



**Kerry Street**  
**COMMUNITY SCHOOL**  
**STAFF CODE OF CONDUCT**

This code of conduct sets out the responsibilities of staff, Board members, practicum students and regular volunteers, and the school's expectations for behaviour. These responsibilities have been aligned with the school's four key values.

At Kerry Street we aim to create an environment which fosters the development of positive relationships, the promotion of school values and the creation of a child-safe environment.

### **Principle 1 Employee Expectations**

As an employee, you must be familiar with the school's policies and procedures, know where you can access them for checking purposes and be able and willing to comply with the school's policies and procedures. The policies and procedures are available on Teams, via the school website and a hardcopy is located in the administration building.

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, 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 school employee, you are expected to:

- perform your duties to the best of your ability and be accountable for your performance;
- follow reasonable instructions given by your supervisor or their delegate;
- comply with lawful directions;
- disclose fraud, corruption, misconduct, official misconduct and maladministration to an appropriately authorised person;
- 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;
- act honestly and in good faith in fulfilling your duties;
- be respectful, courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- work collaboratively with your colleagues;
- ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the school and does not damage the reputation of the school; and
- ensure your personal appearance and presentation is clean, tidy and appropriate for the work role performed.

## **Principle 2 Good 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 other carers of your students, and respond appropriately and promptly to any concerns they have.

## **Principle 3 Respect for people**

Staff have a responsibility to safeguard and promote the welfare of students and other staff.

The school expects employees to treat each other with respect and courtesy. Our daily interaction with others reflects on the school's reputation. Therefore, all employees are expected to be approachable, respectful, courteous and prompt when dealing with students, parents, other employees and members of the community. Employees are expected to be aware of, and sensitive to children and community members with culturally diverse and/or Indigenous backgrounds and cultural practices that may influence the interpretation of your behaviour.

It is expected that staff will contribute to a workplace that is free of harassment, bullying and discrimination against colleagues, students and members of the public. Staff should avoid imparting personal religious and political viewpoints within the school community.

Employees who work with students have a special responsibility in presenting themselves as appropriate role models for those students. Modelling courtesy and respect in your interactions with students can have a profoundly positive influence on a student's personal and social development.

## **Principle 4 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 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
- being alert to bullying and/or other forms of discriminatory behaviour, reporting such incidences appropriately and 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 school, 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 students' maturity and ability.

Duty of care to students applies during all activities and functions conducted or arranged by the School. 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 school's health, safety and student welfare policies, including *Behaviour Guidance, Bullying, Child Safety and Well-Being, Excursion and Camp and Tree Climbing*.

## **Workplace health and safety**

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

Considerations of safety relates to both physical and psychological well-being of individuals.

You should ensure that you are aware of and comply with the School's Safety and Health policies.

### **Principle 5 Maintain professional relationships between employees and students**

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

As a school 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 school employees to understand and comply with the school's child protection policies.

The detection and prevention of grooming behaviour is a vital consequence of complying with this principle.

### **Principle 6 Appropriate use of electronic devices, communication and social networking sites**

The school provides electronic communication facilities for its students and employees for educational or administrative purposes. It may monitor and view data stored or transmitted using the school's facilities. All staff and students must abide by the school's appropriate use of technology policies. The fast and permanent nature of electronic communication requires staff to be particularly vigilant with their own communications and that of their students.

### **Principle 7 Use of alcohol, drugs or tobacco**

Workplace Safety and Health is of fundamental importance to the school. 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.

The use of illegal substances on the school property is strictly forbidden.

### **Principle 8 Identifying and managing conflicts of interest**

Personal interests can, or have the potential to, influence a person's capacity to perform their duties impartially and in turn compromise their integrity and that of the school. Staff should avoid or take steps to resolve any conflicts of interest that arise in the workplace.

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 can 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.

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

### **Principle 10 Communication and protecting confidential information**

School employees must maintain the confidentiality of school information. You should be mindful of confidentiality when in discussions with parents, staff, family members and others. 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, e.g. Allied health professionals.

You cannot always give a guarantee of confidentiality especially if the matter under discussion is related to mandatory reporting. School employees should be aware that there are strong legal requirements around the collection, release and protection of 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.

### **Principle 11 Record keeping**

All employees have a responsibility:

- a) to create and securely maintain full, accurate and honest records of their activities, decisions, appropriate school-based interactions and other relevant transactions;
- b) to upload or store records in the school's record systems, as required; and
- c) to not deliberately access school information to which they are not authorised to do so.

### **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 school, the copyright in that material will belong to the school. This may apply even if the material was developed in your own time or at home.



As staff, Board member, practicum student or regular volunteer at Kerry Street you have a responsibility to:

- behave respectfully, courteously and ethically towards children and their families and towards other staff;
  - demonstrate appropriate personal and professional boundaries;
  - not 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 the school's *Child Safety and Well-Being policy* and procedure on reporting;
  - not work with children while under the influence of alcohol or prohibited drugs; and
- report objectively observable behaviour which breaches or is suspected of breaching this Code, (other than those subject to mandatory reporting obligations) to, the Principal or, in matters involving the Principal, the Board Chair.



