to attend the School's Library (Bay View Campus) which is open until 9.00pm on Mondays to Thursdays if parents/guardians are running late to collect their daughters;*
- 5. Do not be late to playground duty. Actively supervise your designated area, being vigilant and constantly moving around;*
- 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 Student Code of Conduct Policy and Supportive School Environment Policy;*

7. *Attend to ill or injured students. Should additional assistance be required you should contact the Health Centre or Wellness Centre during school hours and complete an Incident Report form located on the St Hilda's Policy Centre (using Incident Report link); and*
8. *Do not store or administer medication to students unless their use complies with the School's medical records located on SEQTA. Staff should contact the Health Centre or Wellness Centre during school hours for students who require medical assistance*

## **7.6 Maintain Professional Relationships between Employees and Students** **Teachers need to treat their students with courtesy and respect and provide an environment that encourages their students to do the same.**

As a school employee, you are expected to always behave in ways that promote the safety, welfare and wellbeing 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.

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 Policy and Protective Practices Policy located on the St Hilda's Policy Centre.

**The detection and prevention of grooming behaviour is a vital consequence of complying with this principle.**

### **7.6.1 Understanding Grooming Behaviour**

Grooming in a child protection context refers to deliberate actions undertaken to engage in sexual activity with a child. It differs from sexual abuse in that it is primarily a preparatory activity occurring before abuse occurs, but is continued during and after the abuse to ensure the safety of the groomer.

Grooming is a subtle, gradual, and escalating process of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator, this generally involves engaging in sexual activity with the child. It is deliberate and purposeful and occurs both before and after the abuse. Abusers may groom children and supporting adults for weeks, months, or even years before any sexual abuse actually takes place. The grooming may occur in person, via cyber media and/or other forms of communication.

A committed offender will employ grooming behaviour from an early stage and because it is so subtle and gradual the child may not even be aware that the actual abuse when it occurs, is wrong or harmful. The grooming occurs with the child but also with those supporting networks around the child which might normally act as a deterrent or protective element. The perpetrator will invest significant energy and patience to minimise the risk of detection and exposure.

The groomer will employ manipulation, guilt, shame, bribery, coercion or exploit low self-esteem to psychologically manipulate the child. As a result the child becomes increasingly dependent on the groomer and increasingly alienated from protective elements including possible sources to disclose to. This is a deliberate strategy employed to maintain the secrecy of the abuse and to ensure the silence of the child.

The groomer will exploit any vulnerabilities of the protective elements around the child, including parent and family circumstances and school systemic weaknesses. Groomers are very adept at identifying anomalies, boundary ambiguities and any lack of systemic awareness, and then using them to deflect attention from their own actions and intentions.

While distinguishing between appropriate intent and inappropriate intent is often difficult, particularly for a child, it is essential that schools have very clear expectations and boundaries around employee behaviours so that there can be rigorous accountability when dealing with staff.

Schools must work to improve their knowledge and understanding in this area so they are able to challenge existing practice, recognise unprofessional behaviour and build a shared understanding of what a safe school is.

Grooming behaviour with children may include, but is not limited to:

- Selecting and befriending a child and gaining his or her trust and then exploiting the child's vulnerabilities.
- Testing a child's boundaries through telling inappropriate jokes, roughhousing, backrubs, tickling, or sexual games.
- Moving from non-sexual touching to "accidental" sexual touching. This typically happens during play so the child may not even identify it as purposeful, inappropriate touching. It is often done slowly so the child is gradually desensitised to the touch.
- Manipulating the child to not tell anyone about what is happening. The abuser may use a child's fear, embarrassment, or guilt about what has happened. Sometimes, the abuser uses bribery, threats, or coercion.
- Causing the child to feel responsible for the abuse. Children may not notice or may become confused as the contact becomes increasingly intimate and sexual.

Grooming behaviour with adolescents may include additional strategies, such as:

- Identifying with the adolescent. The abuser may appear to be the only one who understands him/her.
- Displaying common interests in sports, music, movies, video games, television shows, etc.
- Recognising and filling the adolescent's need for affection and attention.
- Giving gifts or special privileges to the adolescent.
- Allowing or encouraging the adolescent to break rules (e.g., smoking, drinking, using drugs, viewing pornography).

