

STAFF CODE OF CONDUCT

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1. THE CODE

1.1 Definition of “staff”

Staff: For the purposes of this Code of Conduct, “**staff**” includes all class teachers, specialist staff, support teachers, parent volunteers, outside tutors, external providers and administrative staff. It also includes the Directors of Mumbulla School, contract staff, and employees of other organisations that work with Mumbulla School.

1.2 Rationale

This Code of Conduct clarifies the standards of behaviour that are expected of all staff at Mumbulla School. All staff have a responsibility to comply with this code of conduct.

1.3 Awareness Of The Code

- 1.3.1** Staff must be aware of the policies and procedures that are applicable to their actions.
- 1.3.2** The College of Teachers should ensure that relevant information is made available to all teaching staff. The College of Teachers may choose to delegate this to the Educational Administration team.
- 1.3.3** The Board of Directors should ensure that relevant information is made available to all other staff. The Board of Directors may choose to delegate the implementation of this to the Business Manager.
- 1.3.4** All staff are required to read, understand and sign off on all school policy documents, including this Code of Conduct.
- 1.3.5** If staff are uncertain about the policies with which they must comply they should seek advice from the College of Teachers or members of the Policy group.

1.4 Breaches Of The Code

Serious breaches of this code by staff will be deemed misconduct and will lead to disciplinary action. Serious breaches by contractors, volunteers and others will lead to a review of their engagement.

1.5 Review Of The Code

To maintain the currency and value of this Code it will be reviewed and updated as necessary. Staff are invited to submit suggestions to the College of Teachers or the Board.

2. GENERAL PRINCIPLES

2.1 Responsibility To The School

- 2.1.1** Staff are to implement in an impartial manner the policies and decisions of Mumbulla School that are relevant to their work. Staff are also to participate in the development and implementation of Mumbulla School's objectives and initiatives that flow from those policies. Staff behaviour should align with the values underlying the philosophy of the school and the ethos of Steiner education.
- 2.1.2** Staff should serve the interest of the school community and act in a manner which promotes the integrity of the school's administration.
- 2.1.3** The school community must be assured that where there is a potential conflict of interest, staff members of Mumbulla School put the interest of the school above their own private interests.
- 2.1.4** Serving the interests of the school community also means performing duties objectively, making decisions according to established criteria and considering all relevant criteria and only relevant criteria.

2.2 Duty Of Care To Students

- 2.2.1** Staff have a duty of care to protect the well being of all students. The level of care required (for example, the extent of supervision provided) needs to be in accordance with the maturity and self reliance of the students in question. Risks

associated with the activity being undertaken need to be assessed and addressed before the activity is undertaken.

2.2.2 The effective management of identified risks will require closer supervision and increased care for younger and less mature students. Adequate training and instruction of staff are key factors in controlling and managing risks.

2.2.3 Staff will effectively implement school policies and programs for child protection and student welfare.

2.3 Professional and Appropriate Behaviour

2.3.1 Effectiveness, sound judgement and quality of service are the professional standards required of staff. Similarly, staff are required to actively develop their competence and that of any staff member they mentor.

2.3.2 Should any conflict arise between this Code and a professional standard, then the matter should be referred to the College of Teachers for resolution if the conflict is of an educational nature and to the Board of Directors if the professional standard relates to any other part of the School other than educational.

2.3.3 Staff should be aware of and implement the goals and priorities of the school and collaborate in the development of plans, policies and programs for their implementation.

2.3.4 Teaching staff in particular have a responsibility to ensure that students gain the knowledge and skills they require to become effective learners and ultimately effective and responsible citizens by an awareness of and compliance with current school policies relating to the professional responsibilities of teachers and in particular:

- devising or following and supporting effective learning programs and evaluation mechanisms;
- addressing the individual learning needs of students and assisting each student to maximise his or her learning outcomes;
- undertaking appropriate ongoing professional development to promote competence in curriculum development, program delivery and evaluation, classroom management and teaching skills.

2.3.5 Staff mentors and College of Teachers should assist their colleagues in implementing this Code by helping to foster the professionalism of all staff within an atmosphere conducive to the promotion of integrity, appropriate behaviour and mutual respect in the workplace.

2.3.6 Staff are encouraged to take responsibility for developing their work skills and for acting on the suggestions for improvements which they develop or receive.

2.3.7 Staff are to dress and behave in a manner which demonstrates professionalism, shows respect for others and models appropriate standards for students. Staff working with children are to follow the school's dress recommendations ie no black, no logos, clothes that cover midriffs and shoulders, safe and comfortable shoes (no thongs), and jewellery which will not become a hazard with physical activity.

