



**THE KING'S COLLEGE**  
Be exceptional.



# Staff Code of Conduct



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# CODE OF CONDUCT

## 1. BACKGROUND

The King's College is committed to providing a child safe environment which safeguards all students and is committed to promoting practices which provide for the safety, wellbeing and welfare of our children and young people.

The College expects all school community members including staff, volunteers, students, visitors, and contractors to share this commitment.

College 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 for children. Teachers, in particular, are of primary importance when it comes to detecting abuse and preventing abuse from occurring.

The King's College has a responsibility for the welfare of both its staff and students. The College 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. It aspires to maintain a friendly and professional atmosphere which contributes to an effective and enjoyable teaching and learning environment.

All staff should act in an ethical, moral, and professional manner always. This includes behaviour on-site and at any location where the good reputation of the College and/or the employee might be negatively affected.

## 2. INTRODUCTION

This Staff Code of Conduct details the standards of behaviour expected of all employees of The King's College. This Code does not attempt to provide a rigid, 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 and gives some examples of the types of behaviour that are or are not acceptable.

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

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

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

## 3. PARTIES REQUIRED TO COMPLY

All employees of The King's College must comply with this Code of Conduct. By accepting employment with the College and signing this document, you must be aware of and comply with this Code.

Practicum students, volunteers and visitors such as contractors and consultants are also expected to comply with this Code. An abridged version of this Code called Volunteers and Contractors Code of Conduct is available. They must be aware of this Code and conduct themselves in a manner consistent with the high level of behaviour required.

Employees, practicum students, volunteers and visitors such as contractors and consultants will be held accountable for breaches of this Code. Conduct that is not consistent with the requirements of this Code will result in consequences, as addressed later in this document (see Section 18 on what happens if the Code is breached).



## HOW TO COMPLY

- 1) You must:
  - a) conduct yourself, both personally and professionally, in a manner that upholds the ethos and reputation of the College; and
  - b) comply with the College's policies and procedures; and
  - c) behave respectfully, ethically and responsibly; and
  - d) support and observe the College's Statement of Faith.
- 2) The Principal and Deputy Principal Administration, who are responsible for staff, are accountable to make them aware of the College's expectations of conduct consistent with the College's Code of Conduct during the period of their employment. This is done by provision of access to the Code via the Policies link on the College website, the Policies portal on the College staff intranet, SEQTA Teach and the Staff Handbook, as well as through discussion of the Code at staff induction at the commencement of employment and staff meetings regularly throughout the academic year, and reference to the Code in various College communications, including staff meeting agendas. Staff should be told that any conduct that is not consistent with the Code may result in their employment by the College being terminated.
- 3) The Deputy Principal Learning and Teaching, who is responsible for liaising with practicum students, is responsible to make them aware of the College's expectations of conduct consistent with the College's Code of Conduct during the period of their training. They should be told that any conduct that is not consistent with the Code may result in their training at the College being terminated.
- 4) The Business Manager, who is responsible for engaging or managing volunteers and visitors such as consultants and contractors, is responsible to make them aware of the College's expectations of conduct consistent with the College'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 their engagement being terminated.

## 4. CHILD PROTECTION

The King's College is a child-safe organisation and seeks to always uphold the National Principles for Child Safe Organisations (Australian Human Rights Commission) in order to create a culture, adopt strategies and take action to promote child wellbeing and prevent harm to children and young people.

**In all situations, and in particular regard to managing students' behaviour, the College explicitly forbids child abuse and corporal and degrading punishment.**

### Definitions

**Child Abuse** | The *Guide to the Registration Standards and Other Requirements for Non-Government Schools* identifies and defines four forms of child abuse that are covered by WA law and defined by the Department of Communities Child Protection and Family Support (DCCPFS):

1. Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or caregiver.
2. Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level, and includes sexual behaviour in circumstances where:
  - a) the child is the subject of bribery, coercion, a threat, exploitation or violence;
  - b) the child has less power than another person involved in the behaviour; or
  - c) there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
3. Emotional abuse includes:
  - d) psychological abuse; and
  - e) 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.



