



## Code of Professional Conduct Policy

### Rationale

The Catholic Church's social teaching is based on the Gospel of Jesus Christ; all members of staff in Catholic schools work and minister in the name of the Church. Employees of The John Berne School undertake to support the Catholic ethos and the particular Marist ethos of the School. They are expected to promote and support the shared vision and mission.

The core values of the School will be reflected in our work. Staff will avoid by word or action any influence upon students that is contrary to the teachings and values expressed by the Catholic Church in whose name we act.

This Code of Professional Conduct is both reflective and practical, outlining the values and responsibilities that underpin our Catholic and Marist identity through the guidelines that follow.

1. This Code of Conduct thus seeks to:
  - 1.1 promote the safety and welfare of children as our paramount consideration;
  - 1.2 support and affirm staff as they conduct themselves with the highest standard of professional and ethical behaviour;
  - 1.3 articulate the responsibilities for staff in carrying out their duty of care, ensuring the safety and well being of every student in all School activities;
  - 1.4 recognise that staff undertake these responsibilities within the framework of the law and under lawful instruction from their employer, complying with legislative and industrial requirements and within the policies and procedures of the School and Marist Schools Australia;
  - 1.5 provide clear expectations for staff, valuing the worth and dignity of individuals, in creating an environment where staff and students feel safe and secure;
  - 1.6 foster an environment of trust, ensuring that rights and responsibilities are recognised and protected;
  - 1.7 provide a framework for reflection on current practice.

## 2. General Principles

*The well being of the children and young people in our care is our ultimate reference point in following this Code of Professional Conduct and we all share that responsibility.*

We acknowledge our professional and legal obligations to the students placed in our care. We ensure we act at all times in their best interest.

We value our profession and its integrity. We value each other and our School.

- 2.1 This Code of Professional Conduct applies to teaching and non-teaching staff employed by the School, as well as to itinerant teachers, casual relief staff, volunteers and contractors.
- 2.2 These standards apply to all School activities including co-curricular and social activities.
- 2.3 Staff, as well as volunteers, casual relief staff, itinerants and contractors, will complete all child protection and employment related documentation. Staff involved in the day-to-day teaching or supervision of students will undergo relevant employment screening procedures.
- 2.4 It is expected that staff will know and comply with the School policies and procedures, in particular policies on Bullying, Child Protection, Mandatory Reporting, privacy and workplace, health and safety.
- 2.5 Staff will model professional and healthy relationships, treating colleagues, students and others within their work environment with respect and dignity.
- 2.6 Staff will be actively involved in professional learning, will be involved in co-curricular activities in a substantial way and will adhere to all reporting and administrative guidelines.
- 2.7 Staff will be reflective and committed to their own professional learning by:
  - seeking feedback
  - undertaking ongoing learning and training
  - engaging in professional reading to develop and maintain professional competence
  - Being responsive to current educational and pastoral initiatives
  - Participating in review processes
- 2.8 Staff will demonstrate professional competence and will comply with the directions of the Principal or a delegate.
- 2.9 Staff will not engage in other employment without the prior approval of the Principal.

### 3. Core Values

As a Marist Community: *'We are united around a common set of life-giving values that are fundamental to our common vision: respect for the dignity of each human person, honesty, justice, solidarity, peace and a sense of the Transcendent. Together we give the best of ourselves to provide the young people in our care with the means of achieving their full potential in life, including their growing faith and their responsible participation in society'.*

- 3.1 The John Berne School is a Catholic learning community which reflects the Gospel of Jesus Christ. It is founded in the Marist tradition of St Marcellin Champagnat. Core values derive from our understanding of the Gospels and Marist characteristics as modelled by Jesus Christ and Marcellin Champagnat.
- 3.2 Our response to the Gospel message is to make Jesus Christ known and loved. We seek to give joyful witness through our motto *Hope Always*, by passing on our faith in God to others and by living in a way that is faithful to the Gospel call to love our neighbour, especially the most neglected. We offer an opportunity to listen to the message, to embrace these values and to accept the challenge of living them out through the witness of faithful Christian service.
- 3.3 The way we undertake our work is characterised by a distinctive Marist style: "a simple presence among the young, an unpretentious approach to all whom we meet, a spirit of family, a love of work, and all done in the manner of Mary".
- 3.4 Informed by the values inherent in the Gospels and by the characteristics of Marist education, The John Berne School upholds our particular core values.
- 3.5 The John Berne School seeks to provide a warm and secure learning environment where students develop self esteem and confidence, and are caring, respectful and tolerant of others. The School is committed to providing all staff and students with a working and learning environment free from all forms of harassment and bullying, including physical, verbal, social, sexual and cyber.
- 3.6 We are all challenged to let ourselves be ... "guided by the principles of fairness, justice and transparency, and by commitment to our mission ... Expressing our mutual forgiveness from time to time helps us keep our mission life-giving for ourselves and for those we serve."

