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CODE OF CONDUCT - STAFF

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PURPOSE

The school seeks to establish and maintain high-level professional standards in relation to all administrative activities within the school. This includes a Code of Conduct, which is to be followed by all staff within the School. The purpose of this policy is to provide guidance and direction to all staff regarding their expected standard of behaviour within the School.

While it is not possible to produce an exhaustive Code of Conduct, the Word of God is to be our guide and when and wherever possible, live by 'The Golden Rule'.

Do to others, as you would wish them to do to you. Matthew 18:15

AIM

Our aim as a Christian community is to restore and build up, encouraging each other in our service of one another and of God, thereby modelling as much as possible, authentic Christianity.

INTRODUCTION

The Principal, teachers, non-teaching staff formally undertake to support the ethos of the school as a requirement of their employment/engagement agreement and are expected to demonstrate their support for the Vision and Mission of the school through the exercise of their agreement responsibilities and conduct.

The purpose of this document therefore is to provide members of the school community with a set of ethical principles guiding the standards of conduct that they are expected to uphold in their interactions with students, each other and the wider community.

It is the role of the Principal to ensure appropriate dissemination of the Code of Conduct as well as the timely induction of all employees .

The following, sets out in practical terms, what is required of an employee to support the ethos of the school and should be read in conjunction with school policies and procedures.

1.0 LAWFUL AND REASONABLE DIRECTIONS

- 1.1 Staff must comply promptly, conscientiously and effectively with all lawful and reasonable decisions and directions given by a duly authorized person.
- 1.2 Staff must not knowingly or deliberately impede compliance with, or implementation of, a lawful and reasonable decision or direction.
- 1.3 When making decisions or giving directions, staff must act within their legal and organisational responsibilities and delegations. Staff must make what they believe to be competent decisions and give fair and reasonable guidance and directions.

2.0 PROFESSIONALISM AND ETHICAL CONDUCT

- 2.1 Staff must act in a professional and respectful way that enhances their reputation and the reputation of the school. Staff should be aware that personal conduct and lifestyle outside of normal working hours can reflect either favourably or adversely on the School and Christian education and therefore they should act appropriately before God, in the presence of students at all times, both within and outside school hours. At all times, staff should conduct themselves in a manner that upholds the truths set out in the Bible and does not bring the school's reputation into disrepute.
- 2.2 Staff should not have external friendships (i.e. personal relationships) with current students beyond that which is normal for the school staff/student relationship. A personal relationship on a SNS would exceed the accepted bounds of a school staff/student relationship and might leave the staff member open to allegations of improper conduct. School staff need to be aware of interaction with the parents of students, in that, comments or opinions may be construed in ways not envisaged, which may lead to unforeseen social or legal complications.
- 2.3 Staff must treat colleagues, students and others within their work environment with the respect and dignity that all deserve.
- 2.4 Staff whose work involves interacting with students have a special responsibility to comply with duty of care requirements and not to be engaged in inappropriate behaviour such as illegal, anti-social, scandalous or disreputable activities which may negatively impact on them being seen as appropriate role models for those students.
- 2.5 Staff must be cognisant of the policies, procedures and delegations that are applicable to their actions. The Principal and school leaders must make relevant information available to staff. Staff are required to read and ensure that they understand policy documents issued to them or circulated to them. Staff who are uncertain about any aspect of policies, procedures and delegations which apply to them should examine the relevant information and seek advice from supervisors. This includes information contained on the school website and in school handbooks and policy folders.
- 2.6 Staff must uphold and comply with:
 - 2.6.1 All school policies & procedures

- 2.6.2 Applicable Commonwealth, State and local laws, regulations, industrial awards and agreements.
- 2.6.3 Holding a current Working with Vulnerable People Card & National Police Check (where required)
- 2.6.4 Applicable professional standards and codes of practice
- 2.7 Staff must act promptly in reporting breaches of the law, school policies, and government directives, as well as misconduct and maladministration to the school Principal.
- 2.8 Staff are expected to behave at all times in ways that promote the safety, welfare and well-being of students, other employees, volunteers and visitors in their workplace environment in accordance with relevant workplace health and safety legislation.
- 2.9 Staff must perform their work duties competently and responsibly, with a focus on delivering and supporting good quality educational services to students, and to other internal or external school clients.
- 2.10 Staff must maintain currency of their professional competence through appropriate professional learning or learning experiences.
- 2.11 Staff must maintain the accuracy, integrity and appropriate confidentiality of all information used in their professional dealings in the school.
- 2.12 Staff must only take leave of absence from their work duties when approved by the Principal.
- 2.13 Dress, personal appearance and hygiene are important elements of professional presentation. Staff must ensure that their personal appearance and presentation are clean, tidy and appropriate for their work role in accordance with the expectation of the School.
- 2.14 Staff must ensure that school resources are not used improperly. These resources include financial and material resources as well as intellectual, information, system and knowledge resources related to the work of the school. Work time is also a valuable resource that must be managed effectively to create productive outcomes.

