



# IMMACULATE HEART COLLEGE

*Through Mary to Jesus: "The Way, the Truth and the Life"*

*John 14:6*

## Staff, Volunteers and the Board of Directors Code of Conduct

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Document # HR03



## 1. Introduction

This Code of Conduct Policy provides a framework to promote positive work practices and establishes an expectation for personal and professional boundaries concerning appropriate and inappropriate behaviour in relation to staff, students, volunteers, and the Board of Directors of Immaculate Heart College (IHC). It provides a framework to address ethical and legal issues that may arise.

### 1.1. Rationale

The Code of Conduct establishes a standard by which all staff, volunteers and the Board of Directors:

- act to protect the safety and welfare of all children at Immaculate Heart College
- conduct themselves towards other staff or colleagues, staff representatives, the student body and their representatives, government authorities and the general community
- perform their duties and obligations to Immaculate Heart College
- fulfil the mission and embody the values of Immaculate Heart College; and
- practise fairness and equity

The Code of Conduct has been established on the following legal obligations and organisational values:

- child protection
- Australian Professional Standards for Teacher (AITSL), codifying principles that are already common practice in the teaching profession.
- respect and responsibility
- honesty and integrity
- forgiveness and reconciliation
- care and compassion
- striving for excellence in all that we do; and
- Catholic traditions.

## 2. Scope

This policy applies to the Immaculate Heart College Board of Directors, volunteers and all staff employed by Immaculate Heart College during working hours. The Code of Conduct also applies outside of working



hours in the scenarios where conduct has the potential to impact upon, or reflect upon, their employment or role within the College, their colleagues, employer, or the community.

### 3. Definitions

**Teachers** - refers to persons registered with the Teacher Registration Board of Western Australia (TRBWA)

**Staff** - means all persons employed by Immaculate Heart College on a paid basis, including the Board of Directors.

**Board of Directors** – refers to the governing body of Immaculate Heart College

**Others** - includes children and young people, contractors, volunteers, members of the College community or people outside of this community but associated with the College.

**Confidential** - relates to privileged communication shared only between a few people information for furthering certain purposes.

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

**Degrading punishment** is any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child. Please see the IHC Child Protection and Safety Policy (HSW02) for a definition of child abuse.

### 4. Responsibilities

The **Principal**, all **staff** and **others** are responsible for the implementation of this policy.

All **staff** and **others** are expected to maintain the expectations as specified in this policy, have a responsibility to comply with legislation, and related policies and procedures. To perform duties effectively and in a manner that promotes a productive and harmonious working and learning environment.

The **Principal** (or delegate) is expected to ensure that staff understand their obligations to observe this Code of Conduct Policy and to uphold appropriate standards of behaviour at all times.



## 5. Policy Principles

Immaculate Heart College expects staff, volunteers and the Board to act within the law, be diligent, impartial, courteous, conscientious and respectful in the performance of their duties and obligations to Immaculate Heart College, the students and the community.

### 5.1. Personal and Professional Behaviour

#### 5.1.1 Personal Conduct

Staff, volunteers and the Board should perform the duties associated with their position to the best of their ability, diligently, impartially and conscientiously. In the performance of their duties (with respect to the parameters of their specific role), staff, volunteers and the Board are expected to:

- a) Support and act within the Catholic ethos of the College.
- b) Support the aims and philosophy of the College by their conduct and interactions within the College community.
- c) Be an example of the Catholic virtues.
- d) Respect the morals and ethical values of the teaching profession (refer to AITSL professional standards).
- e) Comply with and respect Federal, state and local laws.
- f) Relate to others with respect, dignity, courtesy and integrity at all times.
- g) Take reasonable care to ensure own health and safety at work and avoid adversely affecting the health and safety of others.
- h) Respect the privacy of others, and other's sensitive information.
- i) Treat all persons with courtesy and sensitivity to their rights and provide all necessary and appropriate assistance.
- j) Refrain from behaviour that may constitute as bullying, discrimination or harassment, including harassment or discrimination against staff or community members on the basis of ethnicity, gender, culture, race, religion and sexuality.
- k) Act responsibly when becoming aware of any unethical behaviour or wrongdoing by any employee. Such information should be forwarded to his/her line-manager or member of the Senior Leadership Team.