**Grooming** | The Guide also defines grooming as 'the use of a variety of manipulative and controlling techniques with a vulnerable subject to establish trust or normalise sexually harmful behaviour with the overall aim of facilitating exploitation and/or prohibiting exposure.' Further, grooming is the befriending and establishing of an emotional connection with a child, and sometimes the family, to lower the child's inhibitions for sexual abuse. Please refer to the College's Child Protection Policy and Child Safety Framework for information on recognising grooming behaviour.

It is particularly important that there is understanding of 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.

**Corporal Punishment** | As defined in the Guide, 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.

This Code should be read in conjunction with the Child Protection Policy and Child Safety Framework which can be found on the College website and the College Staff Intranet (SEQTA Teach home page).

## 5. APPROPRIATE INTERACTIONS

As The King's 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 described in this Code of Conduct.

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

Staff are expected to behave in a manner which promotes the safeguarding role of the school, in a manner which is in accord with College expectations, professional expectations and best practice of the teaching profession, as well as the expected norms of our community. You must be fully aware that your actions will be subject to appropriate scrutiny by other staff and by the community and you must be prepared to give an account of your 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 from others?
- c. Can I achieve the same outcome through a different interaction?
- d. Would I do this or say this if a colleague was 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?

Staff are encouraged to read the Teacher Registration Board of Western Australia (TRBWA) document entitled Teacher-Student Professional Boundaries: A Resource for WA Teachers:

<https://www.trb.wa.gov.au/DesktopModules/mvc/TrbDownload/PublishedDoc.aspx?number=D19/065558>



## 6. PROFESSIONAL EXPECTATIONS

As an employee, you should be familiar with the College's policies and procedures, know where you can access them for checking purposes and be able and willing to comply with all of them.

The policies and procedures are available to you through the Policies link on the College website, the Policies portal on the College intranet (SEQTA Teach welcome page), the Staff Handbook, the Family Handbook, and the Student Diary. They have been additionally addressed through staff induction and staff meetings.

If you are uncertain about the scope or content of a policy with which you must comply, or any legal obligations to which you are subject, you should seek clarification from your direct supervisor, Line Manager, or the Principal

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. 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;
- b. always uphold the National Principles for Child Safe Organisations;
- c. perform your duties to the best of your ability and be accountable for your performance;
- d. follow reasonable instructions given by your line manager;
- e. comply with lawful directions;
- f. carry out your duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve your knowledge and skills, including through participation in relevant professional development;
- g. act honestly and in good faith in fulfilling your duties;
- h. be respectful, courteous and responsive in dealing with your colleagues, students, parents/carers and members of the public;
- i. work collaboratively with your colleagues; and
- j. 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 Communities Child Protection and Family Support (DCCPFS) 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 inappropriate behaviours, or,
  - a) 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.
- 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 appropriate boundaries or this Code have been breached, will inform the Principal, by making an immediate verbal report followed by an email/online incident report that must be received within 24 hours of the verbal report.



