



Reviewer	Last Review Date	Next Review Date
LF	Nov 2022	2023

## Staff Code of Conduct Policy and Procedure

### Policy Rationale

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

Margaret River Montessori School 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. MRMS expects all school community members including staff, parents, volunteers, students, visitors and contractors to share this commitment.

This Code does not attempt to provide a 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.

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.

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.

This *Code* should be read in conjunction with the Preventing and Reporting of Child Abuse Policy which can be found on the All Staff Drive.

## Our School Code of Conduct:

At Margaret River Montessori School, we are committed to providing our **all people (students and adults)** with safe and supportive environments which foster care, courtesy and respect for the rights of others. The Code of Conduct is a guide to ensure that this is provided for **every person** (students and adults) in our school community. The Code is based on the rights and responsibilities of each person in our school.

Rights	Responsibilities	It is essential that these rights and responsibilities apply for the following reasons:
<b>The right to feel respected</b> <b>The right to learn</b> <b>The right to feel safe</b>	Respect the rights of others Let others learn/work Be prepared Respect personal and school property Act in a safe and caring manner	<ol style="list-style-type: none"> <li>1. To promote safety and wellbeing for all school members whilst travelling to and from, and during school times.</li> <li>2. To promote courtesy, co-operation and consideration.</li> <li>3. To assist in promoting pride in both the school and personal achievement.</li> <li>4. To ensure that the rights and possessions of self, others and environment are respected.</li> </ol>

<b>Code of Conduct</b>	<b>Looks Like...</b>
1. <b>Respect yourself, others and the environment.</b>	<i>Listening to the thoughts, feelings and ideas of others. Expressing your own ideas and feelings appropriately. Taking turns. Looking after the environment.</i>
2. <b>Develop positive and respectful relationships and think about the effect on relationships before acting.</b>	<i>Following the "Golden Rule" (Always treat others how you yourself would like to be treated.) Stop, think and do. Use your T.H.I.N.K. strategy (is it true, helpful, inspiring, necessary or kind?). Bring a positive attitude to all you do. Be an upstander not a bystander.</i>
3. <b>Value the interests, ability and culture of others.</b>	<i>Listening to others, accepting their circumstances, ideas, ways of thinking and feeling, families and interests maybe different from your own.</i>
4. <b>Practise grace and courtesy at all times.</b>	<i>Waiting and taking turns, speaking and listening to others with courtesy, waiting ones turn to speak or move, using manners in all interactions. Walking inside. Putting into practice the grace and courtesy lessons.</i>
5. <b>Be honest.</b>	<i>Always telling the truth.</i>
6. <b>Use appropriate language in all interactions with all peers and adults.</b>	<i>Not using swear words or manipulative language for personal gain or motives.</i>
7. <b>Use appropriate voice indoors and outdoors.</b>	<i>Using quiet voices indoors. Going up to someone to speak to them so as not to disturb others.</i>
8. <b>Demonstrate self-control.</b>	<i>Using hands for helping only. Taking deep breaths. Following the Stop, Think and Do principle. Control your body.</i>
9. <b>Take personal responsibility for behaviour.</b>	<i>Owning up to your actions both appropriate and inappropriate.</i>
10. <b>Keep the environment clean and orderly, both indoors and outdoors.</b>	<i>Placing rubbish in the bin, putting equipment away in the appropriate places and with care.</i>
11. <b>Maintain purpose and engagement in your work/activity.</b>	<i>Completing your work/activity to the best of your ability without disturbing others.</i>
12. <b>Follow safety rules in both work and play; avoiding and helping others to avoid dangerous behaviour.</b>	<i>Follow the safety rules ensuring all equipment is used for its purpose with care. Look out for your friends and others showing and telling them how to be safe in the environment.</i>

### **Agreed Collegial Code of Ethics**

All staff agree to use the Non-violent Communication Process for inter-collegial communication. See Appendix. In relation to colleagues and within the Montessori philosophy of the School I will:

1. Support, respect and assist colleagues in our professional development together.
2. Care, nurture and appreciate my colleagues in friendliness.
3. Promote policies and working conditions that are non-discriminatory and that foster competence, well-being and positive self-esteem.
4. Acknowledge and support the use of the personal and professional strengths that my colleagues bring to the work place.
5. Work to build an atmosphere of cooperation, trust, respect and candour by:
  - encouraging and being accepting of openness
  - accepting their right to hold different opinions to mine
  - using constructive methods of conflict resolution
  - maintaining appropriate confidentiality
  - dealing with difficulties with a sense of humour
  - at all times supporting colleagues when communicating with other colleagues, parents, students or other members of the community

6. Acknowledge the worth of the diversity that colleagues bring to the workplace.
7. Encourage my colleagues to accept and adhere to this code.

We also subscribe to the messages in the THINK Strategy: Before we speak/act/post online we ask is it True, Helpful, Inspiring, Necessary and Kind? We apply this strategy in our work with each other as colleagues, with students, families and the wider community.

## General

This *Code* is not intended to be contractual in nature and does not impose any contractual obligations on the School. The School 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 respect of which the School may take disciplinary action in respect of an employee.

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

All employees of the School must comply with this *Code*. Volunteers, parents, carers, visitors and contractors are expected to comply with the Code of Conduct Policy for Parents, Carers, Volunteers, Visitors and Contractors. Students must comply with the Student Code of Conduct.

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

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.

Actions that may be taken by the School in respect of a breach of the Code include management or remedial action (through staff performance management in the form of a plan), training or disciplinary action ranging from a warning to termination of employment and reporting of the matter to the Teacher Registration Board WA, the Director General of the Department of Education and the MRMS School Council (governing body). The school will reserve the right to determine in its entirety the response to any breach of this Code.

Section 42 of the *Teacher Registration Act 2012* (Act) requires employers to notify the TRBWA if, as a result of an investigation into a teacher's serious misconduct or incompetence, the teacher has:

- been suspended or dismissed from teaching at the educational venue
- resigned or no longer teaches at the educational venue.

This is also reportable to DoE and the MRMS School Council as a Critical Incident.

### **Recognising Potential Breaches and When to Report:**

All staff are required to report objectively observable behaviour which is not permitted by the Code, other than those subject to mandatory reporting obligations, to the principal, a designated senior staff member or the Chair of the School Council.

The MRMS School Council ensures that breaches of this *Code* where there are reasonable grounds to suspect grooming are reported to the Director General.

Grooming Behaviour - Grooming of children is defined as actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, where the child trusts the groomer, to lower the child's inhibitions in order to sexually abuse the child. Grooming is a criminal offence and is a breach of the MRMS Staff Code of Conduct Policy and therefore must be reported as above. Some behavior which may not amount to criminal behavior may, however, be grounds for disciplinary proceedings. Such behavior may appear to constitute legitimate interactions with a student, and may begin with the best of intentions, but may actually be unacceptable behavior as it is predatory and meets the teacher's own needs.

The following questions (see Qld College of Teachers, Professional Boundaries May 2016) may assist teachers to recognise when a professional and /or legal boundary is at risk and behaviours should stop, be reported or advice sought from the Principal about oneself or a colleague:

- Am I dealing with a particular student differently from the way I deal with other students under the same circumstances?
- Am I behaving in a way that puts my own emotional needs above the student's welfare?
- Am I providing career/professional counselling or personal counselling?
- Am I sharing information with a student because I think it will help the student or because I need to be liked?
- Am I interacting with a student in an online environment consistently with how I would act with that student in class or at school?
- Am I engaging in behaviours and discussions either personally or online that are beyond the realm of children or teenagers?
- Is my dress, availability, language or demeanour different from the normal with a particular student?
- Would I modify my behaviour with a student if a colleague or parent were present?
- Would I judge my conduct negatively if I observed it in another colleague?
- Is it possible that the consequences of my actions will have negative outcomes for the student?
- Is it possible that the consequences of my actions will negatively affect people's confidence in my suitability to teach and work with children?
- Would my actions bring the teaching profession into disrepute?
- How would I feel explaining my actions to the School Council and/or the Teacher Registration Board of WA?

