

# CODE OF CONDUCT POLICY FOR ALL STAFF



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## 1. Purpose

This Code of Conduct (the Code) is based on the principles, values and behaviours outlined in Hale School's (the School) Code of Ethics. The Code applies to all staff, contractors, their employees, and representatives. In addition, visitors, parents, volunteers are expected to conduct themselves in a manner consistent with the Code.

The Code applies the principles and values articulated in the Code of Ethics and outlines specific behaviours required or prohibited to ensure that staff act in accordance with the expressed standards, values and accountability prescribed in relevant legislation. This includes but is not limited to the Registration Standards and Other Requirements for Non-Government Schools in Western Australia, other Hale School policies and agreements. These principles and values are consistent with the School's Anglican heritage, and values.

## 2. Scope

This Code:

- a) Sets out the legal and ethical obligations and expectations of all staff, contractors, their employees and representatives, visitors, parents, and volunteers to act in accordance with the expressed standards of the School.
- b) Underlies the rights of employees, visitors, and volunteers to be treated fairly and equitably in the workplace and school environment.
- c) Provides appropriate avenues for resolving and addressing breaches of codes, policies, legislation, agreements, and procedures.
- d) Promotes confidence in the integrity and professionalism of the staff and the services offered by the School.
- e) Demonstrates the School's commitment to providing a child-safe environment.
- f) Demonstrates probity and fairness to mitigating any risk that staff will be unjustly accused of unprofessional or abusive conduct.
- g) Maintains Public trust and confidence in the School.

The Code of Conduct does not seek to address all possible situations or issues which staff are likely to face in the course of their employment at Hale School. It does not attempt to provide a rigid, detailed, and exhaustive list of what to do in every aspect of an employee's work. Instead, it sets out general expectations of the standards of behavior required and gives some examples of the types of behavior that are or are not acceptable. Where there is any doubt as to

the applicability of the Code or to the appropriate course of action to be adopted, staff are encouraged to promptly discuss the matter with their respective Line Managers.

## 3. Definitions

**Child Abuse** includes any form of physical abuse, sexual abuse, emotional, psychological abuse, and neglect.

Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or a child's caregiver. It may also be the result of putting a child at risk of being injured. Some examples are, hitting, shaking, punching, burning, and scolding.

*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. It includes sexual behavior in circumstances where:

- a) The child is the subject of bribery, coercion, threat, exploitation, or violence
- b) The child has less power than another person involved in the behavior
- c) There is significant disparity in the development function or maturity of the child and another person involved in the behavior.

*Emotional abuse* occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings. Examples of emotional abuse are humiliating and shaming a child or exposing a child to domestic violence.

*Psychological abuse* is repeatedly treating and speaking to a child in ways that damage the child's perceptions, memory, self-esteem, moral development, and intelligence. Examples include constantly belittling or shaming a child, constantly ignoring a child.

*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. Some examples are leaving a child alone without adequate supervision, not providing medical help to a child when it is required.

**Conflict of Interest** is a situation which has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest.

**Corporal Punishment** as defined in the Guide to the

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Registration Standards and Other Requirements for Non-Government Schools (the Guide) is 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.

**Degrading Punishment** as defined in the *Guide* is any punishment which is incompatible with respect for human dignity, including corporal punishment and on-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares, or ridicules the child

**Gifts** may include but are not limited to the following examples: money, jewelry, equipment, tickets to a concert or sporting game, sponsorship of an event, clothing, bags, flights, tours etc.

**Grooming** in the context of child protection, is the subtle, gradual, and escalating process, deliberate and purposeful, of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator. See Appendix for more information.

**Mandatory Reporting** is the legal requirement for teachers, nurses, persons of religious ministry, psychologists, school counsellors and boarding supervisors to make a report of child sexual abuse to the Department of Communities when a belief is formed, based on reasonable grounds, that sexual abuse has occurred or is occurring.

**Reportable Conduct** is sexual misconduct, sexual offences, physical assault of a child, neglect of a child and/or behaviour that causes significant emotional or psychological harm to a child which must be reported by the Head of an Organisation to the WA Ombudsman under the provisions of the Reportable Conduct Scheme.

