



## Staff Code of Conduct Policy

Policy Classification		
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<b>Policy Audience:</b> Oaklife	<b>Policy Status:</b> Current	<b>Policy Review Date:</b> 2020
<b>Policy Approval:</b> This policy was approved by the Senior Leadership Team and Board February 2018.		
This policy supersedes all previous policies relating to matters contained herein.		

## **1.0 Rationale**

- 1.1 This Staff Code of Conduct Policy sets out the standards of conduct regarding professional and personal behaviour Oakhill College requires of its staff members in upholding the College's Lasallian ethos including upholding the teachings and values of the Catholic Church and to avoid by word, action or public lifestyle behaviours contrary to those teachings and values.
- 1.2 The aim of this Code of Conduct document is to encourage a safe, supportive, productive and harmonious workplace.
- 1.3 This Code of Conduct document does not attempt to provide a detailed and exhaustive list of what to do in every aspect of your duties. Rather, it sets out general expectations of the standards of behaviour required.
- 1.4 The Staff Code of Conduct Policy 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 people are happy and proud to work.

## **2.0 Guiding Principles**

- 2.1 This Code of Conduct applies to all staff members of Oakhill College. It outlines the obligations, responsibilities and standard of behaviour Oakhill College requires of all staff members to uphold the values, integrity and reputation of the College.
- 2.2 Staff members are to make themselves familiar with the requirements of this document and ensure they comply with the behaviours and obligations outlined within it. Failure to comply with the responsibilities and obligations outlined in this document may result in disciplinary action being taken, including termination of employment, notification to external agencies and/or criminal charges.
- 2.3 Staff members must act lawfully and comply with all legislative, contractual and industrial requirements while engaged by Oakhill College.
- 2.4 Staff members must also comply with the College's policies and follow all reasonable and lawful directions given by the Principal.
- 2.5 Staff members of the College are expected to:
  - respect the dignity, rights and views of others
  - listen and seek to understand different points of view (this does not necessarily mean agreeing with the point of view)
  - act respectfully at all times, including respecting disability, cultural, ethnic, gender (identity), political and religious differences
  - acknowledge the genuine contributions that others make
  - express constructive feedback considerately and in a moderate tone
  - not harass, bully or discriminate against colleagues, clients or members of the public
  - be courteous, fair, sensitive and considerate to the needs of others
  - be honest and act with integrity at all times
  - actively assist in managing workplace conflict that personally affects them or staff members under their supervision to create positive and constructive outcomes
- 2.6 Raise any concerns related to these guiding principles or any other policies and procedures applicable to employees of Oakhill College.

## **3.0 Policy**

- 3.1 Staff members of Oakhill College are expected to:
  - maintain a high standard and quality of work
  - maintain and develop knowledge and understanding of their area of expertise
  - continuously seek to improve work performance and bring about improvements in the workplace
  - exercise care, responsibility and sound judgement when carrying out their duties
  - ensure procedural fairness is followed in all processes
  - maintain adequate documentation to support any decision making eg minutes of meetings
  - take reasonable care of their health and safety
  - take reasonable steps that their acts/omissions do not adversely affect the health and safety of others
  - comply and cooperate with any reasonable instruction, policy or procedure, including with respect to work health safety matters
  - refrain from carrying out their duties under the influence of alcohol, any illegal substance, or any drug

- which impairs work performance or poses a safety risk to themselves or others
- work efficiently and fulfill all required duties
- not take or seek to take improper advantage of any information gained in the course of employment
- not take improper advantage of their position to benefit themselves or others
- not allow personal political views/affiliations or other personal interests to influence the performance of duties or exercise of responsibilities
- maintain confidentiality and privacy where required
- report to the Principal or Deputy Principal any instance where the staff member believes they, or anyone within their workplace, have been treated in a discriminatory or harassing manner

### **3.2 Conflicts of Interest**

- 3.2.1 A conflict of interest includes any circumstance, whether actual or perceived, arising from a conflict between the performance of a staff member's professional duties with Oakhill College and their personal interests. Staff members are to take all appropriate steps to disclose a conflict of interest (or potential conflict) to the College Principal as soon as the staff member becomes aware of it.
- 3.2.2 A conflict can arise when there is a reasonable expectation of a personal benefit, direct or indirect, for a staff member that could influence the performance of their duties. This benefit may be financial or non-financial.
- 3.2.3 Staff members must take suitable measures to avoid, or appropriately deal with, any situation or relationship they may have where a conflict of interest could, directly or indirectly, compromise the performance of their duties.
- 3.2.4 A staff member may ask themselves the following questions to assist in identifying whether a situation or relationship is potentially a conflict of interest:
  - Do I have personal interests that may conflict, or be perceived to conflict, with my position at the College?
  - Could there be benefits for me now, or in the future, that could cast doubt on my objectivity?
  - How will my involvement in the decision or action be viewed by others?
  - Does my involvement appear fair and reasonable in all the circumstances?