- Communicating with the adolescent outside of the person's role (e.g., teacher, or coach). This could include, for example, texting or emailing the teen without the parents' knowledge.
- In addition to grooming the child, the groomer will use deflection strategies to remain unchallenged. Some of these strategies may include where the perpetrator:
  - Promoting self and creates a reputation as caring, child-loving, competent, available, trustworthy, truthful
  - Raising doubts about the motives, mental health, reliability of the child or anyone else who might approach support services with allegations
  - Fostering dependency as someone the family can rely on
  - Positively representing child to others so as to be perceived as someone who would never harm the child

### **7.6.2 Preventing or Interrupting the Grooming Process**

Schools unfortunately provide a vast array of opportunities for groomers to enact the grooming process. Some abusers have a particular preference for children within particular age bands and some studies have shown that groomers will take child focused employment primarily to get access to a particular cohort of children.

Within a school context, holding all staff members accountable to the school Code of Conduct and challenging boundary crossings and violations is one of the most effective strategies to combating grooming behaviour.

#### **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 supervisor and/or the Principal;*
- 2 *You should never drive a student in your car unless you have specific permission from a member of the Executive Leadership Team 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 Leadership Team;*
- 3 *If you wish to conduct a private conversation with a student you should consider the time and venue carefully to avoid placing yourselves in a vulnerable situation. It is preferable to leave the door open. You should not locate yourself between the student and the door; and*
- 4 *When confiscating personal items, such as mobile devices, follow the procedures outlined in the Mobile Device Policy located on the St Hilda's Policy Centre. 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 corporal or demeaning punishment on a student in the course of your professional duties. Refer to the School's Student Behaviour Management Policy;*

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 management plan;*
4. *When congratulating a student, a handshake, pat on the shoulder or brief hug are 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; and*
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 student behaviour management practices or individual student management plans. You should report and document any such incidents.*

### ***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 or caregivers. 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) that 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 your line manager/Head of Department and/or a member of the Executive Leadership Team 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.*

5. *You may, as part of your student wellbeing 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 or care giver.*
7. *You must not engage in 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 **7.7 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 a parent (see **7.10 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 Head of Department/line manager.*
11. *You should be aware of, and sensitive to, children with culturally diverse or indigenous backgrounds and cultural practices that may influence the interpretation of your behaviour.*

### **Child protection**

*You must be aware of and comply with the School's Child Protection Policy and Protective Practices Policy. These policies can be found on the St Hilda's Policy Centre.*

### **7.7 Appropriate Use of Electronic Communication and Social Networking Sites**

The School provides electronic communication facilities for its students and employees for educational or 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.

### **How to Comply**

1. **You must comply with the School's Computer Use Policy - Staff and Personal Use of Social Media Policy. This includes:**
  - a) *exercising good judgment 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 becomes the subject of a legal dispute, then those emails would be discoverable: that is, the court and all parties to the dispute would be entitled to see them;*

- 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) *remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and*
- h) *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 subversive or other messages or material related to illegal activities.*

**7.8 Use of Alcohol Drugs or Tobacco**

Occupational Safety and Health is of fundamental importance to the School. Maintaining a safe work environment requires everyone's continuous cooperation.

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 you or any other person's health and safety.

**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/Head of Department 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 your line manager/Head of Department or member of the Executive Leadership Team 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, referral to the Police and, in the case of a member of the teaching staff, report to the Teacher Registration Board WA;*

2. You must not give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
3. 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 school 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 school 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 school student (or to any other person under the age of 18 years); and
3. encourage or condone the use of alcohol by students of any age during educational activities.

### **Workplace Functions and Alcohol**

There are a number of work related functions at which alcohol is consumed. The School has a duty of care to its staff to provide a safe and healthy work environment. This extends to the conduct of staff with respect to unintended consequences of alcohol consumption at work related functions, such as harassment and other forms of abuse.

End of year celebrations and other functions sponsored by St Hilda's, are considered to some within the scope of legislation including the Occupational Safety and Health Act 1984, and the Workers' Compensation and Injury Management Act 1981. Staff are to conduct themselves in line with the School Community Code of Conduct and the School's Values.

Reasonable precautions should be taken to minimise the risk of injury or an offence occurring.

Examples of these measures include:

- a) being considerate of diversity and cross cultural needs of staff;
- b) ensuring the provision of soft drinks, iced water, light alcoholic drinks and food;
- c) ensuring under age staff do not consume alcohol;
- d) encouraging the use of taxis, public transport and non-drinking skippers;
- e) issuing reminders about the dangers of drink-driving and encouraging guests to leave their cars at home if they intend to drink;
- f) stopping service to intoxicated staff and making safe transport arrangements to ensure they do not drive home;
- g) ensuring finishing times for functions are reasonable;
- h) ensuring that there is no automatic topping up of drinks; and
- i) if gifts are exchanged at the Christmas function, the types of gifts to be exchanged are not offensive.