- 7) In cases where a former student (who is under the age of 18) or the parent or guardian of a former student makes an allegation about child sexual abuse at the College **occurring before 2009**, the Department of Communities Child Protection and Family Support (DCCPFS) is to be informed immediately. A matter involving a former student who is 18 or over is reportable to the Police. In either case, and in line with the relevant Critical and Emergency Incidents definition, the Principal must submit a Critical Incident Report to the Director General of the Department of Education.
- 8) If you have concerns that a child is in immediate danger, the WA Police should immediately be telephoned on 000.
- 9) Both mandatory and non-mandatory reporters, including teachers, non-teaching staff, visitors, volunteers and parents/carers, that form any concerns of child physical abuse, emotional abuse (including family violence), neglect, sexual abuse (if there is a concern but NOT a belief) and/or sexual abuse that occurred before 1 January 2009 (and is not ongoing):
  - a) are expected to immediately report their concern directly to the Principal, in which event, the Principal must make a report to the Department of Communities Child Protection and Family Support (DC- CPFS).
  - b) are expected, if the concern relates to the Principal, to immediately report their concern directly to the College Board via the Board Chair.
  - c) may, if they wish, report their concern to the Department of Communities Child Protection and Family Support (DCCPFS) if they believe a child's welfare to be at risk from these forms of abuse.
- 10) Teachers, as mandatory reporters, that form a 'reasonable belief' in the course of their work (paid or un-paid) that there is and/or has been child sexual abuse (on or after 1 January 2009):
  - a) MUST make an immediate mandatory report directly to the Department of Communities Child Protection and Family Support (DCCPFS).
  - b) are expected, if the belief relates to the Principal, to immediately report their belief directly to the College Board via the Board Chair.
  - c) should phone straight away before reporting online or by mail if the situation appears urgent.
  - d) should be aware that reporting is required by law.
  - e) should be aware that penalties apply for not reporting.
  - f) should retain and store appropriately all relevant notes and documents.
  - g) May disclose to the Principal their belief that a child's welfare is at risk from sexual abuse, at which point the Principal must also make a mandatory report (if he/she is given information that leads him/her to form a reasonable belief that the abuse has occurred); or communicate to the Principal that they have made a mandatory report for child sexual abuse, at which point the Principal is not required to make a mandatory report (unless he/she is given information that leads him/her to form a reasonable belief that the abuse has occurred); and in either case, the Principal must, even if he/she becomes aware another way, notify the College Board via the Board Chair and the Director General of the Department of Education of a critical incident.
- 11) Non-mandatory reporters, including non-teaching staff, visitors, volunteers, and parents/carers that form any concerns of child sexual abuse:
  - a) are expected to immediately report their concern directly to the Principal, in which event, the Principal must immediately make a report to the Department of Communities Child Protection and Family Support (DCCPFS).
  - b) are expected, if the concern relates to the Principal, to immediately report their concern directly to the College Board via the Board Chair.
  - c) may, if they wish, report their concern to the Department of Communities Child Protection and Family Support (DCCPFS) if they believe a child's welfare to be at risk from sexual abuse.
  - d) may, if they wish, disclose to a teacher their belief that a child's welfare is at risk from sexual abuse, at which point the teacher must make a mandatory report (if he/she is given information that leads him/ her to form a reasonable belief that the abuse has occurred).
- 12) Staff making reports in good faith are assured of their protection from victimisation or other adverse consequences.



## 7. TEACHING PRACTICE

As a professional teacher, it is expected that you will provide quality teaching appropriate for your students, cater to the diversity of learners in your care and make 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 parents/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 favouritism, bias or prejudice in your dealing with your students.
- 2) You make every effort to facilitate the provision of ancillary support to a student, as is determined by their needs, to enable their equitable access to educational programmes. Examples of ancillary support include extension programs for gifted and talented students, assistive technologies and counselling.
- 3) You maintain a safe classroom environment.
- 4) As a professional, you will look for and take advantage of every learning opportunity that is appropriate to your role.
- 5) As part of your treating all students with respect, you will have high expectations of all of your students.
- 6) It is expected you will regularly review College policies and make every effort to comply with them.
- 7) You maintain regular communication with your students' parents/guardians.
- 8) 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*.

## 8. 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, respectful, courteous and prompt in dealing with other people, including students, parents/carers, 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.
- 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/carers 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 engage in unlawful discrimination against, harassment of, or bullying towards, a fellow employee, contractor, volunteer, student or parent/guardian. Your obligations in this regard are set out in the Equal Opportunities Act. 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 Equal Opportunities Act. 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 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 Equal Opportunities Act as soon as possible after the incident(s) have occurred.
- 6) Do not lie about or exaggerate a complaint.

## 9. DUTY OF CARE AND WHS

As a school employee, you have a duty of care to students in your charge to take all reasonable steps to protect them from risks of harm (physical and psychological) 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 the school, 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 an employee of the College, you have a duty of care to students in your charge. That duty is to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. For example, preventative measures should be taken against risks from known hazards and from foreseeable risk situations. The standard of care that is required, such as the degree of supervision, needs to be commensurate with the student's 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 all the College's health, safety and student welfare policies, including, the College's Duty of Care Policy and Excursions, Incursions, Camps and Tours Policy.

### Work Health and Safety

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

Considerations of safety relate to both physical and psychological wellbeing of individuals.

You should ensure that you are aware of and comply with the College's Workplace Health and Safety Policy.

