



**KINGSWAY**  
CHRISTIAN COLLEGE

Cricos Provider #01855M

## COLLEGE POLICY

# COLLEGE CODE OF CONDUCT

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# CODE OF CONDUCT

## **Intended Use**

This Code of Conduct is intended to be made available to the College's staff at the commencement of their employment (e.g. preferably around induction and training) and it is to be available and/or provided to staff during the course of their employment or involvement with the school. The Code forms comprehensive directions to these employees or other workers as to the expected standard of behaviour. This Code is intended to apply to all employees and contractors and volunteers in their work with the College.

## **1. Preface**

Kingsway Christian College is committed to providing a child-safe environment which safe guards all students and is committed to promoting practices which provides for the safety, wellbeing and welfare of our children and young people. Kingsway Christian College expects all school community members including staff, volunteers, students, visitors and contractors to share this commitment.

School staff are in a unique position of responsibility and authority and must make every effort to make sure that our school provides a child safe environment. Teachers in particular are of primary importance when it comes to detecting abuse and preventing abuse from occurring.

## **2. Introduction**

The aim of this Code is to outline the standards of behaviour expected of all employees, contractors and volunteers of the College.

This Code does not attempt to provide a detailed and exhaustive list of what to do in every aspect of your work. Instead, it sets out general expectations of the standards of behaviour required.

The Code places an obligation on all employees to take responsibility for their own conduct and to work with colleagues cooperatively to achieve a consultative and collaborative workplace where people are happy and proud to work.

In all situations, and in particular regard to managing students' behaviour, the school explicitly forbids child abuse, corporal and degrading punishment. See below for definitions of these terms.

### Child abuse

- 1) Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or a child's caregiver.
- 2) Sexual abuse, in relation to a child, includes sexual behaviour in circumstances where:
  - a. The child is the subject of bribery, coercion, a threat, exploitation or violence;
  - b. The child has less power than another person involved in the behaviour; or
  - c. There is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
- 3) Emotional abuse includes:
  - a. Psychological abuse; and
  - b. Being exposed to an act of family and domestic violence.

- 4) Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged or they are injured. Neglect may be acute, episodic or chronic.

#### Corporal Punishment

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

#### Degrading punishment

Any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child.

#### Grooming

The use of a variety of manipulative and controlling techniques with a vulnerable subject in order to establish trust or normalise sexually harmful behaviour with the overall aim of facilitating exploitation and/or avoiding exposure. Please refer to Appendix 1 for information on recognising grooming behaviour.

This Code of Conduct will not only help in making our school a safer environment for children, it will also reduce the risk that staff will be unjustly accused of unprofessional or abusive conduct.

Nothing in this Code should be taken to limit the circumstances in which the school may take disciplinary action in respect of an employee.

This *Code* should be read in conjunction with the Child Protection Policy which can be found on the Staff Intranet.

The Kingsway Christian Education Association expects College Employees to demonstrate conduct that:

- Meets eligibility for Association membership;
- Is commensurate with a Christian lifestyle;
- Maintains a high standard of professional practice and conduct;
- Complies with State and Federal Law; and
- For teachers, is regarded by members of the teaching profession and the wider community as bringing credit on the profession and enhancing the teaching profession as a whole.

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

By accepting employment with the College, you must be aware of and comply with this *Code*. Volunteers, visitors and contractors are also expected to comply with this *Code*.

#### How to Comply

##### 1. You must:

- a. conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the school;
- b. comply with the College's policies and procedures; and
- c. act ethically and responsibly.

2. If you are responsible for engaging or managing external consultants, contractors or volunteers, it is your responsibility to make them aware of the School's expectations of conduct consistent with the school's Code of Conduct during the period of their engagement. They should be told that any conduct that is not consistent with the *Code* may result in the engagement of a contractor, consultant or volunteer being terminated.

#### **4. Principles of the Code of Behaviour**

As the College has a duty of care to its students, the expectation and understanding is that all staff and students will act in the best interests of the students and that the welfare and safety of students will be of paramount concern. All interactions therefore should be transparent and meet the principles of the Code of conduct.

This Code of Conduct is intended to provide staff and community members with guidance as to the expected behaviours of all staff, visitors, volunteers and contractors engaged by Kingsway Christian College.

