



Staff Conduct and Discipline Policy

Aims

- A. The Staff Code of Conduct outlines the standards of behaviour expected of all employees, contractors and volunteers of Kerry Street Community School.
- B. To outline the process to be followed when the Staff Code of Conduct is not observed.

Scope and Application

This policy is available on the school website and applies to:

- A. Employees
- B. Volunteers
- C. Contractors

The Staff Code of Conduct document will be supplied with the staff induction package at commencement of staff/volunteer's employment.

Definitions

- A. **Breach** – A breach of the Staff Code of Conduct occurs when a staff member:
 - 1. Disobeys or disregards a lawful order;
 - 2. Contravenes any section of the *School Education Act 1999* applicable to the employee;
 - 3. Is negligent or careless in the performance of his or her functions; or
 - 4. Commits an act of misconduct.
- B. **Misconduct** - Examples of typical acts of misconduct that may result in disciplinary action are:
 - 1. Improper use of official information for personal gain;
 - 2. Unauthorised use of school property for private purposes;
 - 3. Abuses of privileges of employment;
 - 4. Violence in the workplace;
 - 5. Use of abusive, insulting or obscene language;

6. Misconduct due to alcohol or substance abuse;
 7. Disregard for safety rules;
 8. Dishonesty, theft or misappropriation of money;
 9. Harassment or bullying; or
 10. Inappropriate use of Social Media.
- C. Serious Misconduct -**
1. Conviction for an offence rendering the employee unfit for employment in a public sector organisation; and
 2. Child maltreatment and/or child abuse.

Principles

- A.** The Staff Code of Conduct places 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.
- B.** The Staff Code of Conduct establishes expectations and responsibilities, encompassing: child protection; duty of care; communication; and professionalism.
- C.** By accepting a contract of employment with the school, staff agree to comply with this Code.
- D.** Conduct that is not consistent with the conduct set out in the Staff Code of Conduct could result in the termination of a staff's employment. In the case of a contractor or volunteer, the contract or association could be terminated.
- E.** The school may commence disciplinary action where there is reason to suspect misconduct, a breach of governing legislation or a breach of the employment contract.
- F.** All school employees have a responsibility to report reasonable suspicions of breaches of discipline. The Principal is generally responsible for taking further action in accordance with the School's procedures.
- G.** Disciplinary action will be prompt, follow legislative requirements, ensure appropriate confidentiality, demonstrate procedural fairness and follow the School's procedures. Penalties imposed as a result of disciplinary action will reflect the seriousness of the breach.
- H.** Factors the School may consider when deciding what action to take may 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 or any others; and
 5. Whether the breach would be serious enough to warrant formal disciplinary action.
- I.** Kerry Street Community School reserves the right, at its sole discretion, to vary or cancel

its Staff Code of Conduct at any time.

Responsibilities

A. Board

1. Writing and updating this policy in consultation with relevant parties.
2. In cases of Principal misconduct, the Board will investigate. Depending on the findings and the nature of the breach, the Board may terminate the Principal's employment.

B. Principal

1. Review the Staff Code of Conduct annually to reflect legislation and policy changes.
2. Ensure that the Staff Code of Conduct is adhered to by all staff, contractors and volunteers.
3. Investigate staff misconduct. Disciplinary action, including performance management, may be applied. In cases of serious misconduct, the Principal may terminate a staff member, contractor or volunteer's engagement or employment.
4. Ensure adherence to the teacher registration requirements, as per the Teacher Registration Act 2012, regarding suspension or dismissal of teachers.
5. Report serious misconduct to Teacher's Registration Board of WA [TRBWA], Western Australian Police, Department of Child Protection and Family Support [DCPFS] as necessary.

C. All staff

1. Agree to and sign the Staff Code of Conduct.
2. Report misconduct, or suspicion of misconduct, of colleagues to Principal.
3. Report Principal misconduct to Chair of the Board.
4. Inform the Principal if they are charged with or have been convicted of any criminal offences.
5. Inform the Principal if they become the subject of a violence restraining order.

D. Administration Staff

1. Maintain staff records.

E. Parents

1. Report concerns of staff misconduct to the Principal, or where the Principal is involved to the Chair of the Board.

Related Legislation

- A. Teacher Registration Act 2012
- B. Teacher Registration (General) Regulations 2012
- C. School Education Act 1999

- D.** Australian Professional Standards for Teachers
- E.** Australian Professional Standards for Principals
- F.** Corruption and Crime Commission Act 2003
- G.** School Education Regulations 2000
- H.** Working with Children (Criminal Record Checking) Act 2004
- I.** Equal Opportunity Act 1984

Related Kerry Street Documentation

- A.** Procedure and Forms including:
 - 1.** Staff Code of Conduct
 - 2.** Discipline Procedures
- B.** Policies including:
 - 1.** Behaviour Guidance Policy
 - 2.** Child Safety and Well-Being Policy
 - 3.** Communication Policy
 - 4.** Concerns and Complaints Policy
 - 5.** Curriculum Planning and Review of Student Learning Policy
 - 6.** Curriculum Policy
 - 7.** Duty of Care Policy
 - 8.** Email, Internet and Electronic Devices Policy
 - 9.** Emergency Response Procedures Policy
 - 10.** Employment and Dismissal of Staff Policy
 - 11.** Excursions and Camp Policy
 - 12.** Illness, First Aid and Medication Policy
 - 13.** Non-Discrimination Policy
 - 14.** Records Management Policy
 - 15.** Privacy Policy
 - 16.** Staff Induction Policy
 - 17.** Staff Performance Appraisal Policy
 - 18.** Workplace Health and Safety Policy
- C.** KSCS Values and Philosophy
- D.** KSCS Organisation Chart

Contact Person

Enquiries relating to this policy should be directed to the School Principal or Board Chair.

Breaches of this Policy

Any breach of this policy may result in disciplinary action up to and including termination of contract.

Review and Authorisation

- A. Authorised September 2013
- B. Reviewed August 2016
- C. To be reviewed April 2018
- D. Reviewed Semester 2, 2020
- E. To be reviewed Semester 2, 2023

Revision History

Date	Revision	Detail
November 2020	V.2	Previously named Staff Code of Conduct Policy. Name change to Staff Conduct and Discipline Policy. Separation of policy and procedures. Reviewed to include discipline principles and procedures.