### HOW TO COMPLY

- 1) Do not expose students or anyone else at your workplace to any risk or hazard.
- 2) Report any incidents or potential hazards to Line Manager/Supervisor or Health and Safety Representative and submit an online Incident Report Form accessed via the Staff Intranet.
- 3) Read and ensure familiarity with the College's evacuation and lockdown procedures.
- 4) Do not leave students unsupervised either within or outside of class. You should be punctual to class and allocated supervision.
- 5) 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.
- 6) Do not be late to playground duty. Actively supervise your designated area, being vigilant and constantly moving around.
- 7) 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 Bullying Prevention Policy.



- 8) Attend to ill or injured students. Should additional assistance be required, you should contact staff at Student Services.
- 9) Do not store or administer medication to students unless their use complies with the Student Health Policy.

## 10. 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 wellbeing 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 employees to understand and observe the College's child protection policies, as the detection and prevention of grooming behaviour is vital.

### 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) Do not 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/carer 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 yourself 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 hats, ask students to hand them to you. Only take items directly from students in circumstances where concern exists for the safety of the student or others and your own safety is not jeopardised by this action.

#### Physical Contact with Students

- 1) Must not impose any form of corporal or degrading punishment on a student in the course of your professional duties. Refer to the Behaviour Management 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 ask 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 or a pat on the shoulder are acceptable as long as the student is comfortable with these actions. 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 homosexual or heterosexual, consensual or non-consensual or condoned by parents or caregivers. You are reminded of:



- a) the law prohibiting sexual relations with a person under the age of consent (16 years); and
  - b) the law prohibiting sexual relations between a teacher and his or her student under the age of 18 years.
- 2) You must not develop a relationship with any student that is, or that can be interpreted as, having a personal rather than a professional interest in a student. An overly familiar relationship with any student (including any adult student) that you are responsible for teaching, tutoring, advising, assessing or for whom you provide pastoral or welfare support, raises serious questions of potential grooming behaviour, conflict of interest, trust, confidence, dependency and 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 or degrading 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 the child's parents or caregivers.
  - 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 11 on 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 14 on 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 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.

### **Behaviour Management of Students**

- 1) You must manage student behaviour consistent with the College Behaviour Management Policy, utilising the College's behaviour management system. Accessible through SEQTA Teach>Staff Intranet> Policies> Behaviour Management Policy which includes the IRS Behaviour Management and the Primary Behaviour Management processes.
- 2) You must not under any circumstance use any punishment that could be reasonably construed as being a form of child abuse (physical, emotional or sexual), corporal punishment or other degrading punishment.
  - a) Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or a child's caregiver.
  - b) Emotional abuse includes psychological abuse of a child.
  - c) Sexual abuse, in relation to a child, includes sexual behaviour in circumstances where:
    - i) the child is the subject of bribery, coercion, a threat, exploitation or violence;
    - ii) the child has less power than another person involved in the behaviour; or



- iii) there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
- d) Corporal punishment: Any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm (from UN Committee on the Rights of the Child, General Comment No. 8 (2006), paragraphs 11 and 15: CRC/C/GC/8, 2 March 2007).
- e) 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 (from UN Committee on the Rights of the Child, General Comment No. 8 (2006), paragraphs 11 and 16: CRC/C/GC/8, 2 March 2007).

### **Child Protection**

- 1) You must be aware of and comply with the College's Child Protection Policy and Child Safety Framework which can be found on the College website and the College intranet (SEQTA Teach home page).
- 2) You must not ignore or disregard any suspected or disclosed child harm or abuse.

## **11. APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES**

As a College employee, you are required, prior to being issued with a College laptop, to read and sign a document indicating your understanding of and agreement with the professional access and use of online environments and communications. There should be safe and appropriate use of laptops, the internet, online applications and communications to conduct your duties.

You are expected to support students with safe and appropriate use of laptops, the internet, online applications and communications to learn, communicate and seek help. The College employs cybersecurity protection software, which provides data relating to student online activity.

You must appropriately use electronic communication and social networking sites. Staff should not use social media sites to post disparaging content that causes negative or reputational damage to the College.

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 Student Cyber Safety Code of Conduct. This includes:
  - a) exercising good judgment when using electronic mail, following the principles of ethical behaviour;
  - b) using appropriate and professional language in electronic mail messages;
  - c) being aware that if an issue addressed in an email becomes the subject of a legal dispute, then those emails would be discoverable: that is, the court and all parties to the dispute would be entitled to see them;
  - d) not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
  - e) not inviting students into your personal social networking site or accepting an invitation to theirs;
  - f) not using social networking sites to email or contact students;
  - g) remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and
  - h) reporting any situations where you become aware of the inappropriate use of electronic communication and social networking sites.



