

# CODE OF CONDUCT-STAFF POLICY



We believe in maintaining an inclusive and welcoming environment and workplace that motivates and facilitates personal growth and development for staff and educators. The values that underpin our work ethic include equality, respect, integrity, and responsibility. The Farmhouse Montessori School is committed to adhere to the ECA Code of Ethics (2016) which is based on the principles of the United Nations Convention on the Rights of the Child (1991) and provides a framework for the reflection about the ethical responsibilities of early childhood professionals

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.1	Service philosophy and purpose	A statement of philosophy guides all aspects of the service's operations.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
168	Education and care services must have policies and procedures

## PURPOSE

The Farmhouse Montessori School Code of Conduct/Ethics is intended to be made available to the school's staff at the commencement of their employment (e.g. preferably around induction and training) and it is to be available and/or provided to staff during the course of their employment or involvement with the school. The Code forms comprehensive directions to these employees or other workers as to the expected standard of behaviour. This Code is intended to apply to all employees and contractors and volunteers in their work with the school. We aim to establish a common understanding of workplace standards and ethics expected of all employees of the School. We aim to ensure positive working relationships are formed between all educators and management, promoting dignity and respect by avoiding behaviour, which is or may be perceived as harassing,

bullying or intimidating. Educators and management will always conduct themselves in an ethical manner and strive to ensure that all interactions are positive and respectful and are in accordance with the Service's philosophy.

## SCOPE

This policy applies to staff, management and visitors to the school.

## IMPLEMENTATION

The Approved Provider, Nominated Supervisor, Educators and Staff, Volunteers and Students will adhere to the Early Childhood Australian Code of Ethics, National Regulation & Quality Standard, & NESA Registered & Accredited Individual Non-government Schools (NSW) Manual and School policies and procedures at all times, promoting positive interactions with the School and the local community.

### Respect For People And The School

- Employees and School Board are committed to the School philosophy and values, inclusive of best practice in early childhood education & NESA and building positive partnership with children, families and staff.
- Effective, open and respectful reciprocal communication and feedback between employees, children, families and School Board is conveyed
- It is important to treat colleagues, children and families with respect. Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening or derogatory language or intimidation towards other employees, children, visitors or families is unacceptable and will not be tolerated.
- Employees are committed to valuing and promoting the safety, health and wellbeing of employees, volunteers, children and families.
- Employees are committed to an Equal Opportunity workplace and culture which values the knowledge, experience and professionalism of all employees, team members and managers, and the diverse heritage of our families and children.

## AIM

***The aim of this Code is to outline the standards of behaviour expected of all employees of the Farmhouse Montessori School. This Code of Conduct applies to all employees of Manly Warringah Montessori Society t/a The Farmhouse Montessori School whether employed on a permanent, temporary or casual basis***

This *Code* does not attempt to provide a detailed and exhaustive list of what to do in every aspect of your work. Instead, it sets out general expectations of the standards of behaviour required.

The *Code* places an 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.

## WHO HAS TO COMPLY WITH THE CODE OF CONDUCT?

By accepting employment with the Farmhouse Montessori School, you must be aware of and comply with this *Code*.

Therefore, you must:

- Conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the School
- Comply with the School's policies and procedures;
- Act ethically and responsibly; and
- Be accountable for your actions and decisions.

## Contractors and Volunteers

Contractors, consultants and volunteers working with the School must be aware of this *Code* and conduct themselves in a manner consistent with the conduct described in it. Conduct that is not consistent with the conduct set out in this *Code* may result in the engagement of a contractor, consultant or volunteer being terminated. If you are engaging or managing external consultants, contractors or volunteers, it is your responsibility to make them aware of the School's expectations of conduct during the period of their engagement.

## General

This *Code* is not intended to be contractual in nature and does not impose any contractual obligations on the School. The School reserves the right at its sole discretion to vary or cancel this *Code* at any time.