Staff are expected to behave in a manner which promotes the safeguarding role of the College, in a manner which is in accord with professional expectations and best practice of the teaching profession, as well as the expected norms of our community. They must be fully aware that their actions will be subject to appropriate scrutiny by other staff and by the community and they must be prepared to give an account of their behaviours to leadership when requested.

Any staff member who is unsure about appropriate boundaries in a particular circumstance or must act contrary to either specific or implied boundaries, must consult as early as possible with their line manager to discuss the possible breaches. If a breach inadvertently occurs the staff member must bring it to the attention of senior management immediately.

Staff are responsible for their own actions and should avoid any conduct which might be construed by a reasonable person as inappropriate. When considering their actions, staff could consider the following:

- (a) How might this interaction be perceived by others?
- (b) Am I treating this student differently to others?
- (c) Can I achieve the same outcome through a different interaction?
- (d) Would I do this or say this if a colleague were present?
- (e) Would I condone my conduct if I observed it in another adult?
- (f) What guidance would my employer give me in this situation?

#### **5. What happens if I breach the Code of Conduct?**

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

All alleged breaches of the Staff Code of Conduct will be subject to scrutiny and if substantiated staff may be warned, suspended or have employment terminated. If the breach is considered to be grooming, the College is obliged to report this to the Teacher's Registration Board (where a teacher is involved) and the Department of Education Services as a critical incident. Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by the senior management.

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

5.2 Employees should report all objectively observable behavior, that is not permitted by the Code, other than those subject to mandatory reporting obligations to the Principal, a designated senior staff member or the chair of the school's governing body. If the prohibited behavior is by their supervisor then it should be reported to the Principal. If the prohibited behavior is by the Principal then it should be reported to the chair of the governing body.

5.3 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.

5.4 Actions that may be taken by the College in respect of a breach of the Code include management or remedial action, training or disciplinary action ranging from a warning to termination of employment and reporting of the matter (in the case of a teacher) to the Teacher Registration Board WA. The College reserves the right to determine in its entirety the response to any breach of this Code. However, please note that circumstances where a formal warning is issued to a staff member or their employment is ceased, as a result of a breach that is suspected to have involved grooming behaviour, are required to be notified to the Director General of the Department of Education, as a critical incident.

## **6. What do I do if I see someone breach the Code of Conduct?**

- Act to prioritise the best interests of children;
- Take actions promptly to ensure that children are safe;
- Promptly report any concerns to the Principal;
- Follow *College* policies and procedures for receiving and responding to complaints and concerns, reports and/or allegations;
- Comply with the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008 (legislative requirements on reporting)* if relevant, and with *the College's* policy and procedure on internal and external reporting eg Whistleblower Policy.

*Kingsway Christian College* will not tolerate victimisation or other adverse consequences that are directed towards any person who makes such reports in good faith.

# Principles

## Principle 1 : Employee Expectations

As an employee, you should be aware of the College's policies and procedures, particularly those that apply to your work. Many of these are available online; others may be made available to you through induction and training and development programs.

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

You should also be familiar with the legislation under which you are employed as this may specify requirements with which you need to comply.

As a College employee, you are expected to:

- a) perform your duties to the best of your ability and be accountable for your performance;
- b) follow reasonable instructions given by your line manager or their delegate;
- c) comply with lawful directions;
- 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;
- e) act honestly and in good faith in fulfilling your duties;
- f) be courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- g) work collaboratively with your colleagues;
- h) 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
- i) dress in a professional manner that is appropriate for your role.

