



NORTH WEST CHRISTIAN SCHOOL

Code of Conduct





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Introduction

To ensure students in the Tasmanian Seventh-day Adventist Education system are provided with every opportunity for a quality Seventh-day Adventist Christian education in a safe environment, it is essential that all teachers and ancillary staff are aware of and comply with their professional responsibilities.

All members of staff at North West Christian School serve God in their role in accordance with the Scripture (Ephesians 6:4). North West Christian School is a member of the Adventist Schools Australia System.

As employees they formally undertake to support the ethos of North West Christian School as a requirement of their employment agreement and are expected to demonstrate their support for the Vision, Mission and Core Values of the school, of Christian Education through the exercise of their employment responsibilities and conduct.

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

This *CODE OF CONDUCT* is for all employees at North West Christian School. Employees will find its roots, its ethics, its principles, in the attached appendices:

APPENDIX 1	Vision, Mission Statement and Core Values (North West Christian School)
APPENDIX 2	North West Christian School Staff Handbook
APPENDIX 3	Code of Professional Ethics for the Teaching Profession in Tasmania (Tasmanian Teachers Registration Board) 2012
APPENDIX 4	North West Christian School Constitution
APPENDIX 5	North West Christian School Strategic Plan
APPENDIX 6	North West Christian School Grievance Policy

Each of these statements is integral to the operation of the Code of Conduct.

It is the role of the Board of Directors (Seventh-day Adventist Schools Tasmania), through the Executive (Tasmanian Seventh-day Adventist Church), to provide appropriately share the Code of Conduct, as well as providing in-service to all employees.

The following sets out in practical terms the active implications of each employee undertaking to support the Christian ethos of the school and should be read in conjunction with the school's policies and procedures.

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1.0 LAWFUL AND REASONABLE DIRECTIONS

- 1.1 Employees must comply promptly, conscientiously and effectively with all lawful and reasonable decisions and directions given by a person having authority to give such directions.
- 1.2 Employees 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, employees must act within their legal and organisational responsibilities and delegations. Employees 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 All employees must agree to be under the Enterprise Agreement Arrangement immediately upon offer of employment.
- 2.2 In the course of their employment, employees must act in a professional and respectful way that enhances their professional reputation and in the reputation of North West Christian School. Employees should be aware that personal conduct, comments and lifestyle outside of normal working hours can reflect either positively or adversely on North West Christian School and therefore they should act appropriately in the presence of students at all times, both within and outside school hours. At all times employees should conduct themselves in a manner that does not bring North West Christian School into disrepute.
- 2.3 Employees must treat fellow employees, students and others within their work environment with the respect and dignity that all deserve.
- 2.4 Employees 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 Employees must be cognisant of the policies, procedures and delegations that are applicable to their actions. The School Council, through the Administration of North West Christian School personnel must make relevant information available to staff. Employees are required to read and ensure that they understand policy documents issued to them or circulated to them. Employees 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 or relevant Senior Staff.
- 2.6 Employees must uphold and comply with:
 - 2.6.1 Applicable Commonwealth, State and local laws, regulations, industrial awards and agreements;
 - 2.6.2 Applicable professional standards and codes of practice that do not conflict with government or North West Christian School;
 - 2.6.3 North West Christian School and government directives, policies and procedures.

- 2.7 Employees must act promptly in reporting breaches of the law, North West Christian School policies, government policies and directives, as well as misconduct and mal-administration under North West Christian School Code of Conduct, to their Principal.
- 2.8 Employees are expected to behave always in ways that promote the safety, welfare and well-being of students, fellow employees and others in their workplace environment in accordance with relevant occupational, health and safety legislation.
- 2.9 Employees must perform their work duties competently and responsibly, with a focus on delivering or supporting high quality educational services to students, and delivering high quality services to other internal or external North West Christian School clients.
- 2.10 Employees must maintain currency of their professional competence through appropriate professional development or learning experiences. All professional development must be recorded on the North West Christian School PD Listing (Secretary's File).
- 2.11 Employees must maintain the accuracy, integrity and appropriate confidentiality of all information used in their professional dealings in North West Christian School.
- 2.12 Employees must only take leave of absence from their work duties when authorised to do so. The appropriate leave forms must be completed, by the staff member themselves, in accordance with the Leave provisions allowed.
- 2.13 Dress, personal appearance and hygiene are important elements of professional presentation. Employees must ensure that their personal appearance and presentation are clean, tidy and appropriate for their work role in accordance with the local expectation of the school or workplace as outlined in the North West Christian School Staff Dress Code as per Staff Handbook.
- 2.14 Employees must ensure that North West Christian School resources are not used inappropriately. These resources include financial and material resources as well as intellectual, information, system and knowledge resources related to the work of North West Christian School. Work time is also a valuable resource that must be managed effectively to create productive outcomes.
- 2.15 Employees must endeavour to attend all meetings as required in the Staff Handbook or requested by North West Christian School or Tasmanian Seventh-day Adventist Schools (Tas) Ltd.