Nothing in this *Code* should be taken to limit the circumstances in respect of which the School may take disciplinary action in respect of an employee. As an employee, you should be aware of the Farmhouse Montessori School's policies and

procedures, particularly those that apply to your work. Many of these are available online; at the school in the reception area at Nth Balgowlah and in the office at Nth Head. Others may be made available to you through induction and training and development programs. If you are uncertain about the scope or content of a policy with which you must comply, you should seek clarification from 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. A copy of this legislation will be provided to you on request via email- This is the Independent Schools NSW (Support & Operational Staff Multi Enterprise Agreement 2017 Award or The Independent School NSW (Teachers)(Hybrid Model) Multi Enterprise Agreement 2017.

### WHAT IS EXPECTED OF YOU AS AN EMPLOYEE?

As a School employee, you are expected to:

- a) perform your duties to the best of your ability and be accountable for your performance;
- b) Employees will ensure their work is carried out proficiently, harmoniously and effectively. They will act in a professional and respectful manner at all times whilst at work, giving their full attention to their responsibilities and adhering to all School policies, procedures, laws, regulations and National Quality Standard.
- c) Employees will act honestly and exercise attentiveness in all School operations. They will carry out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain they can seek advice from the Nominated Supervisor, Approved Provider or the Ombudsman.
- d) Employees will have a solid understanding of the School's policies and procedures, if uncertain about the content of any policy or procedure with which they must comply; employees should seek clarification from the Principal/Nominated Supervisor or Approved Provider.
- e) School Board will inform employees about essential information and make documents readily accessible to them.
- f) Employees will be courteous and responsive when dealing with colleagues, students, visitors, children and families.
- g) Employees will work collaboratively with colleagues
- h) Employees will be mindful of their duty of care towards themselves and others
- i) Employees will be positive role models for children at all times
- j) Employees will respect the rights of all children
- k) Employees will respect the confidential nature of information gained about each child participating in the program.
- l) follow reasonable instructions given by your supervisor or their delegate;
- m) act honestly and in good faith in fulfilling your duties;
- n) be courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- o) work collaboratively with your colleagues; and
- p) 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.
- q) Follow the guidelines listed in regard to emailing/communication

### WHAT HAPPENS IF I BREACH THE CODE OF CONDUCT?

As a School employee, you hold a position of trust and are accountable for your actions.

The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.

Employees should report possible breaches by colleagues to their Principal. If the possible breach is by their Principal then it should be reported to the Chairman 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;
- (d) the risk the breach poses to employees, students or any others; and
- (e) 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 will reserve the right to determine in its entirety the response to any breach of this Code.

## REQUIRED REPORTING

Employees are required to report certain information to the School. All employees are required to inform the Principal if they are charged with or convicted of a serious offence that may affect their employment with children. You must also inform the Principal if you become the subject of an Apprehended Violence Order.

- a) the school will also be notified by the NSW Office of the Children's Guardian of any change to your Working with Children Check clearance. It is an offence to work with Children without the proper clearance or to keep this any change of criminal history from your employer.

If, through your employment with the School, you become aware of a serious crime committed by another person, you are required to report it to the Principal, who may be required to inform the police.

As a School employee, you must report to the Principal:

- a) any concerns that you may have about the safety, welfare and wellbeing of a child or young person;
- b) any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people;
- c) any concerns you may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to you; and
- d) if you become aware that an employee, contractor or volunteer has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving 'reportable conduct'; and
- e) if you become the subject of allegations of 'reportable conduct' whether or not they relate to your employment in the School.
- f) if you're Working With Children Check clearance is cancelled or if you are or become a *disqualified* person from working or volunteering with children.
- g) Management will report any allegations or child related misconduct to Child Protection (or reporting authority within your state).

You should refer to the School's *Child Protection Policy* for further information about these obligations.

## RESPECT FOR PEOPLE

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, courteous and prompt in dealing with other people, including students, parents, other employees and members of the community.

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

Similarly, it is important for you to treat your colleagues, other employees, contractors, students and parents with respect. Rude or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, intimidating or derogatory language and physical abuse or intimidation towards other employees, contractors, students and parents is unacceptable. You must not use information and communication technologies, such as email, mobile phones, text or instant messaging, blogs, social media sites and other websites to engage in this type of behaviour.