2.3.8 Staff should be aware that unlawful or unprofessional conduct, even in a private capacity, which damages the reputation of the school may lead to disciplinary action.

2.4 Respect For People And Property

- 2.4.1** Staff must treat members of the public, their colleagues and students with respect, fairness and consistency. Staff must be courteous and sensitive to the needs of others and provide all necessary and appropriate assistance practicable.
- 2.4.2** Consultative decision making practices should be applied where possible. Decisions are to be made and conveyed promptly to those with a right to know. Information provided should be clear to the intended audience. It should be accurate, current and complete.
- 2.4.3** Staff, irrespective of status or position, need to conduct themselves in a manner which will promote cooperation and harmonious relations among colleagues. A co-operative, collaborative atmosphere conducive to the promotion of integrity in the workplace will assist staff in the implementation of this Code.
- 2.4.4** Staff must respect and care for school property.

2.5 Fairness And Equity

- 2.5.1** Decisions involving individuals should be made on the basis of factual information. Decisions should be made in accordance with established procedures, fairly (that is without bias based on personal or other grounds), with honesty and integrity, objectively and in conformity with the principles of procedural fairness (including the right to be heard and the right to an impartial decision). The principle of procedural fairness is also known as natural justice.
- 2.5.2** All students are to be treated equitably and in accordance with current behaviour and learning support programs, and policies.
- 2.5.3** When dealing with other staff or members of the public, staff are to identify themselves and provide information sufficient to enable follow up action.

2.6 Effectiveness, Economy And Probity With Resources

- 2.6.1** Staff are to ensure that their work is carried out effectively. Staff must keep up to date with advances and changes in their area of responsibility, and seek ways of improving their performance. The College of Teachers and the Board of Directors must ensure that staff have access to appropriate training in relation to technological and workplace changes.
- 2.6.2** In using the resources of the school, staff should strive for economy and efficiency.
- 2.6.3** The theft, misuse or misappropriation of resources is not tolerated and will be acted upon.

2.7 Signatures And Personal References

- 2.7.1** Staff should review carefully any document they are asked to sign. Staff should not sign any document which they know is not true and correct.
- 2.7.2** Staff must only sign their own name and must never permit or encourage anyone to sign a name other than their own.
- 2.7.3** Staff should only use their own name (eg when sending emails) and should not give the impression that they have the authority of another person without their permission.

- 2.7.4** Staff are not to provide written personal references for any current or former staff member on Mumbulla School letterhead without the consent of the College of Teachers or the Board of Directors. (amended 28/10/2008 as per Board minutes 23/10/2008)

3. ETHICAL DECISION MAKING

3.1 Guide To Ethical Decision Making

- 3.1.1** Staff need to recognise the professional and ethical dimensions of their work and give proper attention to the values which should guide their decisions and actions.
- 3.1.2** When faced with a difficult question ask yourself:
- Who needs to be consulted in making this decision?
 - Is the decision or conduct in line with Mumbulla School's principles as set out in the Mission Statement and other policies including this Code of Conduct?
 - What will be the outcome for the staff involved, work colleagues, the school and its community?
 - Do these outcomes raise a conflict of interest or lead to private gain at the school's expense?
 - Can the decision or conduct be justified in terms of the interests of the school or its clients?
 - Would the action or decision withstand public scrutiny?

4. CONFLICT OF INTEREST

4.1 Definition Of Conflict Of Interest

- 4.1.1** Real or perceived conflicts of interest exist when it is likely that a staff member could be influenced or could be perceived to be influenced by a personal interest when performing their official function. Conflicts of interest may lead to biased decision making, which may constitute corrupt conduct.
- 4.1.2** Some situations which may give rise to a conflict of interest affecting performance of official duties include:
- financial interests (of the staff member, a friend or relative) that could influence the impartiality of the performance of duties
 - personal beliefs or attitudes that influence the impartiality of the advice given
 - personal relationships with other staff, applicants for positions, students or business customers
 - dealings with a friend, a relative or colleague who is also a student or parent (eg seeking enrolment in a class within the school)
 - representational duties where a staff member who is representing the interests of the school is also asked to represent the interests of a community group
 - private employment which may conflict with school duties
 - approval of expenditure which will benefit yourself, a friend, a relative or an organisation with which you identify.
- 4.1.3** If one were able to approve a privilege or benefit to oneself (such as leave, allowances, travel, training, private use of resources and private employment) it would create a conflict of interest and so is not allowed.
- 4.1.4** If a teacher were to coach their own students it could be perceived to be in the financial interests of the teacher to create a situation where the students require, or believe they require, coaching. It also creates an impression that if teachers

coach their own students, what teachers do in class is not good enough. Therefore coaching of students over whom the teacher has influence at work should only be approved where there is no alternative sources of coaching and the conflict of interest can be managed.