As staff, Board member, practicum student or regular volunteer at Kerry Street you have a responsibility to:

- involve children in making decisions about activities, policies and processes that concern them wherever possible;
- identify and mitigate risks to children's safety and wellbeing as required by Kerry Street Community School's risk assessment and management policy and procedures;
- maintain appropriate checks and clearances associated with their role, as detailed in the Duty of Care Policy and Procedures;
- contribute, where appropriate, to Kerry Street Community School policies, discussions, learning and reviews about child safety and wellbeing;
- comply with relevant legislation and Kerry Street Community School's policies and procedures on record keeping and information sharing; and
- ensure that all school resources are used for official purposes (or approved limited exceptions) and are not wasted or used extravagantly.



As staff, Board member, practicum student or regular volunteer at Kerry Street you have a responsibility to:

- act in accordance with Kerry Street Community School's child safety and well-being policies and procedures at all times;
- not engage in any unlawful activity with or in relation to a child;
- not engage in any activity that is likely to physically, sexually or emotionally harm a child;
- ensure you aren't alone with a child unnecessarily;

- 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;
- ensure you don't arrange personal contact, including online contact, with children you are working with for a purpose unrelated to Kerry Street Community School's activities;
- not ignore or disregard any suspected or disclosed child harm or abuse;
- respond to any concerns or complaints of child harm or abuse promptly and in line with Kerry Street Community School's *Concerns and Complaints policy* and procedures;
- report all suspected or disclosed child harm or abuse as required by the *Children and Community Services Act 2004* and by Kerry Street Community School's policy and procedure on internal and external reporting;
- promote the human rights, safety and wellbeing of all children in Kerry Street Community School; and
- consider and respect the diverse backgrounds and needs of children;
- not unlawfully discriminate against any child or their family members.



As staff, Board member, practicum student or regular volunteer at Kerry Street you have a responsibility to:

- create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families;
- comply with Kerry Street Community School's protocols on communicating with children;
- use Non-Violent Communication to resolve conflict peacefully and seek staff assistance if required;
- be responsive to reasonable requests of parents/guardians in relation to their child/ren's education and should encourage professional partnerships that create optimal learning environments and opportunities for students;
- not use inappropriate language in the presence of children, or show or provide children with access to inappropriate images or material;
- ensure mobile phones are switched off or on silent during class time. receiving or making calls, sending text messages and internet use should occur before or after school and during break times, not during lesson times or when on duty unless sanctioned by the Principal; and
- comply with social networking guidelines detailed in the *Staff Internet and Email Use Agreement* including, avoiding connecting with students and parents via social media.

## Definitions:

**Non-Violence** - Non-Violence is a powerful method to harmonise relationships among people for the establishment of justice and the ultimate wellbeing of all parties (Metta Centre for Nonviolence website).

**Child abuse** - Four forms of child abuse are covered by WA law and are defined by the Department of Communities:

- (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:
  - 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 an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm. *[UN Committee on the Rights of the Child, General Comment No. 8 (2006)].*

**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 *[UN Committee on the Rights of the Child, General Comment No. 8 (2006)].*

**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 the school's (insert relevant policy name here) for information on recognising grooming behaviour.

## What happens if I breach the Code of Conduct?

All alleged breaches of the Staff Code of Conduct will be subject to scrutiny and if substantiated the person may be warned, suspended or have their employment terminated. If the breach involves is suspected to have involved grooming behaviour, the school is obliged to report this to the Director General of the Department of Education as a reportable incident. Please further information about this in dot points below. Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by senior management.

- The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.
- Employees are required to report all objectively observable behaviour, that is not permitted by the Code, other than those subject to mandatory reporting obligations, to the Principal, or, in matters involving the Principal, the Chair of the Board.

- Factors the school 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; and
  - 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.
- Actions that may be taken by the school 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. The school 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, the matter is required to be notified to the Director General of the Department of Education, as a reportable incident.
- Section 42 of the *Teacher Registration Act 2012* outlines the circumstances under which registered teachers are to be reported to the Teacher Registration Board of WA (TRBWA). Circumstances where a formal warning is issued to a teacher or their employment is ceased, as a result of a breach of the Code of Conduct that is suspected to have involved grooming behaviour, fits within the requirements of s.42, as well as being a reportable incident to the Director General of the Department of Education. *(Please refer to section 2.2 of this document for details of s.42).*

**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 Kerry Street Community School’s policies and procedures for receiving and responding to concerns and complaints, reports and/or allegations.
- Comply with legislative requirements on reporting if relevant, and with Kerry Street Community School’s policy and procedure on internal and external reporting.

Kerry Street Community School will not tolerate victimisation or other adverse consequences that are directed towards any person who makes such reports in good faith.

Staff name (print) \_\_\_\_\_

Staff signature \_\_\_\_\_

Date \_\_\_\_\_