3.0 DUTY OF CARE

- 3.1 Duty of care is essentially a duty to do everything reasonably practicable to protect others from foreseeable harm. While this applies in all aspects of a person's work, it is particularly important for those who have interaction with and responsibility for students.
- 3.2 Teachers have a particular duty of care towards students. It arises out of what is known as a fiduciary relationship, that is, a relationship based on trust. Such positions are bound by two ethical principles:
 - 3.2.1 *non-maleficance* – the responsibility to cause no harm to self or others
 - 3.2.2 *beneficence* – to actively promote the good of self and others

3.3 All students have a basic and expected right to a physical and emotional environment that is free from unreasonable risk of harm. Harm includes any significant detrimental effect to the student's physical, psychological or emotional well-being by any cause and includes minor harm that is cumulative in nature and which would result in a detrimental effect of a significant nature to the student if allowed to continue. Amongst other things, harm can be caused by:

- 3.3.1 physical, psychological or emotional abuse or neglect; or
- 3.3.2 sexual abuse or exploitation; or
- 3.3.3 domestic or family violence; or
- 3.3.4 student bullying; or
- 3.3.5 one's own actions.

Staff are referred to the reporting procedures required of them in schools as prescribed persons under the *Children, Young Persons & Their Families Act (1997)* and as mandated reporters of child abuse and neglect.

- 3.4 Staff must actively seek to maintain a physically safe teaching environment for students.
- 3.5 Staff must take reasonable steps to prevent harm to students and to support students who have been harmed.

4.0 PSYCHOLOGICAL HARM

4.1 Staff must not behave in ways that a reasonable person would consider to be offensive, intimidating, humiliating or threatening. Such conduct might include, but not be restricted to, targeting students with unfair and continued criticism; making excessive or unreasonable demands of others; and making any form, either oral or written (including electronic communication) of derogatory comments to students, parents, work colleagues or the general public. Should such unacceptable behaviour occur, then all recipients of such behaviour have recourse to the processes contained within the school's Grievance and Reconciliation Policy.

5.0 PHYSICAL CONTACT WITH CHILDREN

- 5.1 Staff must not engage in conduct that could physically harm a student.
- 5.2 In cases involving disciplinary action, staff should note that corporal punishment is currently prohibited by government regulation.
- 5.3 There may be occasions, however, where physical intervention is appropriate in order to protect students, self and others. In these circumstances this would be deemed reasonable action providing that the physical intervention is to prevent harm or further harm to students and that the person intervening seeks to avoid inflicting physical harm where possible. The physical intervention would need to be proportionate to the circumstances.

6.0 SEXUAL CONDUCT

- 6.1 Interactions between:
- volunteers and staff with students,
 - students with volunteers and staff
 - volunteers and staff with other volunteers and staff
- must be, and be seen to be, ethical and professional at all times.
- 6.2 Staff must not attempt to sexualise a relationship with a student. To do so is a breach of trust, an abuse of authority, professional misconduct, immoral and criminal. Failure by the other person to reject such conduct does not necessarily imply meaningful consent for in law, a minor cannot consent.
- 6.3 Staff must not provide or exchange personal contact details such as telephone numbers or email addresses with students, unless there are specific work-related reasons. Similarly, staff must not enter into unauthorised electronic communication with students such as texting, emailing or social media etc.
- 6.4 The following behaviour constitutes either misconduct or sexual misconduct:
- 6.4.1 unwarranted and inappropriate touching of students
 - 6.4.2 suggestive remarks or actions of a sexual nature
 - 6.4.3 sexual exhibitionism
 - 6.4.4 obscene gestures, language, jokes containing sexual references or deliberately exposing students to the sexual behaviour of others in any form, other than in the case of prescribed educational material in which sexual themes are contextual
 - 6.4.5 inappropriate conversations of a sexual nature
 - 6.4.6 comments that express a desire to act in a sexual manner
 - 6.4.7 personal correspondence (including electronic communication) with a student in respect of the adult's sexual feelings for a student
 - 6.4.8 deliberate exposure of students to sexual behaviour of others including display of pornographic material
 - 6.4.9 flirtatious behaviour directed at a student
 - 6.4.10 dating a student
 - 6.4.11 spending significant time alone with a student other than to perform one's professional duties, or without other reasonable explanation
 - 6.4.12 expressing romantic feelings towards a student in any way
- 6.5 Sexual misconduct can also include grooming behaviour. Grooming behaviour is a process whereby sexual offenders condition and build rapport with children or young persons in order to reduce their resistance to and increase compliance with, sexual abuse. The grooming process can include:
- 6.5.1 misleading students by pretending to them that they are special, for example by spending inappropriate time with students, inappropriately giving gifts, showing special favours to certain students but not to other students, allowing students to overstep the accepted school rules.

