

# STAFF CODE OF CONDUCT

**Adopted By:** Principal

**Review Date:** 11/05/2021

**Scheduled Review Date:** 30/11/2022

## POLICY CONTROL HISTORY:

Date	Reviewed by:	Amendments/Reviews:
16/11/2021	Primary Principal	Amended Section 2, How to Comply (3) to comply with Standard 10.4 of Registration Standards
19/05/2021	Primary Principal	Amended who has to comply with this code Added point 2.5 to Code of Conduct Breaches (2) Added Child Safe Organisation compliance
10/11/2020	Secondary Principal	Changed Occupational Health and Safety to refer to new Work Health and Safety terminology.
11/05/2020	Secondary Principal	Amended where policies are accessible Addition of guidelines of confidentiality and grievances
23/08/2019	Secondary Principal	Added definitions of Corporal and Degrading punishment Added reference to volunteers and visitors complying with the code Changed heading 1, 2 Removed references to hugging students Added point 2 and 3 to Child Protection section (5) Added point 2 (Privacy) Section 10
01/03/2019	Secondary Principal	Clarified acceptable reasons for hugging students Added section 2.5
01/02/2019	Secondary Principal	Amended to reflect DES compliance requests
18/10/2018	Primary Principal	Change reportable conduct to conduct not permitted by the code
01/02/2018	Secondary Principal	Review
01/02/2017	Primary & Secondary Principal	Adopted policy

## PURPOSE

---

The College has a responsibility for the welfare of its staff and students. As a result it aims to provide a working environment in which the agency of students is maximised and staff/student relationships are developed in order to improve teaching and learning. The College aspires to maintain a friendly and professional atmosphere. This atmosphere contributes to an effective and enjoyable learning environment. The College recognises that in a healthy working environment, positive staff and student relationships will be formed; however, in order to protect both staff and students, the boundaries of personal and professional life must be fully recognised and respected. As a Child Safe Organisation, the College adheres to the National Child Safe Organisation Principles.

With the New Standards for Child Protection in Non-Government Colleges applicable as of 1 January 2017, it is essential that the Staff Code of Conduct complies with these standards. It is particularly important that all College staff, volunteers and parents understand the difference between grooming and sexual abuse and the delineation of the boundaries between appropriate and inappropriate interaction between students, and between students and adults. These are addressed in this policy

**Child grooming** is the befriending and establishing of an emotional connection with a child, and sometimes the family, to lower the child's inhibitions for child sexual abuse.

**Sexual abuse**, also referred to as molestation, is usually undesired sexual behaviour by one person upon another. When force is immediate, of short duration, or infrequent, it is called sexual assault.

**Corporal punishment**, as defined in the Guide to the Registration Standards and Other Requirements for Non-Government Schools 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**, as defined in the 'Guide' 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'.

### General

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

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

All employees and governing body members of the College must comply with this Code. By accepting employment with the College you agree that you are aware of and will comply with this Code. Practicum Students are also expected to comply with this Staff Code of Conduct. Volunteers, visitors and contractors are expected to comply with a Code of Conduct specific to their role.

## 1. EMPLOYEE EXPECTATIONS

---

As an employee, you should be aware of the College's policies and procedures, particularly those that apply to your work. All policies are accessible on the staff intranet. Many of these are also available on the College website; others may be made available to you through induction, training and development programs and Staff Handbook.

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

As a College employee, you are expected to:

- a) Perform your duties to the best of your ability, in a timely manner and be accountable for your performance; and
- b) Follow reasonable instructions given by your supervisor or his/her delegate;
- c) Comply with lawful directions; and
- d) Carry out your duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve your knowledge and skills, including through participation in relevant professional development; and
- e) Act honestly and in good faith in fulfilling your duties; and
- f) Be courteous and responsive in dealing with your colleagues, students, parents and members of the public; and
- g) Work collaboratively with your colleagues; and
- h) Respect the privacy of students, parents and colleagues; and
- i) Refrain from discussing confidential matters or grievances or concerns in the vicinity of students, parents or colleagues; and
- j) Ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the College and does not damage the reputation of the College; and
- k) Dress in a professional manner that is appropriate for your role.