See also appendices to this document and Child Protection Policy for specific details on prevention, detection, identification, procedure for reporting suspected grooming behavior and sexual abuse.

#### **Responding to Allegations of Code of Conduct breaches and Grooming or Child Abuse Allegations:**

At all times the School response will be in the best interest of students. The School Council and Principal will comply with all legal and professional obligations.

In cases where a former student, or the parent of a former student makes an allegation about child sexual abuse at the school occurring before 2009, the Department of Communities – Child Protection and Family Services is to be informed immediately.

Victimisation of staff, students, parents and guardians for making an allegation in accordance with the School's policy, is forbidden, including where the allegation is unfounded.

In the case of an allegation of grooming or child abuse by current or former staff, the complainant is informed about the services, including advocacy and support services, which may be available.

Consultation is undertaken with the relevant government authorities to determine when, what and by whom information related to an allegation of child abuse and its investigation may be given to the person against whom the allegations is made, the complainant and his or her parents/guardians, other affected students and their parents and guardians and the wider school community.

## EXPECTATIONS and HOW TO COMPLY

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

- 1.1 As an employee, you should be aware of the School's policies and procedures, particularly those that apply to your work.
- 1.2 If you are responsible for engaging or managing visitors including external consultants, parents, 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.
- 1.3 If you are uncertain about the scope or content of any policy with which you must comply, you should seek clarification from the Principal.
- 1.4 You should also be familiar with the legislation under which you are employed as this may specify requirements with which you need to comply.
- 1.5 As a School employee, you are expected to:
  - a) perform your duties to the best of your ability and be accountable for your performance;
  - b) strive for continuous improvement in all areas of practice in relation to your role as an employee of the School;
  - c) present yourself, through personal appearance and manner, in a professional, credible and respectful way; appropriate to workplace health (including sun smart) and safety regulations;
  - d) follow reasonable instructions given by the Principal;
  - e) comply with lawful directions, act ethically and responsibly; and be accountable for your actions and decisions.
  - f) 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;
  - g) act honestly and in good faith in fulfilling your duties;
  - h) be courteous, non-judgemental and responsive in dealing with your colleagues, students, parents and members of the public;
  - i) comply with the School's policies and procedures;
  - j) work collaboratively with your colleagues; and
  - k) ensure that your conduct (actions and words), whether during or outside working hours, is consistent with the ethos of the School and does not damage the reputation of the School or its employees.

#### How to Comply

- 1 Inform the Principal if you are charged with or convicted of a serious offence. You must also inform the Principal if you become the subject of a Violence Restraining Order.
- 2 If you become aware of a serious crime committed by another staff member, you are required to report it to the Principal, who may be required to inform the Police and/or the Department of Child Protection and/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 observable behaviour or any allegation of objectively observable behaviour that has been made to you and
  - (a) if you become aware that an employee, contractor or volunteer has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving objectively observable behaviour; and
  - (b) if you become the subject of allegations of objectively observable behaviour whether or not they relate to your employment in the school.

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 inform the Principal.
7. Teachers understand and comply with their mandatory reporting obligations under the Children and Community Services Act 2004 (WA) and the School's Child Abuse Prevention Policy. Staff who are not mandatory reporters must report all forms of abuse to the School's Principal. Reports by non-mandatory reporters of abuse involving the Principal must be reported to the Chair of the School Council.

## 2. 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.

Please also see Staff Performance and Development Booklet and Other Key Expectations contained in the Staff Handbook.

### 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 maintain a safe classroom environment.
3. As a professional you will look for and take advantage of every learning opportunity that is appropriate to your role.
4. As part of your treating all students with respect you will have high expectations of all of your students.
5. It is expected you will regularly review school policies and make every effort to comply with them.
6. You maintain regular communication with your students' parents.
7. 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.