- 6.5.2 breaking of accepted school standards of behaviour, for example undressing in front of students, talking about sex, apparently *accidental* sexually orientated touching.
 - 6.5.3 engaging in inappropriate, personalised forms of communication.
- 6.6 Staff must discourage and reject any advances of a sexual nature initiated by a student. Should such a situation arise, then employees must report such instances immediately to their Principal to assist in preventing repetition and avoiding subsequent allegations. Allegations will be investigated thoroughly and may involve the Police.

7.0 DISCRIMINATION AND HARASSMENT

- 7.1 Staff are committed to providing workplaces free of all forms of discrimination, victimisation and harassment.
- 7.2 Staff must not discriminate against, victimise or harass any colleague, student, or parent, nor discriminate in how services are provided to the school community. Staff have the responsibility to act fairly and evenly towards other colleagues, students and the general public in accordance with the school's policies and relevant state and federal legislation.
- 7.3 Discrimination, victimisation or harassment will not be tolerated and will be dealt with in accordance with school policies. It should be noted, that following the receipt and thorough investigation of an allegation of discrimination, victimisation or harassment against an individual, there is the potential for the laying of criminal charges in cases where the allegation has been sustained.

8.0 USE OF TOBACCO, ALCOHOL, OTHER DRUGS AND MEDICATION

- 8.1 Smoking/vaping is not permitted in school facilities and grounds. Similarly, smoking/vaping is not permitted whilst staff have direct responsibility for or are in contact with students.
- 8.2 Staff have a work, health and safety obligation, in accordance with the *Workplace Health and Safety Act 2012*, to ensure that their use of alcohol and drugs, whether illicit, over-the-counter or prescribed as medication, does not adversely affect their work performance or endanger the health and safety of others.
- 8.3 The illicit use of drugs at any time, particularly in association with the supervision of students, is strictly prohibited.
- 8.4 Staff suffering from a drug or alcohol problem, must actively seek professional assistance to correct the problem.
- 8.5 Staff must not provide students with alcohol and must not encourage or condone the illegal use of alcohol.
- 8.6 Staff should reasonably endeavour to avoid direct social contact with students where student consumption of alcohol or the illicit use of drugs occurs, and should report said conduct to the Principal.

- 8.7 Staff must not consume or be affected by alcohol in any circumstances where they are responsible for students. This includes camps, retreats, excursions and other such school related activities.
- 8.8 Staff must not use or condone the use of illicit drugs.
- 8.9 Staff consumption of alcohol is not permitted at any activity or event where students may be present such as fairs, barbecues, graduations and the like.
- 8.10 At the request of parents and with the agreement of the administration, office staff are authorised to administer prescribed medications in accordance with the school policies and procedures. Staff must not provide students with non-prescribed medications or over-the-counter drugs without the appropriate authorisation of school authorities, nor encourage or condone student illicit use of drugs.

9.0 CONFLICT OF INTEREST

- 9.1 A conflict of interest may exist when a staff member's private interests have the potential to interfere with the proper performance of his / her work duties. A potential or actual conflict of interest must be identified, declared and avoided or resolved in favour of the public interest and should not be undertaken without the express permission of the Principal.
- 9.2 It is understood that situations may occur where staff are working with family members or with persons with whom they develop close personal relationships. Where such relationships exist between staff or with prospective employees, then the potential for conflict of interest should be noted.
- 9.3 As a general principle, all staff who participate in procedures for selection, granting of tenure, performance appraisal, termination or transfer of any person who is a family member or with whom they have, or have had, a close personal relationship should declare any potential conflict of interest. However, the existence of a close personal or family relationship should not constitute a bar to the employment/engagement, promotion, granting of tenure or transfer of any individual.
- 9.4 Staff should be aware that private part-time employment, including tutoring, which conflicts with, or compromises employment at the school, may give rise to a conflict of interest. Staff should seek prior approval from the school authorities for any such employment.
- 9.5 Staff should be aware that receipt of substantial gifts from those considered as part of the broad client base of the organization (e.g. students / families in a school setting) may present the potential for a conflict of interest.
- 9.6 In many cases only individuals themselves will be aware of the potential for conflict. The onus therefore, is on the individual in these cases to notify the appropriate supervisor of this potential.