### **3.3 Gifts and Benefits**

- 3.3.1 Staff members must not solicit or accept gifts, benefits or hospitality which might be reasonably seen to either directly or indirectly compromise or influence their professional duties with Oakhill College.
- 3.3.2 Gifts of a nominal value generally used for promotional purposes, or moderate acts of hospitality offered as a genuine thank you, may be personally retained as long as they have not been solicited by the staff member or could be seen to have comprised or unduly influenced the staff member's professional duties with the College.
- 3.3.3 Gifts or hospitality offered as an inducement to purchase, provide information or treat someone favourably are not acceptable regardless of their monetary value. Examples of inducement include a recruitment agency offering theatre tickets.
- 3.3.4 Gifts, such as a Christmas hamper or a box of chocolates from a consultant, should be shared and made available for consumption by all staff members. Consideration should also be given to donating such gifts to charity.
- 3.3.5 Any gift or act of hospitality over \$100 is to be declared to the Principal and recording on a Gift Register and reported to the Board annually.

### **3.4 Secondary Employment**

- 3.4.1 Staff members employed on a full-time basis must seek and obtain approval in writing from the Principal prior to engaging in any secondary employment or business activity, including employment within a family company.
- 3.4.2 Part-time and casual staff members must also seek approval to undertake secondary employment from the Principal if the employment may result in potential conflicts of interest that could adversely impact on the staff member's ability to perform their duties with Oakhill College, including work, health & safety concerns, or where the secondary employment may affect the College's financial position, services, clients or standing in the community.
- 3.4.3 Approval for secondary employment is still required when staff members are on leave, including periods of leave without pay.
- 3.4.4 Where a staff member is already involved in secondary employment, they must provide details of the secondary employment to the Principal and obtain the necessary approval.

### **3.5 Management and Resources**

- 3.5.1 Staff members must use Oakhill College's resources economically and ethically. Such resources include money, facilities, equipment (e.g. phones, computers, ipads, fax machines), vehicles, services (e.g. internet) and any other property which is owned or is the responsibility of the College. Staff members also have a duty to ensure the College's resources are used only for their intended purpose, are well maintained and secured against theft or misuse.
- 3.5.2 Staff members are fully accountable for the use of the College's work time and resources. Staff members are not to use the College's work time or resources for an outside interest, secondary employment or personal gain, such examples include the development of a new commercial idea or writing a book.
- 3.5.3 Staff members have a duty to report to the Principal any improper use, waste or abuse of resources, corrupt or fraudulent conduct or inadequate administration or accountability.

### **3.6 Protected Disclosures**

- 3.6.1 In reporting any suspected improper use, fraud, waste or abuse of resources, corrupt conduct, inadequate administration or accountability, staff members are entitled to seek support and protection when making such disclosures, and to be notified of the action taken in relation to the disclosure.
- 3.6.2 Staff members are not entitled to protection for disclosures which, on investigation, are found to be vexatious or malicious allegations, and may be liable for disciplinary action as a result.

### **3.7 Confidentiality**

- 3.7.1 Staff members must not divulge, either during employment or after, any confidential information gained as a staff member of Oakhill College.

## **4.0 Supporting and Related Documents, Procedures and Guidelines**

The Staff Code of Conduct Booklet which is distributed to and signed as received by staff on employment to the College, is attached in Appendix One. Staff are reissued the Staff Code of Conduct periodically when updated. All updates are also notified by email to staff at the time of their implementation.

## **5.0 Policy Review**

The College, via the Principal and the Director of Professional Learning, is to ensure that this Policy is monitored and reviewed. The next review date is 2020.

## **6.0 Explanatory Notes and Definitions**

## **7.0 Further Information**

Further information about this document can be sought from HR Manager or Deputy Principal

## Appendix: One

### STAFF CODE OF CONDUCT

Oakhill College is a Catholic school in the Lasallian tradition, dedicated to the quality education and care of young men and women.