4.2 Duties Of Staff With Respect To Conflict Of Interest

4.2.1 Staff are required to:

- recognise inherent conflict of interest involved in holding multiple relationships/roles
- avoid conflicts of interest if possible, and avoid creating conflicts for others
- disclose to College of Teachers and/or Board of Directors any perceived or actual conflict of interest as soon as they become aware that there is or may be a potential conflict.

4.3 Resolution Of Conflicts Of Interest

4.3.1 To resolve or manage a conflict of interest which occurs or could occur, a range of options are available depending on the significance of the conflict. These include:

- the staff member identifying the conflict to the College or Board and removing oneself from any decisions associated with the resolution of the matter.
- the College of Teachers or Board of Directors identifying any conflict and establishing if the potential for conflict can be eliminated by disclosure or effective supervision, and recording the details and outcome.
- the College of Teachers or Board of Directors removing the staff member from the particular activity or decision where the conflict arises and documenting this and the alternative means of attending to the task/matter.
- the College of Teachers or Board of Directors referring the dilemma or decision to an agreed independent staff member who is familiar with the issue to make recommendations for resolution or management to the board or college

5. RELATIONSHIPS BETWEEN STAFF AND STUDENTS

5.1 General Principles

5.1.1 Staff will be expected to always behave in ways that promote the safety, welfare and well-being of students.

5.1.2 Staff will be aware of and comply with relevant child protection legislation and related policies.

5.1.3 Staff must not have sexual relationships with any school student at any school. It is irrelevant whether the relationship is homosexual or heterosexual, consensual or non consensual or condoned by parents or caregivers. The age of the school student or staff member involved is also irrelevant.

5.1.4 Staff are reminded of:

- the law prohibiting sexual relations with a person under the age of consent (16 years)
- the law prohibiting sexual relations between a teacher and their student under the age of 18 years
- the law prohibiting child pornography.

5.1.5 Mumbulla School staff members must not engage in sexual misconduct in relation to any student. Sexual misconduct describes a range of behaviours or a

pattern of behaviour aimed at the involvement of children in sexual acts. Some of these behaviours may include:

- Inappropriate conversations of a sexual nature,
- Comments that express a desire to act in a sexual manner,
- Unwarranted and inappropriate touching,
- Sexual exhibitionism,
- Personal correspondence (including electronic communication) with a child or young person in respect of the adult's sexual feelings for a child or young person,
- Deliberate exposure of children and young people to sexual behaviour of others including display of pornography,
- Possession of child pornography in the workplace.
- Sexual misconduct can include "grooming behaviour". Grooming behaviour is a process whereby sexual offenders "condition" and build rapport with children or young persons in order to reduce their resistance to, and increase compliance with, sexual abuse. The grooming process can include such aspects as:
 - Misleading children or young persons by pretending to them they are trustworthy
 - Spending inappropriate special time with the child,
 - Inappropriately giving gifts,
 - showing special favours to them but not with other children or young people,
 - allowing the children or young persons to overstep the rules.
 - Testing of boundaries
 - undressing in front of children or young persons,
 - allowing the children or young persons to sit on the lap,
 - talking about sex,
 - "accidental" touching of genitals.

Such behaviours may not be indicative of grooming if occurring in isolation.

5.2 Acceptable Behaviour At Mumbulla School

- 5.2.1** Cuddles are an important part of children's emotional development, especially in Kindergarten and the lower school. At Mumbulla School staff are permitted to give students cuddles when they are distressed or need reassurance, eg. if a child has hurt themselves or if the child is upset or anxious about a parent leaving. Parents are asked at their Kindergarten interview if they are happy for their child to be cuddled when upset. Parent consent is also sought when a child moves from Kinder to Class 1 and when a child is entering the school for the first time in Class 1 or 2.
- 5.2.2** At times it is necessary at times for children to receive assistance with toileting, especially in Kinder and the lower classes. Any assistance will be given by a teacher or employed staff member not a volunteer.
- 5.2.3** Staff use gentle touch and the holding of children's hands to physically guide them in a variety of curriculum activities, eg. in Craft lessons when children are being taught to knit, the teacher is permitted to sit the child in his or her lap and guide the child's hands holding the knitting needles as part of the method of instruction; or during music lessons, the teacher is permitted to guide the students' arms or correct their body posture through touch.

- 5.2.4** Staff are required to conduct any already established personal relationships with students in a manner that does not compromise the student, themselves or the school.