You must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent. Your obligations in this regard, including the list of unlawful reasons, are set out in the School's Anti-Bias Policy as well as the Anti Bullying Policy. Unlawful harassment or discrimination may constitute an offence under the *Anti-Discrimination Act 1977* or federal discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.

You should ensure that you are aware of the School's *Grievance & Anti-Bias Policies*. If you believe you are being unlawfully harassed or discriminated against or bullied:

- a) Where you feel comfortable ask the person to stop, or make it clear that you find the behaviour offensive or unwelcome. It may be useful to speak with your supervisor or Department Head in the first instance to seek guidance on how to do this; and/or
- b) Raise the issue as a grievance in accordance with the School's as soon as possible after the incident(s) have occurred.

The School takes reports of unlawful discrimination and harassment or bullying seriously and will consider action it considers appropriate if such conduct is found to have occurred including disciplining or dismissing offenders. Many incidents can be addressed effectively if reported early.

If you lie about or exaggerate a complaint, the School will view this as a very serious matter, and you may be disciplined or dismissed.

#### MANAGING CONFLICT IN THE WORKPLACE

- Management will remain objective and impartial when managing conflict in the workplace.
- Management have a responsibility to address a possible breach of the code of conduct by any employee as soon as they are aware of the breach.
- Allegations will be investigated and can result in remedial action, or disciplinary action ranging from a caution to dismissal.
- Management will consider all relevant facts and make decisions or take actions fairly, ethically, consistently, and with transparency. If they are uncertain about the appropriateness of a decision or action they will consider:
  - whether the decision or conduct is lawful
  - whether the decision or conduct is consistent with Service policies and objectives
  - whether there will be an actual, potential, or perceived conflict of interest involving obligations that could influence the business relationship or conflict with business duties.

#### DUTY OF CARE AND WORK HEALTH AND SAFETY

As a School employee, you have a duty of care to students in your charge to take all reasonable steps to protect students from risks of harm that can be reasonably predicted.

The duty encompasses a wide range of matters, including (but not limited to):

- a) The provision of adequate supervision
- b) Ensuring grounds, premises and equipment are safe for students' use
- c) Implementing strategies to prevent bullying from occurring in 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

- Management and employees have a responsibility to take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with the work health and safety legislation outlined in the *Work Health and Safety Policy*.
- Duty of Care relates to both physical and psychological wellbeing of individuals.
- Management and employees must provide adequate supervision of children at all times and ensure the health, safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted.

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 the School's policies on *Duty of Care, and Excursions*.

#### Work health and safety

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

Considerations of safety relate to both physical and psychological wellbeing of individuals.

Staff are recommended to wear closed toe shoes at all times whilst on premises. This corresponds with the *work health and safety* requirements and the school's overall code of conduct. If staff opt to wear open toe shoes, this is in breach of the

school's recommendations and therefore the teachers and all other staff do this at their own risk, leaving no liability with the school.

You should ensure that you are aware of the School's *Work Health & Safety Policy QA2*.

### **Supervision of students**

You should take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury.

You should be familiar with and comply with the School's evacuation procedures.

Students should not be left unsupervised either within or outside of class. You should be punctual to class and allocated supervision.

You should remain with students at after school activities until all students have been collected. In the event that a student is not collected you should remain with the student until collected, or seek advice from your supervisor.

Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. You should actively supervise your designated area, being vigilant and constantly moving around.

You should be alert to bullying or any other form of discriminatory behaviour, and report incidents to the appropriate staff member. Additional detail about student bullying is set out in the *Anti-Bullying Policy*.

Ill or injured students should be attended to by the supervising staff member. Should additional assistance be required you should contact the parents of the child and or if advised by the authorised supervisor an ambulance.

You should ensure that you understand and comply with the School's policy in regard to the storage and administration of prescribed medication to students (see *Medication Policy*).