The College is committed to providing a vibrant Catholic environment where students grow in faith, wisdom, justice and integrity through positive and supportive relationships with staff and their peers. In all aspects of school life, the dignity of each person is of paramount importance as exemplified by Jesus Christ in the Gospels.

This Code of Conduct is underpinned by our Lasallian Core Principles of:

- Faith in the presence of God;
- Respect for all persons
- Inclusivity;
- Quality education;
- Concern for the poor and social justice.

All employees are expected to demonstrate and support the Catholic ethos of the College through the exercise of their employment responsibilities and conduct.

#### Intended use

This Code of Conduct is intended to be made available to Oakhill College staff at the commencement of their employment and it is to be available and/or provided to staff during the course of their employment or involvement with the College. The Code forms comprehensive directions to employees as to the expected standard of behaviour. This Code is intended to apply to all employees and contractors and volunteers in their work with the College.

#### Rationale

The aim of this Code is to outline the standards of behaviour expected of all employees of the College.

This Code does not attempt to provide a detailed and exhaustive list of what to do in every aspect of your duties. Rather, it sets out general expectations of the standards of behaviour required.

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 people are happy and proud to work.

This Code of Conduct applies to all employees of the College whether employed on a permanent, temporary or casual basis.

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

By accepting employment with the College, you must be aware of and comply with this Code.

Therefore, you must:

- a) conduct yourself, personally and professionally in a manner that upholds the ethos and reputation of the College;
- b) comply with the College's policies and procedures;
- c) act ethically and responsibly; and
- d) be accountable for your actions and decisions.

#### General

This Code is not intended to be contractual in nature and does not impose any contractual obligations on the College. The College reserves the right at its sole discretion to vary or cancel this Code at any time. Nothing in this Code should be taken to limit the circumstances in which the College may take disciplinary action against an employee.

Unless otherwise noted, all quotes are from St John Baptist de La Salle.

## 1. What is expected of you as an employee?

*“Take care that your school runs well.”*

*“Preach by example and practise before the eyes of the young what you wish them to accept.”*

As an employee, you should be aware of the College’s policies and procedures, particularly those that apply to your work. Many of these are available online; others may be made available to you through induction and training and development programmes.

If you are uncertain about the scope or content of a policy with which you must comply, you should seek clarification from your supervisor or the Principal.

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 College employee, you are expected to:

- a) perform your duties to the best of your ability and to be accountable for your performance;
- b) follow reasonable instructions given by your supervisor or their delegate;
- c) comply with lawful directions;
- d) 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 development and staff development days;
- e) act honestly and in good faith in fulfilling your duties;
- f) be courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- g) work collaboratively with your colleagues; and
- h) ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the College and does not damage the reputation of the College.

*“You are engaged in a ministry in which you are obliged to touch hearts.”*

## 2. What happens if I Breach the Code of Conduct?

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

- 2.1 The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach.
- 2.2 Employees should report possible breaches by colleagues to their supervisor or the Principal. If the possible breach is by their supervisor then it should be reported to the Principal.
- 2.3 Factors the College 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
  - (e) whether the breach would be serious enough to warrant formal disciplinary action.
- 2.4 Actions that may be taken by the College in respect of a breach of the Code include management or remedial action, training or disciplinary action ranging from a warning to termination of employment. The College will reserve the right to determine in its entirety the response to any breach of this Code.

## 3. Required Reporting

Employees are required to report certain information to the College.

- 3.1 All employees are required to inform the Principal if they are charged with or convicted of a serious offence (those punishable by 12 months or more in jail). You must also inform the Principal if you become the subject of an Apprehended Violence Order.

- 3.2 If, through your employment with the College, you become aware of a serious crime committed by another member of staff, you are required to report it to the Principal, who may be required to inform the police. You may also have an obligation to report the matter to the police.
- 3.3 As a College employee, you must report to the Principal:
- (a) any concerns that you may have about the safety, welfare or wellbeing of a student or any other child or young person;
  - (b) any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves students or any other children or young people;
  - (c) any concerns you may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to you;
  - (d) 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'<sup>1</sup>;
  - (e) if you become the subject of allegations of 'reportable conduct' whether or not they relate to your employment at the College; or
  - (f) if your Working with Children Clearance is cancelled or if you are or become a disqualified person from working or volunteering with children.