How to comply	
1.	<p>You must:</p> <ol style="list-style-type: none"><li>a) conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the College; and</li><li>b) comply with the school's policies and procedures; and</li><li>c) act ethically and responsibly;</li><li>d) be accountable for your actions</li></ol>

## 2. CODE OF CONDUCT BREACHES

---

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

- 2.1 The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach.
- 2.2 Employees must report possible breaches by colleagues to their supervisor or the Principal. If the possible breach is by their supervisor then it must be reported to the Principal. If the possible breach observed was committed by the Principal, it should be reported to the Chair of the Governing Body.

Where the breach of the Code of Conduct involves a violation of the Child Protection Standards and there are reasonable grounds to suspect grooming or sexual abuse the Principal is required to inform the College Board and also must report to the Director General of Department of Education in accordance with Critical and Emergency Incident Procedures.

- 2.3 Factors the College may consider when deciding what action to take may include:
- a) the seriousness of the breach;
  - b) the likelihood of the breach occurring again;
  - c) whether the employee has committed the breach more than once;
  - d) the risk the breach poses to employees, students or any others; and whether the breach would be serious enough to warrant formal disciplinary action.
- 2.4 Actions that may be taken by the College in respect of a breach of the Code include Performance Management or remedial action, training or disciplinary action ranging from a warning to termination of employment and reporting of the matter to the Teacher Registration Board WA. The College will reserve the right to determine in its entirety the response to any breach of this Code.
- 2.5 The College requires staff to report any conduct relating to themselves or a colleague if an employee is charged or has been implicated in a serious criminal offence.
- 2.6 Where a staff member makes a report in good faith, they are protected by the College from victimisation or any other adverse consequence.

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, through your employment with the College, 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 Communities - Child Protection and/or the Teacher Registration Board WA.
3.	Report any concerns or objectively observable behaviour that you may have about the safety, welfare and well-being of a child or young person, which breaches or is suspected of breaching the Code, other than those subject to mandatory reporting obligations, to the Principal, a designated senior staff member/supervisor, or the Chair of the Governing Board.
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 conduct not permitted by the Code or any allegation of 'conduct not permitted by the Code ' that has been made to you and; <ol style="list-style-type: none"> <li>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 'conduct not permitted by the Code' and;</li> <li>b) if you become the subject of allegations of 'conduct not permitted by the Code' whether or not they relate to your employment in the school.</li> </ol>
6.	From January 2009, teachers and boarding supervisors are required by law to make a mandatory report of child sexual abuse when a belief, based on reasonable grounds, is formed that sexual abuse is occurring, or has occurred. This applies to staff working in a paid or unpaid capacity as a teacher, school nurse and/or boarding supervisor.
7.	Staff who are not teachers, school nurses or boarding supervisors must report all forms of abuse to the school's Principal or, if the Principal is named in the allegation, to the Chair of the school's governing body. NB Sexual abuse that occurred before 1 January 2009 is not considered a mandatory report but must be reported to the Principal. Refer to Child Protection Policy and Mandatory Reporting Policy for further obligations.

### 3. RESPECT FOR PEOPLE

---

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

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.

How to comply	
1.	It is important for you to treat your colleagues, other employees, contractors, students and parents with respect. Do not use rude or insulting behaviour, including verbal and non-verbal aggression. Abusive, threatening, intimidating or derogatory language and physical abuse or intimidation 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.
2.	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 College'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.
3.	You should ensure that you are aware of the schools Discrimination, Harassment and Bullying Policy. If you believe you are being unlawfully harassed or discriminated against or bullied: a) where you feel comfortable ask the person to stop or make it clear that you find the behaviour offensive or unwelcome. It may be useful to speak with your supervisor or Department Head in the first instance to seek guidance on how to do this; and/or b) raise the issue as a grievance with the Principal as soon as possible after the incident(s) have occurred.
4.	Do not lie about or exaggerate a complaint. If you lie about or exaggerate a complaint, the College will view this as a very serious matter, and you may be disciplined or dismissed.