## 3. Respect for People

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

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

Staff are expected to carry out their practice in a manner that respects the dignity, social/emotional and academic development of every child; that ensures every child feels safe, secure and supported at school; that every interaction with anyone in our school community is humane and growth producing.

## 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. Use our Agreed Collegial Code of Ethics (above) and follow the agreed NVC process for communication with colleagues and parents.
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 discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent. Your obligations in this regard, including the list of unlawful reasons, are set out in the School's Discrimination, Harassment and Bullying 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 Equal Opportunity Policy. If you believe you are being unlawfully harassed or discriminated against or bullied. Follow procedures in the School's Staff Complaints Policy as soon as possible after the incident(s) have occurred.
6. Do not lie about or exaggerate a complaint.

The School takes reports of unlawful discrimination and harassment or bullying seriously and will consider action it considers appropriate if such conduct is found to have occurred including disciplining or dismissing offenders. Many incidents can be addressed effectively if reported early.

## 4. Duty of Care and Work Health and Safety

As a School 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.

You should ensure that you are aware of the following School Policies:

Duty of Care, Occupational Health and Safety, Asthma, Allergy & Anaphylaxis Policy and Procedures, Behaviour Management Policy, Excursions Policy and Procedures, Emergency Policies and Procedures, Health and Wellbeing, Staff Wellbeing and Accident and Illness Procedures.

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;
- providing medical assistance (if competent to do so), or seeking assistance from a medically trained person to aid a student who is injured or becomes sick at school.

### Duty of Care

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

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.

## Occupational Health and Safety

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

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

You should ensure that you are aware of and comply with the School's Safety and Health policies.

### 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 and all other emergency 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. In the event that a student is not collected the student will be guided to the front office administration and Parents/Carers contacted.
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 as per the Schools' Incident Report procedures through PC School and Behaviour Management Policy.
7. Attend to ill or injured students. Should additional assistance be required you should contact the Principal or Teacher in Charge. Document all injuries using our Medical Entry procedures through PC School.
8. Do not store or administer medication to students unless their use complies with the school policy and parents/ carers have completed the permission to administer medication forms.
9. Follow our School's Occupational Health and Safety Policy and Staff Health and Wellbeing Policy.

## 5. 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 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 School employees to understand and observe the School's Child Abuse Prevention Policy.

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

### 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 and that you have informed others of what you are doing and why. Where this is not possible or practical it should be discussed with your supervisor and/or the Principal. Calling the Principal on speakerphone is required if the situation is unavoidable (e.g. parents does not arrive to collect a student from an afterschool activity).



- 2 Do not drive a student in your car. Always call 000 in the event of a medical emergency and apply First Aid. Call parents immediately.
- 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. Always leave the door open. You should not locate yourself between the student and the door.
- 4 When confiscating personal items, such as mobile phones or hats, ask students to hand them to you. This should ONLY be done if there is a school policy that allows for the confiscation of student property. 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 Behaviour Management Policy.
2. Attention to the toileting needs of young children should be done with caution. The door should always be open and more than one staff member aware of the action intending to be taken. For students with a disability the management of toileting needs should be included in the student's individual management plan. See Toileting Policy.
3. When congratulating or comforting 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.
4. Assessing a student who is injured or ill may necessitate touching the student. Even if unconscious, always advise the student of what you intend doing and, seek their consent if conscious.
5. If a parent is present always establish who has duty of care. At the point that you take over duty of care and if physical contact is warranted to establish separation from parents always seek permission from the parents.
6. In the case of an emergency safety risk holding onto clothing instead of a body part is always advised. In the case of an incidence of violence or harm staff members who have undergone PART training should be called to attend.
7. All instances of physical restraint or First Aid applied should be documented.
8. At all other times physical contact with students should not be undertaken.

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

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

**Corporal punishment:** Any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of

reasonable physical restraint to protect the child or others from harm [UN Committee on the Rights of the Child, General Comment No. 8 (2006)]. 2022/05005 51 6 September 2022.