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

- 3.4 Please note that all employees have mandatory reporting obligations under the Children and Young Persons (Care and Protection) Act 1998 (NSW) and Children's Guardian Act 2019 where they have reasonable grounds to suspect a child under the age of 16 years is at risk of significant harm and have current concerns about the safety, welfare and wellbeing of the child. You should refer to the *College's Child Protection Policy* for further information about these obligations.

<sup>1</sup> As defined in the NSW Child Protection (Working with Children) Act 2012 Section 18 and Children's Guardian Act 2019

## 4. Respect for People

The College expects employees to treat each other with respect and courtesy. Our daily interaction with others reflects on the College's reputation. Therefore, all employees are expected to be approachable, courteous and prompt in dealing with other people, including students, parents, other employees and members of the community.

*"Have great respect for each person you are with."*

*"Be warm-hearted to everyone, speaking to others in a gentle respectful way."*

- 4.1 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.
- 4.2 Similarly, it is important for you to treat your colleagues, other employees, contractors, volunteers, students and parents with respect. 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, volunteers, 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.
- 4.3 You must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, volunteer, student or parent. Your obligations in this regard, including the list of unlawful reasons, are set out in the *College's Discrimination, Harassment and Bullying Policy*. Unlawful harassment or discrimination may constitute an offence under the Anti-Discrimination Act 1977 or federal discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.
- 4.4 You should ensure that you are aware of the *College's Discrimination, Harassment and Bullying 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 supervisor 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 *College's Discrimination, Harassment and Bullying Policy* as soon as possible after the incident(s) has occurred.

- 4.5 The College 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.
- 4.6 If you are not honest in making or responding to a complaint, the College will view this as a very serious matter, and you may be disciplined or dismissed.

## 5. Duty of Care and Workplace Health and Safety

As a College employee, you have a duty of care to students in your charge to take all reasonable steps to protect students from risks of harm that can be reasonably predicted.

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

- a) the provision of adequate supervision;
- b) ensuring grounds, premises and equipment are safe for students' use;
- c) implementing strategies to prevent bullying from occurring in the College; and
- d) providing medical assistance (if competent to do so), or seeking assistance from a suitably qualified person to aid a student who is injured or becomes sick at College

*"By the care you take of your students show that you have a real love for them."*

*"Take even more care of the young people entrusted to you than if they were the children of a king."*

### *Duty of Care*

- 5.1 As a College employee, you have a duty of care to students in your charge. Generally speaking, that duty is to take all reasonable steps to protect students from risks of harm that are foreseeable and probable. The standard of care that is required, for example the degree of supervision, needs to be commensurate with the students' maturity and ability.
- 5.2 Duty of care to students applies during all activities and functions conducted or arranged by the College. The risks associated with any activity need to be assessed and managed before the activity is undertaken.
- 5.3 You should ensure that you are aware of the College's policy relating to Duty of Care, Excursions, Inter College Sport and Exchange Programmes.

### *Workplace Health and Safety*

- 5.4 You have a responsibility under Work 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 at risk the health and safety of your co-workers, students or other persons that you may come into contact with at work.
- 5.5 Considerations of safety relate to physical and psychological wellbeing of individuals.
- 5.6 You should ensure that you are aware of the College's Work Health & Safety Statement.

### *Supervision of Students*

- 5.7 You should take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury.
- 5.8 You should be familiar with and comply with the College's evacuation procedures.



- 5.9 Students should not be left without adequate supervision either within or outside of class. You should be punctual to class and allocated supervision.
- 5.10 After College activities, you should remain with students until they have been collected. In the event that a student is not collected you should remain with the student until he/she is collected, or seek advice from your supervisor.
- 5.11 Playground supervision is an integral part of the responsibility of teachers. It must take precedence over other activities. It is unacceptable to be late. You should actively supervise your designated area, being vigilant and constantly moving around.
- 5.12 You should be alert to 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 *Bullying and Harassment Policy*.
- 5.13 Ill or injured students should be attended to by the supervising staff member. Should additional assistance be required you should contact Student Services and speak with the College Nurse.
- 5.14 You should ensure that you understand and comply with the College's policy with regard to the storage and administration of prescribed medication to students.