### 4. DUTY OF CARE AND WORK HEALTH AND SAFETY

---

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

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

- a) the provision of adequate supervision
- b) ensuring grounds, premises and equipment are safe for students' use
- c) implementing strategies to prevent bullying from occurring in College, and

- d) 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 College.

### Duty of care

As a College employee, 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, risks from known hazards and from foreseeable risk situations against which preventative measures can be taken. The standard of care that is required, for example 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 College. The risks associated with any activity need to be assessed and managed before the activity is undertaken. You should ensure that you are aware of the College's Duty of Care and Excursion Policies.

### Work Health and Safety

You also have a responsibility under work health and safety legislation to take care of your own health and safety at work. It is also your responsibility to ensure that your activities do not place at risk the health and safety of your co-workers, students or other persons that you may come into contact with at work. Considerations of safety relate to both physical and psychological well-being of individuals. You should ensure that you are aware of and comply with the College's Occupational Health & Safety Policy.

How to comply	
1.	You should take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury.
2.	You should be familiar with and comply with the College's procedures for Evacuation and Lock-down procedures as per the Evacuation and Lockdown Policies.
3.	Students should not be left unsupervised either within or outside of class. You should be punctual to class and allocated supervision.
4.	You should remain with students at after College activities until all students have been collected. In the event that a student is not collected you should remain with the student until collected, or seek advice from your supervisor.
5.	Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. You should actively supervise your designated area, being vigilant and constantly moving around.
6.	You should be alert to bullying or any other form of discriminatory behaviour, and report incidents to the appropriate staff member. Be familiar with the College Student Management and Bullying Policies.
7.	Ill or injured students should be attended to by the supervising staff member and Student Services advised as soon as possible.
8.	You should ensure that you understand and comply with the College's policy in regard to the storage and administration of prescribed medication to students

## 5. PROFESSIONAL RELATIONSHIPS STAFF AND STUDENTS

As a College employee, you are expected to always behave in ways that promote the safety, welfare and well-being of children and young people. You must actively seek to prevent harm to children and young people, and to support those who have been harmed.

While not all employees are required to manage and supervise students, it is important for all College employees to understand and observe the College's Child Protection Policies.

<b>How to comply</b>	
<b>Supervision of students</b>	
1.	You should avoid situations where you are 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. Where this is not possible or practical it should be discussed with your supervisor and/or the Principal.
2.	You should never drive a student in your car unless you have specific permission from your supervisor and/or the Principal and written permission from the parent to do so. In the event of an emergency you should exercise discretion but then report the matter to your supervisor.
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. It is preferable to 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 jewellery, ask students to hand them to you.
<b>Physical contact with students</b>	
5.	You must not impose physical punishment or any form of corporal punishment on a student in the course of your professional duties.
6.	When physical contact with a student is a necessary part of the teaching/learning experience you must exercise caution to ensure that the contact is appropriate and acceptable. You should seek reassurance from the student by asking for a volunteer if necessary to demonstrate a particular activity.
7.	Attention to the toileting needs of young children should be done with caution. It may be appropriate to have the door open. For students with a disability the management of toileting needs should be included in the student's individual management plan.
8.	When congratulating a student, a handshake or a pat on the shoulder is acceptable. Seek clarification from the student that they are comfortable with this first. Kissing of students is not acceptable.
9.	Assessing a student who is injured or ill may necessitate touching the student. Always advise the student of what you intend doing and, if they are conscious, seek their consent.
10.	Sometimes in ensuring duty of care you may be required to restrain a student from harming him or herself or others using reasonable force. Any such strategy must be in keeping with the College's behaviour management practices or individual student management plans. You should report and document any such incidents.
<b>Relationships with students</b>	
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: <ol style="list-style-type: none"> <li>a) the law prohibiting sexual relations with a person under the age of consent (16 years); and</li> <li>b) the law prohibiting sexual relations between a teacher and his or her student under the age of 18 years.</li> </ol>