### 4. Working Together

We act as professional people at all times, respecting boundaries, accepting responsibility for our own behaviour, work and development and supporting and encouraging others.

We seek to create an environment where everyone feels respected and co-responsible. We treat people with dignity, offering support and encouragement.

Staff will at all times be aware that their relationships with students are based on professional standards and are open to scrutiny.

We interact with students only for professional purposes and in a manner that does not compromise the safety and welfare of children or our professional integrity.

#### 4.1 Relationship with students

- It is expected that staff will be caring and compassionate people and take an interest in their students, setting appropriate boundaries within their relationships.
- Staff members must be aware that their interactions with students are based on trust. They must always treat students with respect and without favouritism. There is no place for personal or coercive threats, humiliation, ridicule, sarcasm, excessive criticism, scapegoating, derogatory remarks, offensive comments, bullying, harassment or inappropriate familiarity.
- Assault of any kind is unlawful and could lead to criminal charges.
- Staff should generally avoid situations where they are alone in an enclosed space with a student. Where a staff member is working with or left with the responsibility for a single student they should ensure that this is in an open area, not isolated from others, and with an open door. Where this is not possible or practical and there is cause for concern, this should be discussed with Principal or Assistant Principal.
- When staff conduct a professional conversation with a student which requires confidentiality or privacy, the staff member should consider the time and venue carefully if meeting inside an office or classroom. It is preferable always that visibility into the classroom or office is maintained and that the student is not physically prevented from leaving the room.
- Social relations between staff and students outside the School can give rise to problems. Staff must be alert to the risk involved in social relations with students and conscious that their position places extra obligations on them. The Principal must always be informed if a personal or family relationship exists between a staff member and a student's family. Staff should not visit students socially at their home. Students should not be invited or permitted to visit staff members at their home.
- Staff should not engage in tutoring or coaching students from the School for monetary return.
- When physical contact with a student is a necessary part of the teaching/learning experience, staff must exercise caution to ensure that the contact is appropriate and acceptable. Wherever possible, staff should ask for a volunteer to demonstrate an action. The staff member should inform the

student what he or she intends to demonstrate with the student and seek the student's permission.

- Incidental and affirming physical contact with a student should always respect prudent professional mores and be respectful of individual students. It is acceptable and expected that a student will be appropriately congratulated and affirmed with a handshake or pat on the shoulder, as long as the student is comfortable with this action. It is not acceptable to initiate the hugging, embracing or kissing of students.
- Staff must notify the Principal immediately of any potential, perceived or actual breach of professional boundaries, whether by themselves or colleagues, with regard to staff relationships and students. Staff must also be aware of and comply with mandatory reporting obligations as articulated in School policies. It is not the responsibility of staff to investigate allegations or suspicions of a child protection nature.
- With respect to students with a disability, the management of any special physical or personal needs must be done in consultation with parents and included in the student's individual management plan.
- Assessment of a student who is injured or ill may necessitate physical contact. Staff should always advise the student of what they intend doing and seek their permission.
- During the course of work, staff may be offered a gift from a student or family. In circumstances where this gift could be considered outside usual custom, staff are to inform their immediate supervisor.
- Staff will not attend student or parent arranged social functions such as birthday parties, sporting celebrations and other such functions without the express permission of the Principal.
- Staff must not, under any circumstances, engage in intimate or sexual relationships with a student or engage in any conduct of a sexual nature with a student. It is irrelevant whether the relationship is heterosexual or homosexual or condoned by parents or caregivers. The age of the students or staff involved is also irrelevant.
- Should any student engage, or attempt to engage, in inappropriate behaviour of a sexual nature with an employee, then immediate steps must be taken to stop the student's behaviour and the matter should be immediately reported to the Principal.
- Regardless of the age of the student or familiarity between staff and students, staff members will not overstep boundaries or encourage students to overstep boundaries. In their relationships with students staff will not engage in or condone the use of sexual language, suggestive comments, sexual jokes, innuendo, swearing, favouritism, incidental touching, testing boundaries,

undressing in front of students, social networking, sharing personal information, observing conventions that may be acceptable among adults and inappropriate electronic communication.