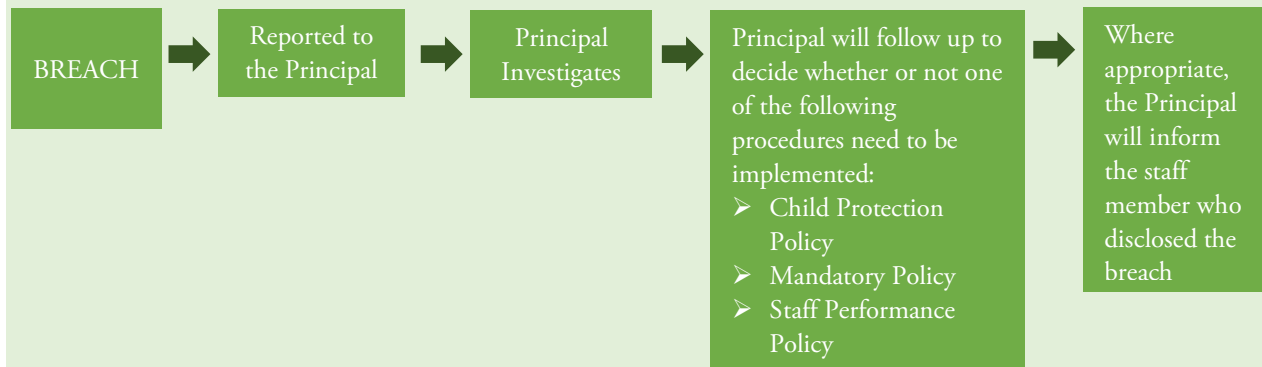
## How to Comply

1. Inform the **Principal** if you are charged with or convicted of a serious offence. You must also inform the Principal if you become the subject of a Violence Restraining Order.
2. If you become aware of a serious crime committed by another staff member, you are required to report it to the **Principal**, who may be required to inform the Police and/or the Department of Child Protection and/or the Teacher Registration Board WA.
3. Report any concerns that you may have about the safety, welfare and wellbeing of a child or young person.
4. Report any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people.
5. Report any concerns you may have about any other employee, contractor or volunteer engaging in objectively observed conduct not permitted by the Code or any allegation of 'conduct not permitted by the Code' as described in Principle 5.2 above.
  - (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
  - (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 College.



You should refer to the College's Child Protection Policy for further information about these obligations.

6. Staff should make themselves familiar with the procedure for handling allegations against staff and students. It is expected that staff who form a belief that the boundaries or code of conduct has been breached will follow the below procedure:



7. Teachers, and some other employees, have mandatory reporting obligations under the Children and Community Services Act 2004 (Western Australia) where they form a belief on reasonable grounds that a child is being sexually abused or has been sexually abused. You should refer to the College's Mandatory Reporting Policy for further information about these obligations.
8. In cases where a former student (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. A matter involving a former student who is 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.

## Principle 2 : Good Teaching Practice

As a professional teacher it is expected you will provide quality teaching appropriate for your students, recognising the diversity of learners in your care and making every effort to help all students equally so they have every chance of succeeding.

Good teaching also means you will work closely with your colleagues and the carers of your students and respond appropriately and promptly to any concerns they have.

### How to Comply

1. You differentiate your lessons to cater for all learners and show no favoritism, bias or prejudice in your dealing with your students.
2. You maintain a safe classroom environment.
3. As a professional you will look for and take advantage of every learning opportunity that is appropriate to your role.
4. As part of your treating all students with respect you will have high expectations of all of your students.
5. It is expected you will regularly review College policies and make every effort to comply with them.
6. You maintain regular communication with your students' parents.
7. As a professional teacher who understands that things change and improvement is always possible you will work cooperatively with your colleagues and share ideas and experiences in a collegiate manner.

### **Principle 3 : Respect for People**

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

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. Model effective leadership and respect in your interactions with students.
2. Continually monitor and reflect on your own practice, so as to model appropriate behaviour and to follow the guidance in this code of conduct.
3. Do not use rude or insulting behaviour, including verbal and non-verbal aggression. Abusive, threatening, intimidating or derogatory language and physical abuse or intimidation towards other employees, contractors, students and parents is unacceptable. You must not use information and communication technologies, such as email, mobile phones, text or instant messaging, blogs, social media sites and other websites to engage in this type of behaviour.
4. You must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent. Your obligations in this regard, including the list of unlawful reasons, are set out in the College's Equal Opportunity, Discrimination and Harassment Policy. Unlawful harassment or discrimination may constitute an offence under the Equal Opportunity Act 1984 or federal industrial or discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.
5. You should ensure that you are aware of the College's Equal Opportunity, Discrimination and Harassment 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 Line Manager or Senior Management in the first instance to seek guidance on how to do this; and/or
  - (b) Raise the issue as a grievance in accordance with the College's Equal Opportunity, Discrimination and Harassment policy as soon as possible after the incident(s) have occurred.
6. Do not lie about or exaggerate a complaint.

### **Principle 4 : Duty of Care and OS&H**

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):

- the provision of adequate supervision
- ensuring grounds, premises and equipment are safe for students' use
- implementing strategies to prevent bullying from occurring in College, and
- providing medical assistance (if competent to do so), or seeking assistance from a medically trained person to aid a student who is injured or becomes sick at school.