**Misconduct** is defined to be any improper or unacceptable conduct:

1. Which fails to meet the requirements of relevant regulations, codes of conduct, policies,

procedures or all lawfully given directions (verbal or written) and

2. Has potential to cause a risk to safety and health.

## 4. Applicability

As per the Child Safe Policy, the School is committed to providing a child-safe environment which safeguards students from all forms of abuse and promotes practices which provide for the safety, well-being and welfare of children and young people. Hale expects all school community members including staff, volunteers, students, visitors, and contractors to share this commitment.

The Code of Conduct forms part of Hale School's contract with its staff and applies to all employees whether full time, part time or casual. Visiting staff and volunteers while participating in the life of the school community are also expected to act in a manner consistent with the conduct obligations detailed in this Code. The Code applies to persons engaged by the School as external contractors or consultants while they are involved in School commissioned work.

## 5. Breaches of the Code of Conduct

Nothing in this Code should be taken to limit the circumstances in which the School may take disciplinary action in respect to an employee under the provisions of the School's enterprise agreements and the School Policy on Managing Misconduct.

All alleged breaches of the Code of Conduct will be subject to scrutiny and if substantiated will result in a range of possible actions. The consequences of inappropriate behaviour and breaches of this Code will depend on the nature and seriousness of the breach, the likelihood of the breach recurring, whether the staff member(s) committed the breach more than once, the risk the breach poses to employees, students, or others. Possible consequences include management or remedial action, training, or disciplinary action such as a warning, suspension or termination of employment.

All allegations of grooming will be reported by the School to the Teachers' Registration Board (where a teacher is involved) and the Department of Education as a critical incident.

Any potential illegal activity will be reported to the Police and appropriate action will be taken by Senior

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Management.

Staff must report all behaviour which comes to their attention that is not permitted by the Code to the Headmaster or a designated senior staff member or the Chair of the School's governing body if the prohibited behaviour is by the Headmaster. If a mandatory report is required to be made, this should be done and then subsequently reported to the Headmaster or the Chair of the School's governing body if the report is in relation to the Headmaster.

The Headmaster will report all allegations of Reportable Conduct to the WA Ombudsman, undertake an investigation and report back on the outcome.

## 6. Principles

It is expected that all visitors, parents, volunteers, staff, contractors, their employees, and representatives will uphold the School's Code of Ethics by adhering to the following principles:

### 6.0. Always acting in a manner that expresses respect, responsibility (personal and professional), integrity and a commitment to service and excellence.

#### 6.1. Understand and comply with the School's legislative framework

- Understand and comply with all statutory and industrial requirements applicable to the School and all School policies and procedures.
- Be willing to seek advice and clarification on queries from a Line Manager.
- Comply with all lawful directions and instructions.

#### 6.2. Act honestly and in good faith

- Ensure conduct during and outside working hours is consistent with the ethos of the School and does not damage the reputation of the School.
- Appropriately exercise positional and supervisory authority and responsibility, respecting the dignity, rights and entitlements of students and staff.
- Act responsibly on becoming aware of possible unethical behaviour or wrongdoing by a fellow staff member. This may include reporting to the Department of Communities and reporting to the Teachers Registration Board, the Director General of the Department of Education and/or

the Police, the Headmaster and Head of School.

#### 6.2.1. Identify, declare, and manage conflicts of interest

- Always act in the School's best interests and avoid all situations in which a potential or actual conflict of interest arises in relation to the performance of a staff member's duties.
- Declare any real or perceived conflict between your own financial or personal interests and the School's interests.
- Request and obtain from the Headmaster written approval prior to engaging in any form of paid secondary employment or private profit making business activity outside your official school duties.
- Report any situation to the Headmaster where a superior or a colleague with an identified conflict seeks to unduly influence a decision.

#### 6.2.2. Declare gifts and benefits

- Base any decision in relation to the acceptance of a gift on the value of the gift, the perceived benefit and purpose of the gift.
- Report all gifts with a value exceeding \$300.00 to a Line Manager or the Headmaster.

#### 6.2.3. Maintain accurate and complete records

- Create and maintain complete and accurate records of activities, decisions, and business transactions.
- Appropriately capture and store records in Synergetic.
- Destroy or appropriately archive School records in strict accordance with the School's archival records management policies.