- 2) You must never use the 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.

## 12. CREATE CULTURAL SAFTY: SUBSTANCE USE

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 any 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; and
- 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

- 6) 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 employment, referral to the Police and, in the case of a member of the teaching staff, a report to the Teacher Registration Board WA;
- 7) You must not give students or other employees illegal drugs or restricted substances, or encourage or condone their use;
- 8) You must not supply or administer prescription or non-prescription drugs to students unless authorised to do so; and
- 9) You must not encourage or condone the use of drugs by students of any age during educational activities.

#### Alcohol

You must not take alcohol to work or consume it during work hours or at any College function at any time students are present, including those events conducted outside College premises unless expressly permitted to do so by the Principal. A College function is any occasion organised by the College and/or in the College's name, including dances, farewells, excursions, sporting fixtures and fundraising events.

- 10) You must not purchase alcohol for, or give alcohol to, any student (or to any other person under the age of 18 years);
- 11) You must not encourage or condone the use of alcohol by students of any age during educational activities;

#### Tobacco and Vaping

- 12) You must not smoke/vape or permit smoking/vaping in any College buildings, enclosed area or on College grounds. This includes all buildings, gardens, sports fields, cars and car parks.
- 13) You must not smoke/vape whilst at any College function, even if it is not on school campus. This includes, amongst all other activities, camps, tours and excursions.
- 14) You must not purchase tobacco or tobacco products, vapes or vape juice/e-liquid for any school

- student or give them tobacco or tobacco or vapes or vape juice/e-liquid products
- 15) You must not encourage or condone the use of tobacco/vapes by students of any age during educational activities.

### 13. 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:

- pecuniary interests i.e. financial gain or loss or other material benefits;
- non-pecuniary interests i.e. favours, personal relationships and associations.

Conflicts of interest also include:

- the interests of members of your immediate family or relatives (where these interests are known);
- the interests of your own, business partners or associates, or those of your workplace; or
- 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 conflicts of interest may be present, you should report any potential or real conflict to your Line Manager 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.

### 14. 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 judgement 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 the gift or benefit before making any decision about accepting it. A gift that is more than of a nominal value (\$50) must not become personal property. You should either politely refuse it or advise the contributor that you will accept it on behalf of the College.
- 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 College. If you win a prize you must advise your line manager or the Principal who will determine how the prize should be treated and recorded.

### 15. CONFIDENTIALITY AND PRIVACY

You should be mindful of confidentiality when in discussions with parents, carers, staff, family members and others. You cannot always give a guarantee of confidentiality, especially if the matter under discussion is related to mandatory reporting.

College employees must maintain the confidentiality of College information.

You 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's Privacy Policy.
- 2) You should not disclose personal information about another staff member to students or parents/carers 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, the public or members of your family.
- 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/carers without the express permission of the Principal.

##### Confidential Information

- 5) As a College employee, you must only use confidential information for the work-related purpose for which it was intended.
- 6) Unless authorised to do so by legislation, you must not disclose or use any confidential information without the express permission of the Principal.
- 7) You must make sure that confidential information, in any form, cannot be accessed by unauthorised people.

##### Privacy

- 8) Sensitive and personal information should only be provided to people who are authorised to have access to it.
- 9) You should always exercise caution and sound judgment in discussing the personal information of students, parents/carers, 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 school's work because of their expertise.
- 10) From 22 February 2018, the College is legally required to report the loss, unauthorised access to, or disclosure of personal information resulting in serious harm to any individuals to whom the information relates to 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 College information that may be contained on school or personal devices. For more information, please refer to the Privacy Policy.

## 16. RECORD KEEPING

All employees have a responsibility:

- to create and securely maintain full, accurate and honest records of their activities, decisions and other business transactions;
- to capture or store records in the College's record systems, as required; and
- to not deliberately access school information to which they are not authorized to do so.

#### 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.

## 17. 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.

## 18. BREACHES OF THE CODE OF CONDUCT

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

Staff, volunteers and contractors have an obligation to report to the Principal, Deputy Principal Administration or the College Board via the Board Chair any objectively observable behaviour which breaches or is suspected of breaching this Code of Conduct. Please note that if the prohibited behaviour is by the Principal, then it should be reported to the Chairman of the College Board.