## 4.2 Supervision of Students

- Staff are responsible for the supervision and management of students in their care. It is expected staff be a presence at recess and lunch times even if not rostered on.
- It is the responsibility of each staff member to develop effective, consistent and appropriate management strategies in day-to-day interactions with students as a preventative system of behaviour management. These strategies should include a clear, consistent and sequential method of dealing with inappropriate behaviours. They should follow Restorative Justice practices.
- Corporal punishment is prohibited. Physical contact with a student may be necessary in response to an imminent and serious risk to the safety of a person but only if the contact is necessary, reasonable and proportionate to the circumstances.
- When assigned supervision duty, teaching staff should be punctual, actively supervise their designated area, be vigilant and constantly mobile.
- Staff must remain on supervision until a replacement supervisor arrives.
- Staff should be alert to bullying or any form of harassment and act on and report any incidents in accordance with the Bullying Policy.
- Ill or injured students should be attended to by supervising staff. If necessary send students to front office sick bay. Office staff to contact the First Aid Officer should additional assistance be required.
- Staff must sign out and in should it be necessary that they leave the site.

## 4.3 Communication

- Staff will respond to parent queries in a timely and professional manner.
- Staff should present a courteous professional manner to students, parents, visitors and other staff members. Staff are expected to be united and supportive when in the public eye.
- Staff should be aware of and adhere to the School's Privacy Policy and ensure a right to privacy for staff and students.

- All matters discussed in staff meetings and staff correspondence are to be treated confidentially and not discussed with students, parents or those who do not need to know.
- Sensitive matters discussed in staff communications must be treated as confidential and should not be discussed outside the appropriate internal forums.
- Internal School documents and emails must not be transmitted or given to others outside the School without the relevant permission of the Principal or Assistant Principal.
- The media must not be given access to students or allowed entry into the School without the express permission of the Principal. The Principal is the only person authorised to speak with the media unless another member of staff is given approval to do so by and on behalf of the Principal.

#### 4.4 **Safe and Secure Environment**

- Staff must be consistent in their treatment of students. They must not show special favours to a student or allow a student to ignore the rules (except where this has been clearly articulated and approved).
- Staff must do everything within reason to ensure that alcohol, tobacco or prohibited substances are not consumed by students on the School's premises or at School functions, camps or excursions. Staff must not give the above mentioned substances to students and should not encourage or condone their use.
- Consumption of alcohol by staff at School, or while at School functions should be in accordance with School policy. Staff are not to consume or be under the influence of alcohol or other substances whilst undertaking their duties or exercising duty of care.
- Staff should, whenever possible, not drive a student in their car unless they have specific permission. In the event of an emergency, two staff members will travel with the student and the matter is reported to the Assistant Principal or Principal prior to the journey commencing.
- No medication is to be given to students by staff except as approved during retreats, excursions, camps and other co-curricular activities. Students are to be directed to the sick bay if medication is required. Front office staff have authority to administer medication at the request of parents.

#### 4.5 **Pastoral Care**

- Staff will normally, as part of their pastoral care role, engage in pastoral discussion with students. This is entirely appropriate. However, staff should be

cautious of making personal comments about a student or discussing matters of a sexual, sensitive or private nature.

- Staff must exercise caution when:
  - making personal comments about a student;
  - asking questions that probe a student’s sexuality or personal relationships;
  - discussing personal details of lifestyle of self or others;
  - disclosing their own personal details to students.
- Staff must not discuss matters of a sexual nature relating to himself or herself.
- When providing pastoral support to a student staff will always work within the School’s pastoral structures and report appropriately.