### **Duty of care**

As 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, preventative measures should be taken against 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 Excursions policies.

### **Occupational health and safety**

You also have a responsibility under occupational 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 wellbeing of individuals.

You should ensure that you are aware of and the College's Occupational Health & Safety Policy.

#### **How to Comply**

1. Do not expose students or anyone else at your workplace to any risk or hazard.
2. Read the College's evacuation and/or lock down procedures.
3. Do not leave students unsupervised either within or outside of class. You should be punctual to class and allocated supervision.
4. Remain with students at after school activities until all students have been collected. In the event that a student is not collected you should remain with the student until collected, or seek advice from your Line Manager or Senior Management.
5. Do not be late to playground duty. Actively supervise your designated area, being vigilant and constantly moving around.
6. Look out for bullying or any other form of discriminatory behaviour, and report incidents to the appropriate staff member. Additional detail about student bullying is set out in the College's Bullying policy.
7. Attend to ill or injured students. Should additional assistance be required you should contact the Principal.
8. Do not store or administer medication to students unless their use complies with the College's Health policy.

### **Principle 5 : Maintain Professional Relationships between Employees and Students**

Teachers need to treat their students with courtesy and respect and provide an environment that encourages their students to do the same.

As a 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 and Mandatory Reporting policies. The detection and prevention of grooming behavior is a vital consequence of complying with this principle.

## How to Comply

### Supervision of Students

1. Do not be alone in an enclosed space with a student. Where you are left with the responsibility of a single student you should ensure that this is in an open space in view of others. Where this is not possible or practical it should be discussed with your line manager and/or the Principal.
2. You should never drive a student in your car unless you have specific permission from your line manager 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 line manager.
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.

### Physical Contact with Students

1. You must not impose any form of corporal or degrading punishment on a student in the course of your professional duties. Refer to the College's Discipline Policy.
2. 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 before making contact or asking for a volunteer if necessary to demonstrate a particular activity.
3. 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.
4. When congratulating a student, a handshake, pat on the shoulder are acceptable as long as the student is comfortable with this action. Kissing of students is not acceptable.
5. 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.
6. 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.

### Relationships with students

1. You must not have a romantic or sexual relationship with a student. It is irrelevant whether the relationship is consensual or non-consensual or condoned by parents or caregivers. You are reminded of:
  - a) the law prohibiting sexual relations with a person under the age of consent (16 years); and
  - b) the law prohibiting sexual relations between a teacher and his or her student under the age of 18 years.
2. You must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student. An overly familiar relationship with any student (including any adult student) that you are responsible for teaching, tutoring, advising, assessing, or for whom you provide pastoral or welfare support raises serious questions of conflict of interest, trust, confidence, dependency, and of equality of treatment. Such relationships may also have a negative impact on the teaching and learning environment for other students and colleagues, and may carry a serious reputational risk for the 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 line manager and/or the Principal as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.
4. At all times when speaking with students care must be taken to use appropriate language. You must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.
5. You may, as part of your pastoral care role, engage in discussion with students. This is entirely appropriate. However, you must be cautious about making personal comments about a student or asking questions that probe your own or a student's sexuality or relationships. You must not hold conversations with a student of an intimately personal nature where you disclose information about yourself.
6. You must not:
  - a) invite students to your home;
  - b) visit students at their home; or
  - c) attend parties or socialise with students,
 unless you have the express permission of the Principal and their parents or care giver.
7. You must not engage in private tutoring or private coaching of 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.
9. You must not give gifts to students. You should also carefully consider your position before accepting any gift from a student.
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 line manager.
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.

#### **Child Protection**

You must be aware of and comply with the College's Child Protection Policy and the College's Mandatory Reporting Policy. These policies can be found on the Staff Intranet.

#### **Principle 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. You must comply with the College's Information Technology Policy. This includes:
  - a) exercising good judgment when using electronic mail, following the principles of ethical behaviour;
  - b) using appropriate and professional language in electronic mail messages;

- c) being aware that if an issue addressed in an email becomes the subject of a legal dispute, then those emails would be discoverable: that is, the court and all parties to the dispute would be entitled to see them;
  - d) not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
  - e) not inviting students into your personal social networking site or accept an invitation to theirs;
  - f) not using social networking sites to email or contact students;
  - g) remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and
  - h) reporting any situations where you become aware of the inappropriate use of electronic communication and social networking sites.
2. You must never use the College's networks to view, upload, download or circulate any of the following materials:
- a) sexually related or pornographic messages or material;
  - b) violent or hate-related messages or material;
  - c) racist or other offensive messages aimed at a particular group or individual;
  - d) malicious, libelous or slanderous messages or material; or
  - e) subversive or other messages or material related to illegal activities.