In the interest of health and safety in the workplace staff are urged to conduct themselves in a responsible and appropriate manner.

### **Tobacco**

1. You must not smoke or permit smoking in any school buildings, enclosed area or on the School's grounds. This includes all buildings, gardens, sports fields, cars and car parks.

2. *You must not smoke whilst at any school 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 or tobacco products for any school student, or give them tobacco or tobacco products.*

### **7.9 Identifying and Managing Conflicts of Interest**

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.

A conflict of interest can involve:

- a) pecuniary interests i.e. financial gain or loss or other material benefits; and/or
- b) non-pecuniary interests i.e. favours, personal relationships and associations.

Conflict of interest also include:

- 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.

#### ***How to Comply***

1. *As a school employee, 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 a member of the Executive Leadership Team or Principal.*
3. *You should also report situations where a Line Manager/Head of Department or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.*

### **7.10 Declaring Gifts, Benefits or Bribes**

As an employee, 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.

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.

#### ***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 of a nominal value (\$100) 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 or Director of People and Culture. 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 Gift Register as a donation or other such record established for that purpose.*
4. *Gifts from School Contractors should not be accepted during tendering processes or within six (6) months of a contract prior to the expiration of a contract. The Director of Finance and Operations should be notified of any offers of gifts that occur during these times.*
5. *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 your line manager/Head of Department or the Principal who will determine how the prize should be treated and recorded.*

#### **7.11 Communication and Protecting Confidential Information**

You should be mindful of confidentiality when in discussions with parents. You cannot always give a guarantee of confidentiality especially if the matter under discussion is related to mandatory reporting.

School employees should maintain the confidentiality of school information (refer **Confidential Information** below).

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

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/Head of Department or a member of the Executive Leadership Team.

### **How to Comply Communication**

1. *You are required to comply with the School's Privacy Policy, the Complaints Resolution Procedure and the School's Community Code of Conduct.*
2. *You should not disclose personal information about another staff member to students or parents 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 without the express permission of the Principal.*

### **Confidential information**

1. *As a School employee, 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, staff and other people with other school employees. 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. *From 22 February 2018, the School is legally required to report the loss, unauthorised access to, or disclosure, of personal information resulting in serious harm, to the 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 your line manager/Head of Department and/or 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 breaches' section of the School's Privacy Policy).*

#### **7.12 Record Keeping**

##### **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.*

### **How to Comply**

1. *You must not destroy or remove records without appropriate authority.*
2. *Supervisors 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 the School's Assessment Policy and the requirements of the School and regulated Authorities.*
4. *Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.*

#### **7.13 Copyright and Intellectual Property**

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.

If you develop material that relates to your employment with St Hilda's, 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.

### **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.*

## **8. BREACH**

### **What happens if I breach the Code of Conduct?**

As a School employee, you hold a position of trust and are accountable for your actions.

All alleged breaches of the Staff Code of Conduct will be subject to scrutiny and if substantiated staff may be warned, suspended or have employment terminated. If the breach is considered to be grooming, the School is obliged to report this to the Teachers' Registration Board (where a teacher is involved) and the Department of Education as a critical incident. Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by the senior management.

**8.1** The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.

**8.2** 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, a designated Executive Leadership Team member or the Chair of Council.

If the prohibited behaviour is by the Principal then it should be reported to the **Chair of Council**.

**8.3** Factors the School may consider when deciding what action to take may include:

- a) the seriousness of the breach;
- b) the likelihood of the breach occurring again;
- c) whether the employee has committed the breach more than once;
- d) the risk the breach poses to employees, students or any others; and whether the breach would be serious enough to warrant formal disciplinary action.

**8.4** Actions that may be taken by the School in respect of a breach of the Code include performance management or remedial action, training or disciplinary action ranging from a warning to termination of employment and reporting of the matter, if suspected to be grooming, to the Director General of the Department of Education, as a critical incident. In the case of a teacher, the matter would also be reported to the Teacher Registration Board WA. The School reserves the right to determine in its entirety the response to any breach of this Code.

**Responsibility:** Director of People and Culture

**Review Date:** December 2019

**Next Review Date:** December 2020

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#### Staff Acknowledgement

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

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**Employee Signature**

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**Dated**

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**Director of People and Culture or  
School representative**

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**Dated**

The original will be kept on file and a signed copy passed on to the employee