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 College.
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: <ul style="list-style-type: none"> <li>a) invite students to your home;</li> <li>b) visit students at their home; or</li> <li>c) attend parties or socialise with students, unless you have the express permission of the Principal and their parents or care giver.</li> </ul>
7.	You must not engage in tutoring or coaching students from the College 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 students. 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.
<b>Child protection</b>	
1.	You must be aware of and comply with the College's Child Protection Policy and Mandatory Reporting requirements. For further information about 'Reportable Conduct' see the College's Child Protection Policy. The requirements outlined in Section 5 in relation to supervision, physical contact and relationships with students set professional boundaries in relation to staff's behaviour. They make clear what behaviour is unacceptable and could amount to reportable conduct.

## 6. APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES

---

The College provides electronic communication facilities for its students and employees for educational or administrative purposes. It monitors and views data stored or transmitted using the College's facilities. By its nature, electronic communication is a fast and informal way of communicating. However, once a document or image has been sent there is no way to recall it and it exists forever.

How to comply	
1.	<p>You must comply with the College's Cyber-safety and Internet Policies. This includes:</p> <ul style="list-style-type: none"> <li>a) exercising good judgment when using electronic mail, following the principles of ethical behaviour;</li> <li>b) using appropriate and professional language in electronic mail messages;</li> <li>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;</li> <li>d) not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;</li> <li>e) not inviting students into your personal social networking site or accept an invitation to theirs;</li> <li>f) not using social networking sites to email or contact students;</li> <li>g) remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and</li> <li>h) reporting any situations where you become aware of the inappropriate use of electronic communication and social networking sites.</li> </ul>
2.	<p>You must never use the College's networks to view, upload, download or circulate any of the following materials:</p> <ul style="list-style-type: none"> <li>a) sexually related or pornographic messages or material;</li> <li>b) violent or hate-related messages or material;</li> <li>c) racist or other offensive messages aimed at a particular group or individual;</li> <li>d) malicious, libellous or slanderous messages or material; or</li> <li>e) subversive or other messages or material related to illegal activities.</li> </ul>

## 7. USE OF ALCOHOL, DRUGS OR TOBACCO

---

The College Ethos does not allow the use of alcohol at any College functions, including staff functions. The use of drugs is strictly forbidden.

How to comply	
<b>General</b>	
1.	As a College employee, you must consult with your supervisor or Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.
<b>Drugs</b>	
1.	As a College employee, you must not have illegal drugs in your possession while at work. Any illegal drugs found on College property or in the possession of any person on College property may result in disciplinary action including the termination of your employment and referral to the Police 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; and
3.	You must not supply or administer prescription or non-prescription drugs to students unless authorised to do so.
<b>Alcohol</b>	
1.	You must not purchase alcohol for, or give alcohol to, any College student (or to any other person under the age of 18 years); and
2.	You must not encourage or condone the use of alcohol by students of any age during educational activities.
<b>Tobacco</b>	
1.	You must not smoke or permit smoking in any College buildings, enclosed area or on College grounds. This includes all buildings, gardens, sports fields, cars and car parks.
2.	You must not smoke whilst at any College function even if it is not on College campus. This includes, amongst all other activities, camps, tours and excursions.
3.	You must not purchase tobacco or tobacco products for any College 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 College.

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.

Conflict of interest also 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.	As a College employee, you must not act in conflict with the College's best interests.
2.	When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to your supervisor or the Principal.
3.	You should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.

## 9. DECLARING GIFTS, BENEFITS AND BRIBES

As an employee, you may be offered a gift or benefit as an act of gratitude. There are some circumstances when to refuse a gift would be perceived as rude, insulting or hurtful. You are expected to exercise sound judgment when deciding whether to accept a gift or benefit.