### **Principle 7 : Use of Alcohol, Drugs or Tobacco**

Work Health and Safety is of fundamental importance to the College. Maintaining a safe work environment requires everyone's continuous cooperation.

You are responsible for ensuring your capacity to perform your duties is not impaired by the use of alcohol or drugs and that the use of such substances does not put at risk you or any other person's health and safety.

#### **How to Comply**

##### **General**

1. You must not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
2. Do not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;
3. You must notify your line manager if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
4. Take action to resolve any alcohol or other drug-related problems that you have;
5. consult with your line manager or Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

##### **Drugs**

1. You must not have illegal drugs in your possession while at work. Any illegal drugs found on 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.
4. Use illegal drugs outside of working hours as it contravenes the College mission and terms of employment.

### **Alcohol**

1. You must not take alcohol to school or consume it during school hours or at any school function at any time school students are present, including those events conducted outside College premises. A school function is any occasion organised by the College and/or in the College's name, including dances, farewells, excursions, sporting fixtures and fund raising events.
2. You must not purchase alcohol for, or give alcohol to, any school student (or to any other person under the age of 18 years); and
3. You must not encourage or condone the use of alcohol by students of any age during educational activities.

### **Tobacco**

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 school function even if it is not on school campus. This includes, amongst all other activities, camps, tours and excursions.
3. You must not purchase tobacco or tobacco products for any school student, or give them tobacco or tobacco products.

## **Principle 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 interest 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 school employee, you must not act in conflict with the school'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 line manager or the Principal.
3. The Principal will report his/her conflict of interests to the Board Chair.
4. 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.

## **Principle 9 : Declaring Gifts, Benefits or Bribes**

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

Accepting gifts and other benefits has the potential to compromise your position by creating a sense of obligation and undermining your impartiality. It may also affect the reputation of the 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.

### How to Comply

1. If you are offered a bribe (i.e. anything given in order to persuade you to act improperly), you must refuse it, explain why it is not appropriate, and immediately report the matter to the Principal.
2. If you are offered a gift or benefit, you should always consider the value and purpose of a gift or benefit before making any decision about accepting it. A gift that is more than \$50 from a parent may place you in a compromising position, and would need to be discussed with the Principal.
3. When a gift is accepted, you must advise the Principal. She/he will determine how it should be treated and make a record of its receipt. Depending on the nature and value of the gift, it may be appropriate to record the gift in the asset register as a donation or other such record established for that purpose.
4. Sometimes employees might, in the course of their work, win a prize of significant monetary value e.g. a computer, from another organisation. Prizes are usually considered the property of the school. If you win a prize you must advise your supervisor or the Principal who will determine how the prize should be treated and recorded.

### Principle 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.

College employees should be aware that there are strong legal requirements around the collection, release and privacy of information.

Before asking for information or disclosing information staff need to assure themselves that they are acting in a legal manner. If unsure you should discuss the matter with your line manager.

### How to Comply

#### Communication

1. You are required to comply with the College Privacy Policy.
2. You should not disclose personal information about another staff member to students or parents or discuss their work performance, except if authorised by the Principal in the context of grievance resolution.
3. All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with students, members of the College community, or the public.
4. 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.

#### Confidential Information

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. Sensitive and personal information should only be provided to people, either within or outside the College, who are authorised to have access to it.



2. You should always exercise caution and sound judgment in discussing the personal information of students, parents, staff and other people with other College employees. Normally information should be limited to those who need to know in order to conduct their duties (eg class teachers).
3. From 22 February 2018 the school is legally required to report the loss, unauthorised access to, or disclosure, of personal information resulting in serious harm, to the any individuals to whom the information relates and the Office of the Australian Information Commissioner. In accordance with this requirement you are required to notify your line manager and/or the Principal in relation to any such loss, access or disclosure, including school information that may be contained on school or personal devices. For more information please refer to the 'Notification of data breaches' section of the school's Privacy Policy).