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- l) Not speak disparagingly of Immaculate Heart College or its employees to the outside community.
- m) Refrain from smoking or taking unauthorised drugs/substances within College premises.
- n) Strive to keep up-to-date with advances and changes in the knowledge of their discipline and the professional and ethical standards relevant to their areas and expertise.
- o) Maintain adequate documents to support decisions made.
- p) Not discuss school business or sensitive staff issues in class.
- q) Strive to obtain value for school money spent and avoid waste and extravagance in the use of school resources.
- r) Not take or seek to take improper advantage of any official information gained in the course of College employment.
- s) Abide by the staff dress code.
- t) Adhere to all elements of copyright and intellectual property law.
- u) Continuously improve work performance. All staff should actively pursue quality improvement.
- v) Maintain confidentiality.
- w) Advise the Principal of any impending criminal charges that would result in imprisonment or affect their ability to perform their duties.
- x) Disclose to the Principal any action or event that would diminish the reputation or standing of Immaculate Heart College.

Teaching staff are expected to provide quality teaching appropriate for the students at Immaculate Heart College, recognising the diversity of learners and making every effort to help all students equally so they have every chance of succeeding. Teaching staff will:

- Program, differentiate, provide feedback and report in line with school policies and expectations.
- Strive to improve their teaching practice in line with the performance and development policy of the College.
- Reflect and review teaching practice with a view to improving student outcomes.
- Reflect and review school policies to keep abreast of changes and in order to comply.
- Maintain regular communication with students and their parents/carers.
- Maintain high expectations of students and respect their individual abilities.



### 5.1.2 Staff Dress Code

Staff members of Immaculate Heart College enjoy a high level of professional standing and recognition in the community. The standard of dress is expected to reflect this professionalism and justify the esteem in which the community holds our staff.

Professional corporate attire is required. Common sense should prevail if activities require more practical clothing. Clothing must be modest and of a standard we would expect of students.

On formal or academic occasions such as parent/teacher interviews, College services, College photographs, and the like, dress standards need to reflect the 'full dress' standards expected of students at the College. This would include business shirt and tie and optional coat or jacket. On some of these occasions academic gown and hood will be appropriate.

Some staff e.g. Physical Education, ground Staff, will need to adopt a style of dress to suit their work environment and their role in the College. These members of staff should meet the general tenor of acceptability of appearance as outlined in this document, but in such a way as to meet the demands of their own work environment.

On sports carnival days, staff may wear appropriate sports clothes and should wear broad brimmed hats. When representing the College as part of inter-school sport an Immaculate Heart College Sports Polo Shirt may be worn.

During school holiday periods and student free days it is recognised that a more casual style of clothing may be adopted by those staff at the College. Contact with members of the public is still quite frequent in these periods, so the level of informality needs to be maintained at a casual but businesslike level.

### 5.1.3 Staff in Leadership Roles

Members in leadership positions within the College, in addition to adhering to the conduct outlined above, have a responsibility to:

- Set a good example for staff and others.
- Make decisions fairly, impartially and promptly, considering all available information, legislation, policies and procedures.
- Act expeditiously in response to a complaint from staff or others.
- Provide opportunities for staff and others to participate in decisions which affect them.
- Ensure staff and others are treated fairly and equitably.



- Ensure staff and others understand what is expected with regard to the Code of Conduct and how feedback will be provided with regard to complaints.

## 5.2. Child Protection

Immaculate Heart College is committed to providing a child safe environment which safeguards all students and is committed to promoting practices which provide for the safety, wellbeing and welfare of our students and all young people. Immaculate Heart College expects all community members, including staff, volunteers, parents and carers, the Board, students, visitors, and contractors to share this commitment.

All staff, volunteers and the Board working at Immaculate Heart College have a legal responsibility to protect children from any form of child abuse including physical, sexual, emotional and psychological and neglect and grooming.

Every child has the right to be protected from sexual abuse and grooming. Sexual abuse includes behaviour in circumstances where:

- The child is subject to bribery, coercion, a threat, exploitation or violence.
- The child has less power than another person involved in that behaviour.
- There is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
- The child is groomed in relation to the preparation of engaging in sexual activity.

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 by 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 becomes 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 the 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 is:
  - Promoting self and creates a reputation as caring, child-loving, competent, available, trustworthy, truthful
  - Raising doubts about the motives, mental health, the reliability of the child or anyone else who might approach support services with allegations
  - Fostering dependency as someone the family can rely on
  - Positively representing the child to others so as to be perceived as someone who would never harm the child.

Any form of sexual abuse must be reported. Mandatory reporting for all teachers in incidences of where they have formed a belief of sexual misconduct is a legislative requirement. Please see the Child Protection Policy. Other staff, volunteers and the Board are expected to follow the policy and report to the Principal.

Staff, volunteers and the Board are expected to observe professional boundaries including emotional, power, communication and physical boundaries. The following statements are not an exhaustive list but provide staff with some examples of inappropriate behaviour.

