



# PRESHIL

THE MARGARET LYTTLE MEMORIAL SCHOOL

## CODE OF CONDUCT POLICY

*\*This policy was developed and is adopted by consensus of the School Council and Leadership at Preshil- The Margaret Lyttle Memorial School November 2017*

### RATIONALE

The Preshil Code of Conduct identifies a set of principles which describe the professional conduct, personal conduct and professional competence expected of a Preshil member of staff by their colleagues and the community.

### PURPOSE

The Preshil Code of Conduct codifies what is already common practice within the teaching profession. Its purpose is to:

- promote awareness to the values teachers see as underpinning their profession
- provide a set of principles which will guide teachers in their everyday conduct and assist them to solve ethical dilemmas
- affirm the public accountability of the teaching profession
- promote public confidence in the teaching profession.
- The Preshil Code of Conduct is not a disciplinary tool.

The Preshil Code of Conduct will not cover every situation. There may be policies or procedures set down by school or there may be specific issues that are covered by an industrial agreement or award.

Mutual respect is at the core of the Preshil philosophy and is based on our long-standing commitment to the empowerment of our students, staff and parent/carers by providing respect and safety within the rich diversity of school life.

According to “Ministerial Order No. 870- Child Safe Standards”

“School staff means:

- a) in a Government school, an individual working in a school environment who is:
  - i. employed under Part 2.4 of the ETR Act in the government teaching service; or
  - ii. employed under a contract of service by the council of the school under Part 2.3 of the ETR Act; or
  - iii. a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary).
  
- b) in a non-Government school, an individual working in a school environment who is:
  - i. directly engaged or employed by a school governing authority;
  - ii. a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary); or
  - iii. a minister of religion”. (Merlino, J, 2015, p5)

“Child abuse includes-:

- a) any act committed against a child involving
  - i. a sexual offence; or
  - ii. an offence under section 498(2) of the Crimes Act 1958 (grooming); and
- b) the infliction, on a child, of-
  - i. physical violence; or
  - ii. serious emotional or psychological harm; and
- c) serious neglect of a child”. (Merlino, J, 2015, p5)

## **SECTION 1: PROFESSIONAL CONDUCT**

Preshil teachers' and staff professional conduct is characterised by the quality of the relationships they have with their students, their students' parents (guardians and caregivers), families and communities and their colleagues. Preshil is working towards Safeguarding Children accreditation.

### **RELATIONSHIPS WITH STUDENTS**

#### **Principle 1.1: Teachers provide opportunities for all students to learn**

The main focus of teaching is student learning. Teachers demonstrate their commitment to student learning by:

1. knowing their students well, respecting their individual differences and catering for their individual abilities
2. maintaining a safe and challenging learning environment
3. accepting professional responsibility for the provision of quality teaching
4. recognising and developing each student's abilities, skills and talents to their full potential
5. considering all viewpoints fairly
6. communicating well and appropriately with their students.

#### **Principle 1.2: Teachers and staff treat all students with courtesy and dignity**

Teachers:

1. work to create an environment which promotes mutual respect
2. model and engage in respectful and impartial language
3. protect students from intimidation, embarrassment, humiliation or harm
4. enhance student autonomy and sense of self worth and encourage students to develop and reflect on their own values
5. respect a student's privacy in sensitive matters, such as health or family problems, and only reveal confidential matters when appropriate. That is:
  - if the student has consented to the information being used in a certain way
  - to prevent or lessen a serious threat to life, health, safety or welfare of a person (including the student)
  - as part of an investigation into unlawful activity
  - if the disclosure is required or mandated by law
  - to prevent a crime or enforce the law
6. refrain from discussing students' personal problems in situations where the information will not be treated confidentially
7. use consequences commensurate with those listed in the Preshil Behaviour Management Policy

#### **Principle 1.3: Teachers and staff work within the limits of their professional expertise**

In fulfilling their role, teachers carry out a wide range of responsibilities. They support students by knowing their strengths and the limits of their professional expertise. Teachers:

1. seek to ensure that they have the physical, mental and emotional capacity to carry out their professional responsibilities
2. are aware of the role of other professionals and agencies and when students should be referred to them for assistance
3. are truthful when making statements about their qualifications and competencies.

#### **Principle 1.4: Teachers and staff maintain objectivity in their relationships with students**

In their professional role, teachers do not behave as a friend or a parent. They:

1. interact with students without displaying bias or preference
2. make decisions in students' best interests
3. do not draw students into their personal agendas
4. do not seek recognition at the expense of professional objectivity and goals.