#### 6.2.4. Respect copyright and intellectual property laws

- Ensure the intellectual property rights of others are not infringed when creating new materials.
- Exercise caution and seek advice to avoid inadvertently assigning or giving away the School's intellectual property.
- Do not use or misuse the School's intellectual property for private purposes.
- Seek appropriate permissions to distribute the School's resources to external individuals and groups.

#### 6.2.5. Adhere to Privacy and Confidentiality requirements

- Comply with the stringent legal requirements

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associated with the collection, release, and privacy of information.

## **6.2.6. Uphold the policy on use of Drugs, Alcohol and Tobacco**

- Ensure capacity to perform one's duties is not impaired by alcohol and drugs and that the use of such substances does not risk one's health and safety or the health and safety of others.
- Understand and comply with no 'vaping' or smoking boundaries on School premises which include buildings, sports fields, car parks, gardens, and all facilities.

## **6.3. Demonstrate Respect and Courtesy**

- Be respectful, courteous, and responsive in dealing with colleagues, students, parents, and members of the public.
- Demonstrate compassion and sensitivity to the needs of others, their dignity, and their aspirations.
- Avoid discrimination which is any practice that makes distinctions between individuals or groups to disadvantage some people and advantage others because of an attribute such as age, sex, race, religion.
- Refrain from sexual harassment such as an unwelcome sexual advance, unwelcome request for sexual favours or any unwelcome conduct of a sexual nature such as physical touching, staring, leering, stalking etc.

## **6.4. Maintain Professional relationships with students**

- Interact with students in a manner that is always polite, does not compromise professional integrity and maintains appropriate boundaries.
- Make classroom expectations explicit, reinforce these and be consistent.
- Understand that all forms of corporal and/or degrading punishment are prohibited.
- Ensure knowledge and understanding about your responsibilities in relation to physical contact with students.

## **6.5. Maintain Professional relationships with parents and caregivers**

- Deal with parents and caregivers in a manner which upholds your professional integrity and ensures a sound educational partnership between the School and family.

## **6.6. Demonstrate Duty of Care and commitment to**

## **Occupational Safety & Health Policies**

- Take all reasonable steps to protect students from risk of harm.
- Provide adequate supervision, implement strategies to prevent bullying, provide or arrange for the provision of medical assistance as required to an injured or sick student.
- Ensure School premises and equipment are clean, safe, and suitable for use.

## **6.7. Adopt and consistently demonstrate Good Teaching Practice**

- Consistently deliver a high standard of quality teaching.
- Recognise the diversity of learning abilities and styles and make every effort to help all students achieve success and realize their full potential.
- Seek out and maximize the benefits of all professional development opportunities.
- Work co-operatively and collegially with fellow staff to share knowledge, ideas, and experiences.

## **6.8. Make appropriate use of funds, assets, electronic communication, and social networking sites**

- Ensure efficient and effective use of School resources, act as responsible stewards of School funds, make commitments and payments in accordance with relevant policies.
- Comply with the Schools Information and Communications Technology and Social Networking Policies.

## **Related Legislation**

- School Education Act 1999
- School Education Regulations 2000
- The Teachers Registration Act 2012
- Corruption and Crime Commission Act 2003
- Working with Children (Criminal Record Checking) Act 2004
- Fair Work Act (2009)
- Human Rights and Equal Opportunity Commission Act (1986)
- Reportable Conduct Scheme
- Sex Discrimination Act (1984)
- Western Australian Equal Opportunities Act (1984)
- Work Health and Safety Act 2020 (WA)

## **Related Policies and Resources**

- Code of Conduct for all Staff – How to Comply
- Code of Ethics Policy
- Child Safety Policy

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- Child Protection and Mandatory Reporting Policy

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Policy Version
5
Changes Made
Additions to list of mandatory reporters Addition of definition of Reportable Conduct and the requirement of the Headmaster or delegate to report to the WA Ombudsman all such allegations, undertake an investigation and report back on the outcome. Addition of requirement to be equipped with knowledge and understanding of responsibilities in relation to physical contact with students.