Staff, volunteers and the Board must not:

- Engage in any form of inappropriate behaviour towards students or expose students to such behaviour.
- Use prejudice, oppressive behaviour or inappropriate language with students.



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- Express personal views that are derogatory towards cultures, race or sexuality in the presence of students or discriminate against any student based on culture, race, ethnicity, sexuality or disability.
- Engage in any form of sexual conduct with a student, including making sexually suggestive comments and sharing sexually suggestive material.
- Engage in any inappropriate or unnecessary physical behaviour that the child is capable of undertaking themselves, e.g dressing a child, taking a child to the toilet.
- Engage in contact with students through any social media or technology that is not of a work-related matter.

Boundaries are not always clear, and there are grey areas. Two easy questions to ask yourselves would be:

- Would I feel comfortable sharing my actions at a staff meeting?
- Would I modify my behaviour if another staff member was present?

If you are unsure, err on the side of caution and seek clarification from your line manager/Chair of the board/Principal.

In all situations, the College explicitly forbids child abuse, corporal and degrading punishment.

The steps and procedure for making a report are outlined in the IHC Child Protection and Safety Policy (HSW02) and are briefly outlined below for all sexual abuse (mandatory reportable) and non-mandatory reportable abuse.

Steps for mandatory reporters

- Step 1 – A teacher, in a paid or unpaid capacity, forms a belief based on reasonable grounds that sexual abuse is occurring.
- Step 2 - Makes a report.
- Step 3 - Notifies the Principal of the report.

NB: Sexual abuse that occurred before 1 January 2009 is not considered a mandatory report but must be reported to the Principal.

The steps for non-mandatory

- Step 1 - Forms a belief.
- Step 2 - Notifies the Principal.
- Makes the report to the Department of Child Protection.



- Principal reports as per Critical Incident Policy.

In cases where a former student (still under the age of 18), or the parent or carer of a former student, makes an allegation about child sexual abuse at the school occurring before 2009, the Department of Communities – Child Protection Service is to be informed immediately. An allegation involving a former student who is now aged 18 or over is reportable to the Police. In either case, the Principal must submit a critical incident report to the Director General, Department of Education and may also be required to notify the Teacher Registration Board of Western Australia.

### 5.3. Duty of Care

Staff, volunteers and the Board have a duty of care for all students and staff must take all reasonable steps to protect students from risks of harm that can be reasonably predicted. The duty includes:

- The provision of adequate supervision.
- Ensuring grounds and equipment are safe for student's use.
- Staff, volunteers and the Board are required to report all objectively observable breaches of this Code of Conduct to the Principal or, where the breach observed was committed by the Principal, to the Chair of the Board of Directors.
- 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.

### 5.4. Natural Justice, Fairness and Equity

Staff who are required to investigate complaints against other staff, volunteers, the Board or students, or issues affecting staff or students, are expected to act consistently, promptly, and fairly. Staff, volunteers and the Board are to model effective leadership and respect in all interactions with students. Staff, volunteers and the Board must not engage in any discrimination, harassment or bullying of colleagues, students or parents. Staff, volunteers and the Board must comply with all school policies in dealing with matters that breach natural justices, fairness and equity at Immaculate Heart College.

The College will not tolerate harassment or victimisation of a staff member raising concerns in accordance with this policy. Any employees, volunteers or Board members who victimise or harass any person as a result of their having raised a concern in good faith and in accordance with this Policy may be dealt with under Immaculate Heart College's disciplinary procedures, and applicable laws.



### 5.5. Use of School Facilities and Equipment

Staff, volunteers and the Board should take all possible care in the use of College property, goods, services and information and ensure they are used efficiently, carefully and professionally.

Unless permission has been granted by the staff member's line-manager, College resources are not to be used for private purposes.

### 5.6. Privacy and Use of Personal and Official Information

Staff, volunteers and the Board have a duty to maintain the confidentiality, integrity and security of College information for which they are responsible; this includes the parents' right to privacy.

### 5.7. Records Management

Staff, volunteers or the Board must not remove documents from official files. They are controlled records and must be complete, up-to-date and capable of providing organisational accountability when scrutinised.

Staff, volunteers and Board members must not damage, dispose of, or in any other manner, interfere with College documents or files. The destruction of records may only take place in accordance with a disposal and retention schedule.

### 5.8. Information Technology

Staff, volunteers and the Board must take all reasonable precautions, including password maintenance and file protection measures to prevent unauthorised access.

Staff, volunteers and the Board have an obligation to maintain the security and confidentiality of the information systems over which they have responsibility or control and that are owned, leased or used under licence or by agreement by Immaculate Heart College. Staff, volunteers and the Board should ensure that passwords are kept secret, changed regularly and sufficiently complex.