10.0 PRIVACY AND CONFIDENTIALITY

- 10.1 Staff of the school may be entrusted with access to information of a sensitive nature to enable them to carry out their duties.
- 10.2 Staff must ensure that confidential, private and sensitive information is handled carefully and that the integrity of such information is maintained at all times in compliance with relevant privacy legislation.
- 10.3 In accordance with the school *Privacy Policy*, a staff member must not, after leaving the school, use confidential information obtained during the course of his / her employment/engagement for other work or non-work related purposes.

11.0 USE OF SCHOOL RESOURCES

- 11.1 Staff must ensure that all school equipment, resources, and consumable items are used appropriately for the work and business of the school. Limited and occasional private use of school equipment and resources may occur providing it does not adversely affect the performance of the worker's duties, or the work duties of others, or the business or reputation of the school. Examples of where this might occur include:
 - 11.1.1 limited, occasional and brief private telephone calls
 - 11.1.2 limited and occasional use of a photocopier
 - 11.1.3 limited and occasional use of computers, email and internet, subject to school policy on acceptable use of ICT resources by staff
- 11.2 Staff must ensure that school equipment is maintained and used in accordance with the manufacturer's requirements and that all use is both safe and legal.
- 11.3 Staff must have approval to use school equipment and resources off site for work purposes and must ensure that they are safely stored and secured.
- 11.4 Staff must ensure that they do not breach copyright law or licensing arrangements when copying any school property such as software, library and reference materials, or copying other property for school use.
- 11.5 Staff must not seek financial gain from work produced for the employer without the authorisation of the employer.
- 11.5 Staff whose work duties involve purchasing or managing resources on behalf of the school must act within their delegated authority and comply with legislative requirements, policies and procedures for the purchase, use and disposal of any school resource.

12.0 USING SCHOOL INTERNET, INTRANET, E-MAIL, MOBILE PHONES AND OTHER MEANS OF ELECTRONIC COMMUNICATION

12.1 Except for official purposes or in accordance with school policy, staff must not use school resources, including mobile phones, the internet, electronic mail systems, or other means of electronic communication for:

12.1.1 accessing, storing, or transmitting words, images or other material that are illegal, sexually explicit, violent or that a reasonable person would find offensive. (This does not include material that is part of a complaint, report or notification about alleged improper conduct of a person made in accordance with an authorised procedure.)

12.1.2 gambling

12.1.3 accessing chat lines not associated with work

12.1.4 transmitting inappropriate jokes

12.1.5 sending of inappropriate programs or mail

12.1.6 what a reasonable person would see as excessive use of the internet

12.1.7 unauthorised use of the school's email distribution lists

13.0 PROCEDURE FOR DEALING WITH ALLEGATIONS AND APPARENT BREACHES OF THE CODE OF CONDUCT

13.1 Potential breaches of the Code of Conduct, including apparent breaches and allegations, will be dealt with in accordance with the principles of procedural fairness and natural justice. Potential breaches may be addressed in the context of the school's established Grievance and Reconciliation Policy or as detailed in other appropriate school policies.

13.2 Staff should be aware that the school may apply sanctions if this Code of Conduct is breached. Depending on the nature of the breach, various sanctions such as the following may be applied:

13.2.1 appropriate warnings

13.2.2 counselling

13.2.3 actions as prescribed under the various award provisions

13.2.4 demotion

13.2.5 suspension

13.2.6 dismissal

13.2.7 laying of criminal charges or civil action

13.3 As appropriate, and according to the word, intent and spirit of the Contract of Employment, employees may, when in breach of the Code of Conduct, seek access to grievance resolution processes.

IMPLEMENTATION

Work Related Conduct

All staff are:

- encouraged to develop an attitude of service in relation to their work. First of all, this service is to God, secondly to others with whom they work, be they staff or Board members and thirdly to the parents and children of the school.
- encouraged to pursue excellence in every endeavour, striving for excellence ought to be a feature of all we do.
- expected to practice punctuality, reliability, loyalty, honesty and diligence in all their work for the school.

Personal Conduct

All staff are:

- expected to uphold all school policies and procedures
- to be a positive role model to children
- to live a life honouring to God and considerate of others

General Conduct

Those associated with Geneva Christian College should uphold the Matthew 18 principle, where we are commanded to approach those we have offended and to seek their forgiveness. Love must be primary. We should lovingly, gently and personally approach one another, seeking to understand before we make any accusation. Where there is genuine repentance, forgiveness ought to be accorded in the same manner.

In the case of a dispute, the parties shall confer without undue delay and in good faith at all times, with a view to resolving the matter by direct consultation and negotiation. In the event that the parties are unable to resolve a dispute, the Principal or a mutually acceptable arbitrator shall be appointed to resolve the dispute. The arbitrator shall be of high standing, with no personal interest in the matter and shall be acceptable by all parties.

Major infringements to this Code of Conduct may result in dismissal of the employee or refusal of access to School property or functions.