# APPENDIX

## Understanding Grooming Behavior

Grooming in a child protection context refers to deliberate actions undertaken to engage in sexual activity with a child. It differs from sexual abuse in that it is primarily a preparatory activity occurring before abuse occurs but is continued during and after the abuse to ensure the safety of the groomer.

Grooming is a subtle, gradual, and escalating process of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator- this generally involves engaging in sexual activity with the child. It is deliberate and purposeful and occurs both before and after the abuse. Abusers may groom children and supporting adults for weeks, months, or even years before any sexual abuse takes place. The grooming may occur in person, via cyber media and/or other forms of communication.

A committed offender will employ grooming behavior from an early stage and because it is so subtle and gradual the child may not even be aware that the actual abuse when it occurs, is wrong or harmful. The grooming occurs with the child but also with those supporting networks around the child which might normally act as a deterrent or protective element. The perpetrator will invest significant energy and patience to minimize the risk of detection and exposure. The groomer will employ manipulation, guilt, shame, bribery, coercion or exploit low self-esteem to psychologically manipulate the child. As a result, the child becomes increasingly dependent on the groomer and increasingly alienated from protective elements including possible sources to disclose to. This is a deliberate strategy employed to maintain the secrecy of the abuse and to ensure the silence of the child.

The groomer will exploit any vulnerabilities of the protective elements around the child, including parent and family circumstances and school systemic weaknesses. Groomers are very adept at identifying anomalies, boundary ambiguities and any lack of systemic awareness, and then using them to deflect attention from their own actions and intentions.

While distinguishing between appropriate intent and inappropriate intent is often difficult, particularly for a child, it is essential that schools have very clear expectations and boundaries around employee behaviors so that there can be rigorous accountability when dealing with staff.

Schools must work to improve their knowledge and understanding in this area, so they are able to challenge existing practice, recognize unprofessional behavior and build a shared understanding of what a safe school is.

Further information for understanding grooming behaviour, see also [PublishedDoc.aspx \(trb.wa.gov.au\)](https://www.trb.wa.gov.au/PublishedDoc.aspx)

### Grooming behavior with children may include, but is not limited to:

- Selecting and befriending a child and gaining his or her trust and then exploiting the child's vulnerabilities.
- Testing a child's boundaries through telling inappropriate jokes, roughhousing, backrubs, tickling, or sexual games.
- Moving from non-sexual touching to "accidental" sexual touching. This typically happens during play, so the child may not even identify it as purposeful, inappropriate touching. It is often done slowly so the child is gradually desensitized to the touch.
- Manipulating the child to not tell anyone about what is happening. The abuser may use a child's fear, embarrassment, or guilt about what has happened. Sometimes, the abuser uses bribery, threats, or coercion.
- Causing the child to feel responsible for the abuse. Children may not notice or may become confused as the contact becomes increasingly intimate and sexual.

### Grooming behavior with adolescents may include additional strategies, such as:

- Identifying with the adolescent. The abuser may appear to be the only one who understands him/her.
- Displaying common interests in sports, music, movies, video games, television shows, etc.
- Recognizing and filling the adolescent's need for affection and attention.
- Giving gifts or special privileges to the adolescent.
- Allowing or encouraging the adolescent to break rules (e.g., smoking, drinking, using drugs, viewing pornography).

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- Communicating with the adolescent outside of the person's role (e.g., teacher, or coach). This could include, for example, texting or emailing the teen without the parents' knowledge.

## **Grooming deflection strategies**

In addition to grooming the child, the groomer will use deflection strategies to remain unchallenged. Some of these strategies may include actions such as:

- Promoting their self and creating a reputation as caring, child-loving, competent, available, trustworthy, truthful.
- Raising doubts about the motives, mental health, reliability of the child or anyone else who might approach support services with allegations.
- Fostering dependency as someone the family can rely on.
- Positively representing child to others to be perceived as someone who would never harm the child.

## **Preventing or interrupting the grooming process**

Schools unfortunately provide a vast array of opportunities for groomers to enact the grooming process. Some abusers have a preference for children within particular age bands and some studies have shown that groomers will take child focused employment primarily to get access to a particular cohort of children.

Within a school context, holding all staff members accountable to the school Code of Conduct and challenging boundary crossings and violations is one of the most effective strategies to combating grooming behavior.