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 an employee's work, it is particularly important for those employees 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 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.

Employees are reminded of their responsibility as prescribed persons under the *Children, Young Persons & Their Families Act (1997)* and as mandated reporters of child abuse and neglect.

3.4 Employees must actively seek to maintain a physically safe teaching environment for students in accordance with the *Workplace Health and Safety Act*.

3.5 Employees must take reasonable steps to prevent harm to students and to support students who have been harmed.

4.0 PSYCHOLOGICAL HARM

4.1 Employees 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 Policy.

5.0 PHYSICAL CONTACT WITH CHILDREN

5.1 Employees must not engage in conduct that could physically harm a student and this should be noted especially in cases involving disciplinary action.

5.2 Corporal punishment is prohibited in North West Christian School.

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 employee 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 Employees' interactions with students must be, and seen to be, professional at all times.

6.2 Employees 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 Employees must not provide or exchange personal contact details such as telephone numbers or email addresses with students (other than school designated emails), unless there are specific work-related reasons. Similarly, employees must not enter into unauthorised electronic communication with students such as text messaging, podcasting and chat rooms (see Staff Meeting Minutes 2011,2012).

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 action 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 curriculum 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 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, allowing students to sit on their lap, talking about sex, apparently *accidental* touching.
- 6.5.3 engaging in inappropriate, personalised forms of communication.

6.6 Employees 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 the Principal or delegate to allow for action to be taken to assist in preventing repetition and avoiding subsequent allegations.

6.7 Allegations will be investigated thoroughly and may involve reporting to the Tasmanian Teachers Registration Board and the Police.

7.0 DISCRIMINATION AND HARASSMENT

7.1 North West Christian School employees are committed to providing workplaces free of all forms of discrimination, victimisation and harassment. Common types of harassment include:

- 7.1.1 intimidatory harassment
- 7.1.2 bullying
- 7.1.3 sexual harassment

7.2 Employees must not discriminate against, victimise or harass any colleague, student or parent, nor discriminate in how services are provided to the community. All employees of North West Christian School have the responsibility to act fairly and evenly towards other employees, students and the general public in accordance with North West Christian School's policies and relevant legislation including the *Tasmanian Anti-Discrimination Act 1998*, and the Federal Government's *Equal Employment Opportunity Act 1987*, *Sex Discrimination Act 1994* and *Disability Discrimination Act 1992*.

- 7.3 Discrimination, victimisation or harassment will not be tolerated and will be dealt with in accordance with existing policies, including the *Anti-Discrimination Procedure*, *Bullying Procedure*, as part of policies of North West Christian School. 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 is not permitted in North West Christian School facilities and grounds. Similarly, smoking is not permitted whilst staff members have direct responsibility for or contact with students.
- 8.2 North West Christian School is a drug and alcohol free zone. Employees have a workplace health and safety obligation, in accordance with the *Workplace Health and Safety Act*, to ensure that their use of alcohol and drugs, whether illicit, prescribed, 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 within a professional context, particularly in association with the supervision of students, is strictly prohibited.
- 8.4 If employees are found to be suffering from a drug or alcohol problem that adversely affects their work performance they must actively seek professional assistance to correct the problem.
- 8.5 Employees must not provide students with alcohol and must not encourage or condone the illegal use of alcohol (including underage drinking) or the excessive consumption of alcohol.
- 8.6 Employees should reasonably endeavour to avoid direct social contact with students where student consumption of alcohol or the illicit use of drugs occurs.
- 8.7 Employees must not consume or be affected by alcohol and/or the illicit use of drugs in any circumstances where they are responsible for students. This includes camps, retreats, excursions and other such activities.
- 8.8 Employee (and student) consumption of alcohol is not permitted at any activity or event where students may be present such as fairs, barbecues, graduations and the like.
- 8.9 At the request of parents and with the agreement of appropriately trained employees are authorised to administer prescribed medications in accordance with the directions as advised by the child's doctor and in accordance with school-based policies and procedures. Employees 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. This includes Panadol, paracetamol, Neurofen, Aspirin and any over the counter pharmaceuticals. (School Policy & Procedure for Medicines – see Policy Book)

9.0 CONFLICT OF INTEREST

- 9.1 A conflict of interest may exist when an employee'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 employees are working with family members or with persons with whom they develop close personal relationships. Where such relationships exist between employees or with prospective employees, then the potential for conflict of interest should be noted.