Margaret River Montessori School does not permit corporal punishment and other degrading punishments of students, or child abuse as a punishment or behaviour management tool. "This does not include, however, the application of force only to prevent personal injury to, or damage to or the destruction of property of any person (including the student)". {Education Reform Amendment Act (School Discipline), 1995]

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

### **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 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 supervisor and/or the Principal as soon as possible so that a plan can be developed to manage the situation effectively and sensitively
4. At all times when speaking with students, care must be taken to use appropriate language. You must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.
5. You may, as part of your pastoral care role, engage in discussion with students. This is entirely appropriate. However, you must be cautious about making personal comments about a student or asking questions that probe your own or a student's sexuality or relationships. You must not hold conversations with a student of an intimately personal nature where you disclose information about yourself.
6. You must not:
  - (a) invite students to your home (teachers who are friends with parents of their students in a small community may invite the parents and the students may come along with their parents);
  - (b) visit students at their home (unless the teacher is invited by the parent to visit the student's parent); or
  - (c) attend parties or socialise with students, unless you have the express permission of the child's parents or care giver each time.
  - (d) For more information see below for guidelines for teachers living in a small community.
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 *Section 7 - Appropriate use of electronic communication and social networking sites*)
9. You must not give gifts to individual students. Gifts can only be provided where it is to a whole group (e.g. graduation gifts). You should also carefully consider your position before accepting any gift from a student or a parent (see *Section 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 supervisor.
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.

#### **Guidelines for Teachers living in a small community**

Teachers living in small communities face additional challenges in managing professional boundaries and appropriate conduct. The following recommendations may assist (see Qld College of Teachers, Professional Boundaries May 2016):

1. Social contact should be generated via the relationship the staff member has with the parents/carers of students or via the event organisers.
2. Staff should conduct themselves in a way that will not give others reason to question their suitability to work with children and that will not create discomfort for students in their learning relationships with them.
3. Consuming alcohol or drugs in these situations may lessen a staff member's capacity to judge when professional boundaries are at risk.
4. Staff members should politely avoid discussing matters relating to the workplace and should not discuss students' learning or social progress other than at times specifically set aside for that purpose.
5. Staff should avoid being alone with students in these situations. Staff members should always seek consent from the parent/care giver where time will be spent with students outside of school events.
6. Any concern a teacher has about whether or not a situation may be compromising or breaching a professional relationship should be discussed with a senior/supervising colleague or their principal and an approved plan or action followed.

#### **Child Protection**

You must be aware of and comply with the school's Child Abuse Prevention Policy. The policy can be found in the Tdrive.

**This section should be read in conjunction with the document, *Teacher-Student Professional Boundaries*, released by the Teacher Registration Board of WA in 2019.**

### **6. 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. Please refer to the School's Social Media and Use of Electronic Facilities and Mobile Phones Policies.

#### **How to Comply**

1. You must comply with the School's Social Media and Use of Electronic Facilities and Mobile Phones Policies. 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, libelous or slanderous messages or material; or
  - (e) subversive or other messages or material related to illegal activities.

## 7. Use of Alcohol, Drugs or Tobacco

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 bring to work or consume alcohol, illegal drugs or non-prescribed and/or restricted substances during work hours or while at work (see reference to school events below under alcohol).
3. You must notify the Principal 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
5. Consult with the Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

#### Drugs

1. You must not have illegal drugs in your possession while at work. Any illegal drugs found on school property or in the possession of any person on school property may result in disciplinary action including the termination of your employment and referral to the Police and/or the Teacher Registration Board WA
2. You must not give students or other employees illegal drugs or restricted substances, or encourage or condone their use
3. You must not supply or administer prescription or non-prescription drugs to students unless authorised to do so.

#### Alcohol

1. You must not purchase alcohol for, or give alcohol to, any school student (or to any other person under the age of 18 years)
2. You must not encourage or condone the use of alcohol by students of any age during educational activities.

#### Staff Consuming Alcohol at School Functions:

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.

Staff may bring, purchase and consume alcohol at school functions that are declared as 18-plus (adult only) events.