## 6. Professional Relationships between Employees and Students

*"To deal with young people very harshly is to forego all hope of bringing about any good."  
"Some students require great mildness, while others need to be directed with firmness."*

As a College employee, 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.

While not all employees are required to manage and supervise students, it is important for all College employees to understand and observe the College's child protection policies.

### *Supervision of Students*

- 6.1 You should avoid situations where you are alone in an enclosed space with a student. Where you are left with the responsibility for a single student you should ensure that this is in an open space in view of others. Where this is not possible or practical, the situation should be discussed with your supervisor and/or the Principal.
- 6.2 You should never drive a student in your car unless you have specific permission from your supervisor and/or the Principal to do so. In the event of an emergency, you should exercise discretion but then report the matter to your supervisor.
- 6.3 If you wish to conduct a private conversation with a student you should consider the time and venue carefully to avoid placing yourself in a vulnerable situation. It is preferable to leave the door open. You should not locate yourself between the student and the door.
- 6.4 When confiscating personal items, such as mobile phones or hats, ask students to hand them to you. 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*

- 6.5 You must not impose physical punishment on a student in the course of your professional duties.

- 6.6 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. If it is necessary to demonstrate a particular activity which involves physical contact, ask for a volunteer.
- 6.7 For students with a disability the management of toileting needs should be included in the student's individual management plan.
- 6.8 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.
- 6.9 Assessing a student who is injured or ill may necessitate touching the student. Where possible, always advise the student of what you intend to do and seek their consent.
- 6.10 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 College's behaviour management practices or individual student management plans. You should report and document any such incidents.

### *Relationships with Students*

*"The way you behave should be a model for those you teach."*

*"Teachers will above all be cautious not to become too familiar with the students..."*

- 6.11 You must not have a romantic or sexual relationship with any 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 an employee and students under the age of 18 years.
- 6.12 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 the 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 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 College.
- 6.13 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 supervisor and/or the Principal as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.
- 6.14 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.
- 6.15 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.
- 6.16 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 their parents or care giver.
- 6.17 You must not engage in tutoring or coaching students from the College without the express

permission of the Principal.

- 6.18 You must not invite students to join your personal electronic social networking site or accept students' invitations to join their social networking site (see Section 7 – Appropriate use of electronic communication and social networking sites).
- 6.19 You must not give gifts to students. You should also carefully consider your position before accepting any gift from a student (see Section 10 – Declaring gifts, benefits and bribes).
- 6.20 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 supervisor.
- 6.21 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*

- 6.22 You must be aware of and comply with the *College's Child Protection Policy*.
- 6.23 As set out in Section 3 you must report to the Principal any concerns you may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to you. This includes self-disclosure if the allegation involves you.
- 6.24 Broadly, 'reportable conduct' includes: (Ref: Children's Guardian Act 2019)
  - (a) any sexual offence, or sexual misconduct, committed against, with, or in the presence of, a child (including a child pornography offence); or
  - (b) any assault, ill-treatment or neglect of a child; or
  - (c) any behaviour that causes psychological harm to a child, whether or not the child consents.
- 6.25 Reportable conduct does not extend to:
  - (a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards, or
  - (b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures; or
  - (c) conduct that is exempted from notification by a Class or Kind Agreement.
- 6.26 For further information about 'reportable conduct' see the *College's Child Protection Policy*.
- 6.27 The requirements in relation to "Professional relationships between employees and students" set professional boundaries in relation to your behaviour. They make clear what behaviour is unacceptable and what could amount to reportable conduct.

### *Working with Children Clearance*

- 6.28 Working with Children Clearance is a prerequisite for paid and unpaid child-related work. Under Part 2, section 6 of the Child Protection (Working with Children) Act 2012, child-related work is defined as work in a specific child-related role or face-to-face contact with children in a child-related sector.
- 6.29 You must have a Working with Children Clearance which, under current guidelines, will be valid for a period of five years. You are responsible for renewing your Working with Children Clearance every five years or as requested by the College.

<sup>2</sup> A Class or Kind Agreement is an agreement between the Ombudsman and an agency (eg the Association of Independent Schools of NSW on behalf of its member schools) that allows for certain kinds of less serious reportable conduct to be exempted from notification to the Ombudsman but the Head of Agency must still conduct a workplace investigation.

<sup>3</sup> If you are already in paid child-related work, or you are a volunteer, you will be phased in over a five year period commencing 15 June 2013, according to schedule provided by the Office of the Children's Guardian.