The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach. All alleged breaches of this Code will be subject to scrutiny and, if substantiated, staff will receive appropriate consequences.

Factors the College may consider when deciding what action to take in respect of a breach of this Code include:

- 1) the seriousness of the breach;
- 2) the likelihood of the breach occurring again;
- 3) whether the employee has committed the breach more than once;
- 4) the risk the breach poses to employees, students, college reputation or any others; and whether the breach would be serious enough to warrant formal disciplinary action.

Actions that may be taken by the College in respect of a breach of this Code include:

- 1) performance management or remedial action;
- 2) training or disciplinary action ranging from a warning to suspension or termination of employment;
- 3) reporting of the matter to the Teacher Registration Board WA and/or other Government Authorities.

The above 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 Principal and College Board.

However, other matters, especially those relating to *The School Registration Standard 12 - Preventing and Responding to Child Abuse (prevention, detection and reporting of grooming and child abuse, and response to allegations of grooming and child abuse)*, Section 42 of the Teacher's Registration Act 2012, and the Reportable Conduct Scheme, have legal and professional obligations which must be observed and breaches of these must be responded to within a legal framework.

- WA Police Force | Any potentially illegal activity will be reported to the Police or conduct that is occurring, or has occurred, or if have immediate concerns for a child's safety and appropriate actions will be taken by senior management.





- Department of Communities | If a belief, on reasonable grounds, that a child has been sexually abused, or is the subject of ongoing sexual abuse.
- Director General of the Department of Education | Non-government schools must notify the Director General, Department of Education, of reportable incidents within 48 hours by using the Reportable Incident Notification Form.
- Teacher Registration Board of Western Australis (TBWA) | Section 42 of the Teacher Registration Act 2012 outlines that an employer at an educational institution, including a childcare or centre-based service, must give written notice to the TRBWA within seven (7) days, where the employer has reasonable grounds to suspect that a registered teacher may have engaged in serious misconduct or may have taught with serious incompetence in circumstances where the teacher is dismissed or suspended from teaching or has resigned or has ceased teaching at the educational institution.
- The Reportable Conduct Scheme | From 1 January 2023 all Western Australian non-government schools to report conduct under the scheme to the Ombudsman, which includes: sexual offences, sexual misconduct, physical assault, against, with or in the presence of a child; significant neglect of a child; and any behaviour that causes significant emotional or psychological harm to a child.

Outside of this, the College reserves the right to determine its response in entirety to any breach of this Code.

Where the breach of this Code by a staff member involves a violation of the Child Protection Standards and there are reasonable grounds to suspect grooming, the Principal is required to inform the College Board via the Board Chair and, in turn, the College Board must report to the Director General of the Department of Education in accordance with Critical and Emergency Incident Procedures (using the appropriate critical incident notification form). This will be done after the Principal has sought legal and professional advice through the agency of its membership with AISWA.

This notification process must also occur if the Principal receives an allegation of child abuse, including but not limited to sexual abuse, committed against a student by a staff member or student, or another person on the College premises or during school-related activities, whether the abuse is alleged to have occurred recently or in the past.

Whilst the College must always act in the best interests and welfare of the children in its care, the College also has an obligation to exercise duty of care to the staff member implicated in a grooming or sexual abuse allegation. The staff member will be advised of the need to seek legal advice and the Principal will ensure that confidentiality of information is maintained whilst the matter is being investigated. The complainant must be informed about advocacy, support and other services which may be available. This will be done after the 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 i.e. the subject of the allegation, the complainant, affected students and their parents and guardians, and the wider school community. This will be done after the 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.**

## 19. RELATED DOCUMENTS

Child Protection Policy and Child Safety Framework  
Workplace Health and Safety Policy  
Student Health Policy  
Behaviour Management Policy  
Student Cyber Safety Code of Conduct  
Privacy Policy  
Complaints Policy

College Statement of Faith  
Duty of Care Policy  
Behaviour Management Policy  
Bullying Prevention Policy  
Equal Opportunities Act  
Excursions, Incursions, Camps and Tours Policy  
Records Policy



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