#### 4.6 Standards

- Staff are required to dress in a manner appropriate to their professional standing. They should be appropriate role models in this matter as they are in other areas of School life.
- The standard of attire must be commensurate with that required of the students. Clothing should ensure that staff, students and community members do not experience embarrassment or discomfort because of another’s style of dress. Smart casual dress may be appropriate for specific staff days or other activities as deemed by the School.
  - a high standard of personal grooming is expected at all times
  - the dress code applies to all staff.
  - clothing should be practical, professional and smart.
  - clothing should not be revealing – specifically no visible cleavage or midriff, lingerie/underwear or body piercing.
  - clothing should be appropriate to the activity undertaken eg sport, outdoor activities etc.
  - inappropriate footwear, eg thongs, open shoes should not be worn.
  - clothing should not display inappropriate or offensive logos, images or messages.
- Workplace Health & Safety issues should be observed throughout the whole school in particular when working in the grounds, laboratories, workshops and while on duty outdoors.
- Staff should exercise their duties with professionalism. Commitment to maintaining this standard would be indicated by the following conduct:
  - being punctual and meeting deadlines.
  - being thoroughly acquainted with all areas of responsibility.
  - striving for excellence and reflecting critically on practices.



- reporting accurately and professionally to parents on student performance.
  - accepting ownership and implementation of the School’s policies and practices.
  - being accountable for their own professional learning and practice.
- From time to time, staff members are approached by students, ex-students or former members of staff and asked to provide a reference. Staff are free at any time to provide a personal reference; however, it must not be written on the School’s letterhead or convey in any way that it is the opinion of the School. If the reference is to be provided on School letterhead or you wish to make reference to the School, then the draft must be cleared with the Principal.

#### 4.7 Information and Communication Technologies (ICT)

- If staff have a social networking site, they must not have current students as “friends”, nor should they communicate with students via the site. Social media sites and accounts should be kept private.
- If students invite staff to be ‘friends’ on social networking sites the staff member must not accept that invitation without the permission of the Principal or his delegate.
- Staff who use social networking outside of work should not identify themselves as a The John Berne School employee because conduct or comment which threatens the safety and welfare of children or damages the reputation of the School or the profession, even if outside work hours, could be in breach of this Code of Professional Conduct.
- Social interactions of a personal nature between staff and students outside of the School and School related activities can be problematic.
- Staff should not make telephone calls, or send emails or SMS (text) messages of a personal nature to students.
- Staff are expected to be aware of and keep within the established lines of communication within the School. Staff who communicate with students for professional purposes electronically must abide by the terms of the School’s ICT Policies.
- Transmission of messages or files which are sexually explicit or offensive is prohibited.
- If staff are concerned about the content of messages, then copies should be copied to parents.

## 5. Implications

*We encourage everyone working in our Marist ministry to undertake to abide by the standards appropriate to such a ministry and to put them into practice; to practise mutual support, respect, sharing and encouragement towards all in our School. In this we behave with openness and integrity.*

### 5.1 Clarification of the Code

If there is any conflict between this code and applicable legislation, the legislation will prevail. If an employee is in doubt about the interpretation of this code then the matter should be discussed with the Principal or Assistant Principal. If this matter cannot be clarified at a local level, the matter may be referred by the Principal to the Catholic Commission for Employment Relations.

### 5.2 Breach of the Code

- Any alleged breach of the School Code of Professional Conduct will be investigated and a finding made. The Formal Disciplinary & Grievance Procedures will be implemented to investigate the allegation/complaint. Each will be considered on its merits with due consideration to all of the facts and in the interests of due process and natural justice.
- Following the making of a finding the Principal will determine what, if any, action will be taken in response to that finding.
- Any allegation which alleges child abuse or other criminal conduct will be immediately reported to NSW Department of Family and Community Services (FACS) and/or NSW Police.

### 5.3 Risk Management

All staff should be aware of risks that arise in the School and take steps to minimise and eliminate those risks. Staff also need to appreciate that the School, in exercising its duty-of-care for students and staff, may from time to time require staff to conduct a risk assessment, having regard to the welfare of all.

### 5.4 Review of the Code

To maintain the currency and value of this Code it will be reviewed and updated as necessary.

## 6. Conclusion

Our sharing of the Marist Mission means that we all promote best possible practice within our ministries with young people. Consequently our focus and reference points in any situation, including times of disagreement and conflict, must be the welfare and interests of the young people whom we serve.

*'All to Jesus through Mary, and all to Mary for Jesus'.*

(The saying that guided St Marcellin Champagnat and was his rule of conduct throughout his life).