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.	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 College and its staff. You must not create the impression that any person or organisation is influencing the College or the decisions or actions of any of its employees.

## 10. COMMUNICATION AND PROTECTING CONFIDENTIAL INFORMATION

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.

How to comply	
<b>Communication</b>	
1.	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.
2.	All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with students, members of the College community, or the public.
3.	The media should not be given access to students or allowed entry to the College without the express permission of the Principal. You should not make any comments to the media about the College, students or parents without the express permission of the Principal.
<b>Confidential information</b>	
1.	As a College 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.	You should always exercise caution and sound judgment in discussing the personal information of students, parents, staff and other people with other College employees. Normally information should be limited to those who need to know in order to conduct their duties, or to those who can assist in carrying out the College's work because of their expertise.
2.	Matters relating to students should not be discussed in front of other students or parents.

## 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, and;
- b) to capture or store records in the College'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 College.
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.

How to comply	
1.	Advice relating to sharing or licensing the College's intellectual property should be sought from the Principal.
2.	The College cannot give away or assign its intellectual property without the approval of the Principal.
3.	If you develop material that relates to your employment with the College, the copyright in that material will belong to the College. This may apply even if the material was developed in your own time or at home.
4.	You should not use the College's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal.

## 13. RESPONSE TO ALLEGATIONS OF STAFF BREACH OF CODE OF CONDUCT

---

The above-mentioned Code of Conduct has a range of requirements, some of which are related to the College's unique culture and therefore matters of compliance and breaches of compliance may be addressed internally by the College Principals and Board. However the matters relating to The College Registration Standard 12 'Child Protection' relation to grooming, sexual abuse and Mandatory Reporting have legal and professional obligations which must be observed and breaches of these must be responded to within a legal framework.

In summary:

Where the breach of the Code of Conduct involves a violation of the Child Protection Standards and there are reasonable grounds to suspect grooming or sexual abuse, the Principal is required to inform the College Board and in turn, the Board must report to the Director General of DES in accordance with Critical and Emergency Incident Procedures. This will be done after the College Principal has sought legal and professional advice through the agency of its membership with AISWA.

Where an allegation of grooming or child abuse involves a staff member, the complainant must be informed about advocacy, support and other services which may be available. This will be done after the College Principal has sought legal and professional advice through the agency of its membership with AISWA.

The College will ensure that the relevant government authorities are consulted to determine when, what and by whom information relating to an allegation of child abuse and its investigation may be given to the person the subject of the allegation, the complainant, affected students and their parents and guardians, and the wider College community. This will be done after the College Principal has sought legal and professional advice through the agency of its membership with AISWA.

The College will act in a manner which ensures that victims of alleged abuse receive the support they need once an allegation is made.

In cases where a former student (still under the age of 18), or the parent or guardian 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 Police. In either case, the Principal must submit a Critical Incident Report to the Director General, DoE and may also be required to notify the Teacher Registration Board WA.

Whilst at all times the College must act in the best interests and welfare of the children in its care, the College does also have an obligation of duty of care to the staff member implicated in a grooming or sexual abuse allegation. The staff member would be advised of the need to seek legal advice and the College Principal would ensure confidentiality of information is maintained whilst the matter is being investigated

## 14. ACKNOWLEDGEMENT

---

I \_\_\_\_\_ have read, understood and agree to comply with the terms of this Code of Conduct.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Principal Signature

\_\_\_\_\_  
Date

## 15. RELATED POLICIES

---

Critical and Emergency Incident Policy and Procedures  
Discrimination, Harassment and Bullying Policy and Procedures  
Duty of Care and Evacuation Policy and Procedures  
Occupational Health and Safety Policy and Procedures  
Evacuation and Lockdown Policy and Procedures  
Student Management Policy  
Bullying Prevention Policy (Students)  
Storage and Administration of Prescribed Medication Policy and Procedures  
Child Protection and Mandatory Reporting Policy and Procedures  
Cybersafety and Internet Policies

All these policies are available for access on the internal server.