- 9.3 As a general principle, all employees 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, promotion, granting of tenure or transfer of any individual.
- 9.4 Employees should be aware that private part-time employment including tutoring which conflicts with, or compromises, employment with North West Christian School, may give rise to a conflict of interest. Employees should seek prior approval from the school authorities for any such employment.
- 9.5 Employees should be aware that receipt of gifts from those considered as part of the broad *client* base of the organisation (e.g. – students/families in a school setting) may present the potential for a conflict of interest.
- 9.6 In many cases only individual employees 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 (including the use of Social Media)

- 10.1 As an employee of North West Christian School you may be entrusted with access to information of a sensitive nature to enable you to carry out your duties. This information must only be used for the work-related purposes it was intended.
- 10.2 Employees 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. Therefore, unless authorised by appropriate legislation, you are not to disclose or use this information without appropriate and prior approval.
- 10.3 In accordance with the school's *Privacy Policy*, an employee must not, after leaving employment with the school, use confidential information obtained during the course of his/her employment for other work or non-work related purposes.
- 10.4 The following standards apply to employees' and volunteers' work and personal use of social media. The School will enforce these standards as and when appropriate.
- 10.4.1 Always follow other relevant School policies, e.g. School Computer Use Policy.
 - 10.4.2 Do not act in an unlawful manner when you use social media.
 - 10.4.3 Your personal online activities should not interfere with your performance in your occupation.
 - 10.4.4 Do not disclose information obtained through your work. Disclosed information could potentially damage the reputation of the School, its staff, students or parents.
 - 10.4.5 The views you express in social media are your personal views, not that of the School, and should be clearly identified as such.

11.0 USE OF SCHOOL AND/OR SCHOOL RESOURCES

- 11.1 Employees 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 employee's work 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 and faxes
 - 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 by employees of ICT resources.
- 11.2 Employees 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 All electrical items on school premises must be checked and tagged.
- 11.4 Employees must have approval to use school equipment and resources off site for work purposes, and must ensure that they are safely stored and secured.
- 11.5 Employees 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.
- 11.6 Employees must not seek financial gain from work produced for the employer without the authorisation of the employer.
- 11.7 Employees 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 resources.

12.0 USING SCHOOL INTERNET, ELECTRONIC MAIL, MOBILE PHONES AND OTHER MEANS OF ELECTRONIC COMMUNICATION INCLUDING SOCIAL NETWORKING SITES

- 12.1 All school ICT protocols must be obeyed at all times in accordance with the North West Christian School ICT Policy and procedures.
- 12.2 Except for official purposes or in accordance with school policy, employees must not use school resources, including mobile phones, the internet, electronic mail systems, or other means of electronic communication for:
- 12.2.1 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.) A good general rule should be, *only write what could be displayed on a student notice board.*
 - 12.2.2 gambling
 - 12.2.3 accessing chat lines not associated with work
 - 12.2.4 transmitting inappropriate jokes
 - 12.2.5 sending of inappropriate programs, mail or email
 - 12.2.6 what a reasonable person would see as excessive use of the internet
 - 12.2.7 unauthorised use of the school's email distribution lists, pigeon holes, courier boxes.
- 12.3 Your professional relationship with students may be compromised if you invite students to join your personal electronic social networking site or accept students' invitations to join theirs. Therefore you should not:
- 12.3.1 have contact with students by written or electronic format including emails, letters, text messages, chat lines or social networking sites without a valid professional reason.

- 12.3.2 invite students into your personal social networking sites. (So that the relationship is not misinterpreted as being of a personal nature rather than a professional nature.)

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 established grievance policies or as detailed in appropriate school-based policies. In cases of alleged or suspected serious misconduct, the North West Christian School's Council will be the advising party.

13.2 Employees should be aware that the relevant governing body, North West Christian 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 reporting such actions to the Tasmanian Teachers Registration Board
- 13.2.4 actions as prescribed under the various award provisions
- 13.2.5 demotion
- 13.2.6 suspension
- 13.2.7 dismissal
- 13.2.8 laying of criminal charges or civil action.

13.3 As appropriate, and according to the word, intent and spirit of the Enterprise Agreement offered to employees of North West Christian School, employees may, when in breach of the Code of Conduct, seek access support from the Board of Directors and may seek a disputable resolution process.

14.0 IMPORTANT REFERENCES

- Vision, Mission and Core Values Statement of North West Christian School
- Staff Handbook
- Code of Professional Ethics for the Teaching Profession in Tasmania (Teachers Registration Board) 2006.
- Staff Dress Code – Staff Handbook
- Grievance Policy

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