## 7. Appropriate use of Electronic Communication and Social Networking Sites

The College provides electronic communication facilities for its students and employees for educational or administrative purposes. It monitors and views data stored or transmitted using the College'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.

- 7.1 You must comply with the College's policy Acceptable Use of ICT Information Communication Technology Systems and ICT Infrastructure Policy and Staff Social Media Policy. 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 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.
- 7.2 You must never use the College'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.

## 8. Use of Alcohol, Drugs and Tobacco

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

- 8.1 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 you or any other person's health and safety at risk.
- 8.2 As a College employee, you must:
- (a) not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
  - (b) notify your supervisor if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
  - (c) take action to resolve any alcohol or other drug-related issues that you have; and
  - (d) consult with your supervisor or Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

### *Drugs*

- 8.3 As a College employee, you must not:
- (a) have illegal drugs in your possession while at the College. Any illegal drugs found on College property or in the possession of any person on College property may result in disciplinary action including the termination of your employment and referral to the Police;
  - (b) give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
  - (c) supply or administer prescription or non-prescription drugs to students unless authorised to do so.

### *Alcohol*

- 8.5 You must not:
- (a) purchase alcohol for, or give alcohol to, any College student (or to any other person under the age of 18 years); and
  - (b) encourage or condone the use of alcohol by students of any age during educational activities.

## *Tobacco*

- 8.6 You must not smoke or permit smoking in any College buildings, enclosed area or on College grounds. This includes all buildings, gardens, sports fields, cars and car parks.
- 8.7 You must not purchase tobacco or tobacco products for any College student, or give them tobacco or tobacco products.

## **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 College.

- 9.1 As a College employee, you must not act in conflict with the College's best interests. A conflict of interests 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.

It may not only be about your own interests. It may 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.

- 9.2 When faced with a situation in which you have an actual or perceived conflict of interest, you must report this to your supervisor or the Principal.
- 9.3 You should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.

## **10. Declaring Gifts, Benefits and 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 judgment when deciding whether to accept a gift or benefit.

- 10.1 If you are offered a bribe (i.e. anything given in order to persuade you to act improperly or to influence your views or conduct), you must refuse it, explain why it is not appropriate, and immediately report the matter to the Principal or the Bursar.
- 10.2 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 nominal value must not become personal property. You should either politely refuse it or advise the contributor that you will accept it on behalf of the College.

## **11. Communication and Protecting Confidential Information**

### *Communication*

- 11.1 You should be mindful of confidentiality when in discussions with parents. Unless you are a school counsellor, you should not allow parents to think that what they tell you will necessarily be kept confidential from your colleagues or the Principal. You cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.
- 11.2 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.

- 11.3 All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with students, members of the College community, or the public.
- 11.4 The media should not be given access to students or allowed entry to the College without the express permission of the Principal. You should not make any comments to the media about the College, students or parents without the express permission of the Principal.

### *Confidential Information*

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

### *Privacy*

- 11.8 Sensitive and personal information should only be provided to people, either within or outside the College, who are authorised to have access to it.
- 11.9 You should always exercise caution and sound judgement in discussing the personal information of students, parents, staff and other people with other College 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 College's work because of their expertise.

## **12. Record Keeping**

- 12.1 All employees have a responsibility:
  - (a) to create and maintain full, accurate and honest records of their activities, decisions and other business transactions, and
  - (b) to capture or store records in the College's record systems.
- 12.2 You must not destroy or remove records without appropriate authority.
- 12.3 Supervisors have a responsibility to ensure that employees reporting to them comply with their records management obligations.
- 12.4 Employees responsible for assessing and recording marks for students' work must do so accurately, fairly and in a manner that is consistent with College policy and practice.
- 12.5 Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

## **13. Copyright and Intellectual Property**

- 13.1 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.
- 13.2 Advice relating to sharing or licensing the College's intellectual property should be sought from the Principal.
- 13.3 The College cannot give away or assign its intellectual property without the approval of the Principal.

13.4 If you develop material that relates to your employment with the College, the copyright in that material belongs to the College.

13.5 You should not use the College's intellectual property (including copyright) for Commercial purposes without obtaining written permission from the Principal.

#### 14. Acknowledgement

I \_\_\_\_\_

agree I have been provided with a copy of this Code and have read, understood and agree to comply with the terms of this Code of Conduct.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Dated