### **Principle 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. Line managers 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.

### **Principle 12 : Copyright and Intellectual Property**

When creating material, you need to ensure the intellectual property rights of others are not infringed and information is recorded about any third party copyright/other rights included in materials.

If you develop material that relates to your employment with the 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.

#### **How to Comply**

1. Advice relating to sharing or licensing the College's intellectual property should be sought from the Principal.
2. Do not give away or assign the College's intellectual property without the approval of the Principal.
3. You should not use the College's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal.

## Code of Conduct Declaration

### I will

- Act in accordance with Kingsway Christian College's child safety and wellbeing policies and procedures at all times.
- Behave respectfully, courteously and ethically towards children and their families and towards other staff.
- Listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
- Promote the human rights, safety and wellbeing of all children in Kingsway Christian College.
- Demonstrate appropriate personal and professional boundaries.
- Consider and respect the diverse backgrounds and needs of children.
- Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families.
- Report objectively observable behaviour which breaches or is suspected of breaching this Code, (other than those subject to mandatory reporting obligations) to the Principal
- Involve children in making decisions about activities, policies and processes that concern them wherever possible.
- Contribute, where appropriate, to *Kingsway Christian College* policies, discussions, learning and reviews about child safety and wellbeing.
- Identify and mitigate risks to children's safety and wellbeing as required by Emergency & Critical Management Policy.
- Respond to any concerns or complaints of child harm or abuse promptly and in line with the Complaints policy.
- Report all suspected or disclosed child harm or abuse as required by (the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008*) and by *Child Protection* policy and procedure on internal and external reporting.
- Comply with *Kingsway Christian College's* protocols on communicating with children.
- Comply with Australian Privacy Principles as contained in the Commonwealth Privacy Act and *Kingsway Christian College's* policies and procedures on record keeping and information sharing.

### I will not

- Engage in any unlawful activity with or in relation to a child.
- Engage in any activity that is likely to physically, sexually or emotionally harm a child.
- Unlawfully discriminate against any child or their family members.
- Be alone with a child unnecessarily.
- Arrange personal contact, including online contact, with children I am working with for a purpose unrelated to Kingsway Christian College's activities.
- Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or unless I am required to do so by Kingsway Christian College's policy and procedure on reporting.
- Use inappropriate language in the presence of children, or show or provide children with access to inappropriate images or material.
- Work with children while under the influence of alcohol or prohibited drugs.
- Ignore or disregard any suspected or disclosed child harm or abuse.

**What do I do if I see someone breach the Code of Conduct?**

- Act to prioritise the best interests of children;
- Take actions promptly to ensure that children are safe;
- Promptly report any concerns to the Principal;
- Follow *College* policies and procedures for receiving and responding to complaints and concerns, reports and/or allegations eg Whistleblower Policy;
- Comply with the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008* if relevant, and with *the College's* policy and procedure on internal and external reporting

**I agree to abide by this Code of Conduct during my employment with Kingsway Christian Education Association Inc.**

**I understand that breaches of this Code of conduct may lead to disciplinary action or termination of my employment with Kingsway Christian Education Association Inc.**

.....  
**Signature**

.....  
**Full Name**

.....  
**Date**

## APPENDIX TO STAFF CODE OF CONDUCT

### APPENDIX 1 - 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, wrong or harmful. The grooming occurs with the child but also with those supporting networks around the child which might normally act as a deterrent or protective element. The perpetrator will invest significant energy and patience to minimise the risk of detection and exposure.

The groomer will employ manipulation, guilt, shame, bribery, coercion or exploit low self-esteem to psychologically manipulate the child. As a result, the child becomes increasingly dependent on the groomer and increasingly alienated from protective elements including possible sources to disclose to. This is a deliberate strategy employed to maintain the secrecy of the abuse and to ensure the silence of the child.

The groomer will exploit any vulnerabilities of the protective elements around the child, including parent and family circumstances and school systemic weaknesses. Groomers are very adept at identifying anomalies, boundary ambiguities and any lack of systemic awareness, and then using them to deflect attention from their own actions and intentions.

While distinguishing between appropriate intent and inappropriate intent is often difficult, particularly for a child, it is essential that schools have very clear expectations and boundaries around employee behaviours so that there can be rigorous accountability when dealing with staff.