Many of our school functions are declared as alcohol free events. Where an event is not declared as alcohol free and where students are present, including offsite events, staff must be given permission by the Principal to bring, purchase or consume alcohol at such a school function. The Principal will announce this to staff prior to each event. Alcohol is not to be brought to or consumed at any school camps or excursions.

#### **Tobacco**

1. You must not smoke or permit smoking in any school buildings, enclosed area or on School 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.

### **8. 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.

As a School employee, you must not act in conflict with the School'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.

#### **How to Comply**

1. When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to the Principal
2. 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.

### **9. 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 judgment 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 (\$50) 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 above the nominal value is accepted on behalf of the School, you must advise the Principal. She/he will determine how it should be treated and make a record of its receipt. Depending on the nature and value of the gift, it may be appropriate to record the gift in the asset register as a donation or other such record established for that purpose.
4. If you are offered a small gift, you may accept it graciously.
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 the Principal who will determine how the prize should be treated and recorded.

## 10. Privacy, Communication, Confidentiality and Fidelity.

You should be mindful of confidentiality when in discussions with parents. You cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.

### Privacy

Sensitive and personal information should only be provided to people, either within or outside the School, who are authorised to have access to it. (Refer to Privacy Policy and Act).

#### How to Comply

##### Communication

1. You are required to comply with the established line of communication with parents in the school (see Lines of Communication Flowchart and Other Key expectations in Staff Performance and Development Booklet).
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.

## 11. Record Keeping

All employees have a responsibility:

- a) to create and maintain full, accurate and honest records of their activities, decisions and other business transactions, including student progress records, 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 relevant policy and the requirements of the school
4. Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

## **12. 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 the school, the copyright in that material will belong to the school. This may apply even if the material was developed in your own time or at home.

#### **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.

## **Procedures**

This Staff Code of Conduct is reviewed annually and explicit communication of the Code is part of the Induction Process for all new staff including those participating in a practicum experience at our School. In addition, professional learning is provided to Staff annually on this Code and how to comply.

## **Appendix to This Code of Conduct**

### **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:

- promotes self and creates a reputation as caring, child-loving, competent, available, trustworthy, truthful;
- raises doubts about the motives, mental health, reliability of the child or anyone else who might approach support services with allegations;
- fosters dependency as someone the family can rely on;
- positively represents child to others so as to be perceived as someone who would never harm the child.

Preventing or interrupting the grooming process:

<https://margmontwa.sharepoint.com/Shared Documents/Administration/POLICIES AND PROCEDURES/Staff and Management/Staff Code of Conduct Policy.docx>



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 focussed 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 behavior.

See also Child Abuse Prevention Policy.

## **Appendix: Non-Violent Communication Process**

# How You Can Use the NVC Process



Clearly expressing  
how **I am**  
without blaming  
or criticizing

Empathically receiving  
how **you are**  
without hearing  
blame or criticism

## OBSERVATIONS

1. What I observe (*see, hear, remember, imagine, free from my evaluations*) that does or does not contribute to my well-being:

“When I (see, hear) . . . ”

1. What you observe (*see, hear, remember, imagine, free from your evaluations*) that does or does not contribute to your well-being:

“When you see/hear . . . ”

*(Sometimes unspoken when offering empathy)*

## FEELINGS

2. How I feel (*emotion or sensation rather than thought*) in relation to what I observe:

“I feel . . . ”

2. How you feel (*emotion or sensation rather than thought*) in relation to what you observe:

“You feel . . . ”

## NEEDS

3. What I need or value (*rather than a preference, or a specific action*) that causes my feelings:

“. . . because I need/value . . . ”

3. What you need or value (*rather than a preference, or a specific action*) that causes your feelings:

“. . . because you need/value . . . ”

Clearly requesting that  
which would enrich **my**  
life without demanding

Empathically receiving that  
which would enrich **your** life  
without hearing any demand

## REQUESTS

4. The concrete actions I would like taken:

“Would you be willing to . . . ?”

4. The concrete actions you would like taken:

“Would you like . . . ?”

*(Sometimes unspoken when offering empathy)*



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