Staff, volunteers and the Board have an obligation to act in a manner that is appropriate with Immaculate Heart College's ICT Acceptable Use Policy (SM14) including;

- Using appropriate and professional language in school emails
- Not to use ICT to send messages that are in any manner harassing, discriminatory, defamatory, threatening, abusive or obscene



### 5.9. Conflicts of Interest

In many cases, only the individual staff, volunteer or Board member will be aware of the potential for conflict of interest. Therefore, the onus is on that person to notify their line manager if a potential or actual conflict of interest arises.

Immaculate Heart College expects staff, volunteers or Board members to:

- a) declare any conflict of interest to their line-manager/the Board; and
- b) avoid any detrimental outcome as a result of a conflict of interest.

Employment or professional activities other than those undertaken as part of a staff member's role at Immaculate Heart College, must not impact on their ability to perform their duties at the College

### 5.10. Public Comment and Use of Official Information

Only the Chair of the Board, Principal or individual delegated the authority by the Principal may make an official public statement on behalf of Immaculate Heart College.

Public comment by school staff, volunteers or Board members made in a private capacity should not imply that the comment is in some way an official comment by Immaculate Heart College.

All public documents must adhere to the Immaculate Heart College style guide and must be approved by a member of the Senior Leadership Team. Official letterhead may not be used for any non-school related document.

### 5.11. Personal Safety

Staff, volunteers and Board members should not accept a student or parental abuse or harassment. If a staff, volunteer or Board member is abused or harassed by a student or a parent, the staff, volunteer or Board member should report the circumstances to their line manager, member of the Senior Leadership Team or Chair of the Board.

### 5.12. Safety and Security

Staff, volunteers and the Board will acknowledge their responsibilities and obligations under Workplace Health and Safety (WHS) regulations and agree to take reasonable and practical precautions to manage hazards and risks to ensure a safe working environment.

Staff, volunteers and the Board are required to:



- Uphold WHS responsibilities in line with the requirements of their role at IHC
- Perform all duties in accordance with relevant WHS regulations, College policies and procedures.
- Consult with all stakeholders including staff, students, parents and contractors on any WHS matters that may impact them.
- Support colleagues in return-to-work endeavours.
- Report hazards and take all reasonable and practical steps to protect themselves and others.

### 5.13. Alcohol or Substance Abuse or Misuse

Immaculate Heart College expects that staff, volunteers and the Board will carry out their duties safely. They must ensure that the health and safety of other staff, volunteers or Board members and students are not endangered by alcohol or substance abuse or misuse. Immaculate Heart College expects its staff, volunteers and the Board to perform their job with skill, care and diligence. Staff, volunteers and the Board should not perform any act or omission that is likely to have a detrimental effect on their work performance and that of other staff members and students. Accordingly, staff, volunteers and the Board must not be under the influence of alcohol or other substances while they are at work.

The use of illegal drugs is prohibited at all times.

Immaculate Heart College is a smoke-free zone. Therefore, smoking is not permitted on school property at any time.

### 5.14. Breaches of the Code of Conduct

Staff, volunteers and the Board must be aware that Immaculate Heart College may apply sanctions if this Code of Conduct Policy is breached. Depending on the nature of the breach, various sanctions may be applied:

- Counselling
- Actions as prescribed under the various award provisions
- Formal warning
- Suspension
- Termination or
- Laying of criminal charges or civil action.



Where the Principal has issued a formal warning to a staff member or terminated the employment of a staff member for a breach of the Staff Code of Conduct, suspected to be grooming behaviour, a critical incident notification will be made to the Director General of the Department of Education. In addition, the TRBWA may also be notified.

## 6. Supporting Information

*School Curriculum and Standards Authority Act 1997 (WA)*

*School Education Act, 1999 (WA)*

*AITSL Standards*

*Fair Work 2009*

*Equal Opportunity Act 1984*

*Disability Discrimination Act 1992*

## 7. Related Documents

Type	Document	Doc #
Policy	Student Assessment and Reporting: Years 7-12	SM09

## 8. Review

This policy will be reviewed on a three yearly basis.

Year of Review	Authored by:	Reviewed by:	Reason for amendments or review
Oct 2020	K. Knight	M.Gough	Revised IHC Staff Code of Conduct from 2015 Induction Handbook
Feb 2021	M. Gough	D. Anastasiades	IHC Board Endorsement



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September 2021	S.Shaw	M. Gough	<p>This policy has undergone a major review, including the addition of volunteers and the Board of Directors.</p> <p>This policy now includes references to child safety and mandatory reporting.</p>