Schools must work to improve their knowledge and understanding in this area so they are able to challenge existing practice, recognise unprofessional behaviour and build a shared understanding of what a safe school is.

Grooming behaviour with children may include, but is not limited to:

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

- Moving from non-sexual touching to “accidental” sexual touching. This typically happens during play so the child may not even identify it as purposeful, inappropriate touching. It is often done slowly so the child is gradually desensitized 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.
- Recognizing and filling the adolescent’s need for affection and attention.
- Giving gifts or special privileges to the adolescent.
- Allowing or encouraging the adolescent to break rules (e.g., smoking, drinking, using drugs, viewing pornography).
- Communicating with the adolescent outside of the person’s role (e.g., teacher, or coach). This could include, for example, texting or emailing the teen without the parents’ knowledge.

In addition to grooming the child, the groomer will use deflection strategies to remain unchallenged. Some of these strategies may include where the perpetrator

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

**Preventing or interrupting the grooming process:**

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 focused employment primarily to get access to a particular cohort of children.

Within a school context, holding all staff members accountable to the school Code of Conduct and challenging boundary crossings and violations is one of the most effective strategies to combating grooming behaviour.

## **APPENDIX 2 - Relationships between Teachers and Students**

Teachers are in a position of special trust with respect to the students in their care. From a legal perspective, the teacher-student relationship is a fiduciary relationship, which means that the teacher holds a position of trust and confidence towards his/her students and has a duty to act in their best interests. Teachers as a professional group, are expected to adhere to a higher standard of conduct than would be applied to most other work settings. Teachers hold a position of authority and trust and accordingly the law provides greater penalties for duty of care breaches and sexual offences committed by teachers against students.

The Criminal Code stipulates that a child under the age of 16 years is not to give consent to any activity of a sexual nature in any relationship with an adult. In addition the law does not allow activity of a sexual nature to occur between a child under 18 years of age and a person who holds a position of authority over the child.

Behaviour of a sexual nature encompasses kissing; fondling; encouraging sexual touching; oral sex; sexual penetration of any kind; sexual innuendo; dirty jokes; photographing or having possession of inappropriate internet material, films, photographs or videos of children involved in sexual activity

Given today's media climate and having in mind recent sexual abuse cases perpetrated by teachers against students in their care, teachers should be very aware of placing themselves in situations where they are not able to defend themselves should allegations be made against them.

By being aware of the following "danger signals" teachers can remove or limit any risk to themselves, as well as being in a position to recognise behaviours which should be brought to the attention of the College Principal.

- Generally, instances of teachers being alone with students without adequate reason;
- Specifically, instances of teachers being frequently alone with one student, or a very small group of students;
- Teachers, (such as counsellors and instrumental music teachers) whose job requires they be alone with individual students, conducting sessions where their activities are not visible to outside observers; (Obviously, the need for confidentiality or noise reduction might require a closed door, but covering up a window to shut out all visibility gives reason for suspicion);
- Teachers who have an individual student alone with them in their classroom during recess, lunch-hours, or after school;
- Teachers who sit students on their knee;
- Teachers, principals and counsellors who use elaborate red, green and amber light systems to control entry to their classrooms;
- Teachers who repeatedly touch students inappropriately;
- Teachers who repeatedly single out individual students for rewards and for rides in their motor vehicles;
- Teachers who conduct inappropriate written correspondence with individual students;
- Teachers who share dirty jokes and sexual innuendos with students;
- Teachers who meet socially with individual students outside College hours, without the knowledge of their parents;
- Teachers who spend excessive amounts of time supervising student toilets, dressing rooms and showers;
- Teachers who enter toilets, dressing rooms or showers of students when there is no reason to do so;
- Teachers who inappropriately display their genitals to students, while changing for swimming or athletics training in the same change rooms;

- Teachers who, at camps, enter students' sleeping quarters at night in non-emergency situations or stay unnecessarily long in their routine supervision of such venues;
- Teachers who visit students in their homes in the absence of their parents;
- Teachers who invite students to stay at the teacher's own home or resort venue during holiday periods.

**Staff SHOULD NOT engage in social interaction with children through social networking sites such as FaceBook, MySpace, You Tube, Twitter, Instagram, Snapchat, etc or by mobile phone. Staff should also decline invitations from parents to join social networking sites.**

**Staff are not to drive students home without written permission and preferably with another staff member accompanying them.**