5.3 Physical Contact With Students

- 5.3.1** Staff must not engage in conduct that could assault a child, young person or student. Assault generally involves either hostile or reckless application of force or the threat of some force, regardless of whether harm to the child, young person or student has been established.
- 5.3.2** Physical contact which is an inevitable part of everyday life does not amount to assault. For example, there may be occasions where it is appropriate to intervene in order to protect students. Reasonable action, in these circumstances would not be deemed to be assault.

5.4 Neglect

- 5.4.1** Staff must not neglect a child (ren) or young person(s) in their care. Neglect occurs when a child or young person is harmed by the failure of a person who has care responsibilities towards a child, to provide basic physical and emotional necessities of life. This includes failure to provide or arrange for the provision of adequate and proper food, nursing, clothing, medical attention or lodging for a child or young person in that person's care.

5.5 Psychological Harm Of Students

- 5.5.1** Staff must not engage in conduct that could cause psychological harm to a child, young person or student. Examples include:
- targeted and sustained criticism, belittling or teasing
 - excessive or unreasonable demands
 - persistent hostility and verbal abuse, rejection and scapegoating
 - using inappropriate locations or social isolation as punishment.

6. DRUGS, ALCOHOL AND TOBACCO

6.1 General

Permanent or temporary staff experiencing difficulties in relation to alcohol, tobacco or other drugs are encouraged to access assistance to help them overcome their dependency.

6.2 Drugs

- 6.2.1** Staff must not give or provide students or other staff with drugs that are illegal to possess or distribute nor encourage or condone the use of such drugs.
- 6.2.2** Staff must not be under the influence of alcohol or other drugs or be in possession of drugs that are illegal to possess or distribute while at work. In the context of this Code, "under the influence" is defined as an obvious state of disturbance to one's physical and/or mental faculties that impairs their performance.
- 6.2.3** Staff may administer or supervise the administration of prescribed medications to students in compliance with current school guidelines.
- 6.2.4** Staff must not supply or administer prescription drugs to students except in accordance with an appropriate prescription and in compliance with school guidelines.

6.3 Alcohol

- 6.3.1** Staff must not give or provide school students or any student under the age of 18 years with alcohol. Staff must not encourage or condone the use of alcohol by students or volunteers.
- 6.3.2** Staff must not consume alcohol in any circumstances where they are responsible for students. In the context of this Code, a member of staff is 'on duty' whenever the member of staff has a responsibility to supervise students. This could include outside school hours supervision of students on an excursion.
- 6.3.3** Being on duty while under the influence of alcohol or drugs that are illegal to possess or distribute could create safety and other risks and would be grounds for disciplinary action.
- 6.3.4** Alcohol must not be consumed on or brought to school premises during school hours.

6.4 Tobacco

- 6.4.1** Staff must not give or provide school students or students under the age of 18 years with tobacco or tobacco products, or encourage the use of tobacco by such students.
- 6.4.2** Staff must not smoke or permit smoking in any school building, enclosed area or on any school grounds. Staff must not smoke in the presence of students while supervising students on excursion. (Refer Smoke Free Environment Act 2000). Care should also be taken to ensure that tobacco smoke does not enter buildings that students are in.

7. PRIVACY AND CONFIDENTIALITY

7.1 Personal Information

- 7.1.1** Staff need to be aware of and comply with the Privacy and Personal Information Protection Act 1998 and the DET Privacy Code of Practice. Particular care must be taken with the collection, storage, use and disclosure of personal information in order to protect individuals' privacy. In general, staff must not use or disclose personal information for a purpose other than that for which it was collected, unless consent for other uses or disclosure is obtained from the person to whom the information relates.
- 7.1.2** Personal information collected or held by staff of the school must be held securely to avoid loss; unauthorised access, use, modification or disclosure; and all other misuse.
- 7.1.3** *The Privacy Act* contains criminal sanctions for the unauthorised use and disclosure of personal information by staff. However, staff may make use of official documents in defence of defamation and associated legal actions.

7.2 Records Management

- 7.2.1** All staff have a responsibility to create and maintain full and accurate records of their activities, decisions and other business transactions, to capture records into official records systems, and not to destroy records without appropriate authority. College of Teachers and the Board of Directors have a responsibility to ensure that staff comply with their records management obligations.
- 7.2.2** Staff are to date documents, minutes etc.

7.3 Information Security

7.3.1 Staff are to ensure that information in any form (eg printed or electronic) cannot be accessed by unauthorised persons and that sensitive information is only discussed with persons who are authorised to have access to it.

7.3.2 Keyholders are responsible for seeing that premises are secure, and that suitable arrangements are in place to maintain security.

7.4 Use Of Communication Devices

7.4.1 Use of phone and other communication devices including email by staff members is approved, provided the use does not interfere with the performance of work and does not breach this Code.