### 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:

- a) Selecting and befriending a child and gaining his or her trust and then exploiting the child's vulnerabilities.
- b) Testing a child's boundaries through telling inappropriate jokes, roughhousing, backrubs, tickling, or sexual games.
- c) 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.
- d) 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.
- e) 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:

- a) Identifying with the adolescent. The abuser may appear to be the only one who understands him/her.
- b) Displaying common interests in sports, music, movies, video games, television shows, etc.
- c) Recognising and filling the adolescent's need for affection and attention.
- d) Giving gifts or special privileges to the adolescent.
- e) Allowing or encouraging the adolescent to break rules (e.g., smoking, drinking, using drugs, viewing pornography).
- f) 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:

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

Preventing or interrupting the grooming process:

- a) 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.
- b) 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 behaviour.

### **Staff and Student Relationship Boundaries**

The following general principles and responsibilities are intended to guide the professional relationships intended between staff and students:

- a) Staff should avoid situations where they are alone in an enclosed space with a student. Where staff are left with the responsibility of a single student they should ensure that this is in an open space in view of others. Where this is not possible or practical it should be discussed with the Principal.
- b) Staff may as part of their pastoral care role engage in discussion with students. This is entirely appropriate. However staff must be cautious of making personal comments about a student or asking questions that probe their own or a student's sexuality or relationships.
- c) When staff wish to conduct a private conversation with a student they should consider the time and venue carefully to avoid placing themselves in a vulnerable situation. It is preferable to leave the door open. The staff member should not locate themselves between the student and the door.
- d) Staff should never drive a student in their car unless they have specific permission from the Principal to do so. In the event of an emergency staff should exercise discretion but then report the matter to the Principal.
- e) Staff should notify the Principal immediately should they suspect a situation involving any form of conduct not permitted by the Code as required by Mandatory reporting. It is not staff responsibility to investigate. Similarly staff should report to the Principal any suspected case of neglect.

- f) Staff must not invite students nor accept invitations from students to join their personal social networking websites such as Facebook. Such communication can be problematic and could be regarded as inappropriate.
- g) Staff who communicate with students electronically should do so via the College email network. This communication should be for educational purposes only. Transmission of messages or files which are offensive is totally inappropriate and staff will be reprimanded/disciplined for such action.
- h) Staff should not engage in tutoring or coaching students from the College for monetary return.
- i) When physical contact with a student is a necessary part of the teaching/learning experience e.g. Physical Theatre training, sports coaching etc., staff must exercise caution to ensure that the contact is appropriate and acceptable. Staff should seek reassurance from the student by asking for a volunteer to demonstrate a particular activity.
- j) Attention to the toileting needs of young children should be done with caution. It may be appropriate to have the door open. In respect to students with a disability the management of toileting needs should be included in the student's individual management plan.
- k) Staff should not supply or condone the use of alcohol, tobacco or other drugs for themselves or any student in their care.
- l) When congratulating a student a handshake or a pat on the shoulder is acceptable provided the student is comfortable with this. Clarification should be sought first simply by asking the student. Kissing of students is not acceptable.
- m) Assessing a student who is injured or ill may necessitate touching. Always advise the student of what you intend doing and seek their permission. Carefully explain why this may be necessary.
- n) Staff must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.
- o) Sometimes during the course of your work you may be in receipt of a gift from a student. In such circumstances where the receipt of a gift could be considered outside of usual custom you are to inform your immediate supervisor.
- p) Staff should ensure that they are familiar with and adhere to the College's policy in regard to the storage and administration of medical products to students.
- q) Sometimes in ensuring duty of care staff may be required to restrain a student from harming him or herself or others using reasonable force. Any such strategy must be in keeping with the College's behaviour management practices.