### **Principle 1.5: Teachers are always in a professional relationship with the students in their school, whether at school or not**

Teachers and staff hold a unique position of influence and trust that should not be compromised. They exercise their responsibilities in ways that recognise that there are limits or boundaries to their relationships with students. The following examples outline some of those limits.

A professional relationship **will** be compromised if a teacher or staff member:

1. has a sexual relationship with a student
2. uses sexual innuendo or inappropriate language and/or material with students
3. touches a student without a valid reason
4. holds conversations of a personal nature or has contact with a student via written or electronic means including email, letters, telephone, text messages or chat lines, without a valid context
5. accepts gifts, which could be reasonably perceived as being used to influence them, from students or their parents.
6. attends parties or socialises with students
7. invites a student or students back to their home, particularly if no-one else is present.
8. offers student a ride home without a valid purpose.

## **RELATIONSHIPS WITH PARENTS (GUARDIANS, CAREGIVERS), FAMILIES & COMMUNITIES**

### **Principle 1.6: Teachers and staff maintain a professional relationship with parents (guardians and caregivers)**

Teachers and staff should be respectful of and courteous to parents. Teachers and staff:

- a) consider parents' perspectives when making decisions which have an impact on the education or wellbeing of a student
- b) communicate and consult with parents in a timely, understandable and sensitive manner
- c) take appropriate action when responding to parental concerns.

### **Principle 1.7: Teachers and staff work in collaborative relationships with students' families and communities**

Teachers and staff recognise that their students come from a diverse range of cultural and religious contexts and seek to work collaboratively with students' families and communities within those contexts.

## **RELATIONSHIPS WITH COLLEAGUES**

### **Principle 1.8: Collegiality is an integral part of the work of teachers and staff**

Teachers and staff demonstrate collegiality by:

1. treating each other with courtesy and respect
2. valuing the input of their colleagues
3. using appropriate forums for constructive debate on professional matters
4. sharing expertise and knowledge in a variety of collaborative contexts
5. respecting different approaches to teaching
6. providing support for each other, particularly those new to the profession
7. sharing information relating to the wellbeing of students.

## **SECTION 2: PERSONAL CONDUCT**

### **Principle 2.1: The personal conduct of a teacher and staff member will have an impact on the professional standing of that teacher and staff member and on the profession as a whole**

Although there is no definitive boundary between the personal and professional conduct of a teacher, it is expected that teachers will:

1. be positive role models at school and in the community
2. respect the rule of law and provide a positive example in the performance of civil obligations
3. not exploit their position for personal or financial gain
4. ensure that their personal or financial interests do not interfere with the performance of their duties
5. act with discretion and maintain confidentiality when discussing workplace issues.

## **SECTION 3: PROFESSIONAL COMPETENCE**

### **Principle 3.1: Teachers value their professionalism, and set and maintain**

#### **High standards of competence**

Preshil Teachers:

1. are knowledgeable in their areas of expertise
2. are committed to pursuing their own professional learning
3. complete their duties in a responsible, thorough and timely way.

## **MANDATORY REPORTING**

**The Preshil School Council is the governing body of the school. The Preshil School Council agrees with and authorizes this policy.**

Principle 3.2: Teachers are aware of the legal requirements that pertain to their profession. In particular, they are cognisant of their legal responsibilities in relation to:

- Under section 182 of the Children, Youth and Families Act 2005, a person registered under the Education Training and Reform Act 2006, or who has been granted permission to teach under that Act, is designated as a mandatory reporter.
- Consequently, teachers must notify the Department of Human Services if they have formed the belief on reasonable grounds that:
- a child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- a child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

It should be noted that:

- a failure to notify the Department of Human Services (the Department) is an offence under the Children, Youth and Families Act
- the teacher must notify the Department as soon as practicable
- if the teacher notifies the Department in good faith, it is not unprofessional conduct by the teacher
- the teacher cannot be identified in court proceedings unless the court agrees or the teacher agrees. The court will only identify the teacher where it is necessary to protect the child or in the interests of justice. The Department cannot identify the teacher to anyone (except the police) unless ordered to by the court
- the Department has to investigate the notification as soon as possible and, after the investigation is finished, can only report to the child, parent or police
- in the past, the courts and the Victorian Civil and Administrative Tribunal have protected persons who have notified the Department of child abuse by suppressing their identity even where the abuse was shown, on investigation, not to have occurred.

**In particular, Teachers, Volunteers and staff at Preshil are cognisant of their legal responsibilities in relation to:**

- teacher registration.
- mandatory reporting
- Safeguarding Children in Schools Program
- discrimination, harassment and vilification
- negligence
- privacy
- occupational health and safety

## **Evaluation**

This policy will be reviewed as part of the School's three-year policy review cycle.