## **EXPECTATIONS OF LEADERS AND MANAGEMENT**

In addition to the above responsibilities, leaders and management are expected to:

- Promote a collaborative and interconnected workplace by developing a positive working environment where all employees can contribute to the ongoing continuous improvement of the Service.
- Promote leadership by working with employees and providing opportunities for professional development and growth.
- Provide flexible opportunities to ensure all employees can participate in staff meetings and professional development.
- Provide ongoing support and feedback to employees.
- Keep employees informed about essential information and any relevant changes and make all documents readily accessible to them.
- Ensure copies of the ECA Code of Ethics is available to staff and families.
- Model professional behaviour at all times whilst at the Service.
- Implement supportive and effective communication systems, consulting employees in appropriate decision making.
- Take appropriate action if a breach of the code of conduct occurs.
- Share skills and knowledge with employees.
- Give encouragement and constructive feedback to employees, respecting the value of different professional approaches.

## **PROFESSIONAL RELATIONSHIPS BETWEEN EMPLOYEES AND STUDENTS**

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 observe the School's child protection policies

### **Supervision of students**

You should avoid situations where you are alone in an enclosed space with a student. Where you are left with the responsibility of a single student you should ensure that this is in an open space in view of others. Where this is not possible or practical it should be discussed with your supervisor and/or the Principal.

You should never drive a student in your car unless you have specific permission from your supervisor and/or the Principal to do so. In the event of an emergency you should exercise discretion but then report the matter to your supervisor.

If you wish to conduct a private conversation with a student you should consider the time and venue carefully to avoid placing yourselves in a vulnerable situation. It is preferable to leave the door open. You should not locate yourself between the student and the door.

When confiscating personal items, such as mobile phones or hats, ask students to hand them to you. Only take items directly from students in circumstances where concern exists for the safety of the student or others and your own safety is not jeopardised by this action

#### **Physical contact with students**

You must not impose physical punishment on a student in the course of your professional duties.

When physical contact with a student is a necessary part of the teaching/learning experience you must exercise caution to ensure that the contact is appropriate and acceptable. You should seek reassurance from the student by asking for a volunteer if necessary, to demonstrate a particular activity.

Attention to the toileting needs of young children should be done with caution. It may be appropriate to have the door open. For students with a disability the management of toileting needs should be included in the student's individual management plan.

When congratulating a student, a handshake, pat on the shoulder or brief hug are acceptable as long as the student is comfortable with this action. Kissing of students is not acceptable.

Assessing a student who is injured or ill may necessitate touching the student. Always advise the student of what you intend doing and seek their consent.

Sometimes in ensuring duty of care you may be required to restrain a student from harming him or herself or others using reasonable force. Any such strategy must be in keeping with the School's behaviour management practices or individual student management plans. You should report and document any such incidents.

#### **Relationships with students**

You must not have a romantic or sexual relationship with a student. It is irrelevant whether the relationship is homosexual or heterosexual, consensual or non-consensual or condoned by parents or caregivers. You are reminded of:

- (a) the law prohibiting sexual relations with a person under the age of consent (16 years); and
- (b) the law prohibiting sexual relations between a teacher and their student under the age of 18 years.

You must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student. An overly familiar relationship with any student (including any adult student) that you are responsible for teaching, tutoring, advising, assessing, or for whom you provide pastoral or welfare support raises serious questions of conflict of interest, trust, confidence, dependency, and of equality of treatment. Such relationships may also have a negative impact on the teaching and learning environment for other students and colleagues, and may carry a serious reputational risk for the School.

If you consider that a student is being overly familiar, seeking to establish a personal relationship with you or has developed a 'crush' on you, you should report your concerns to your supervisor and/or the Principal as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.

At all times when speaking with students care must be taken to use appropriate language. You must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.

You may, as part of your pastoral care role, engage in discussion with students. This is entirely appropriate. However you must be cautious about making personal comments about a student or asking questions that probe your own or a student's sexuality or relationships. You must not hold conversations with a student of an intimately personal nature where you disclose information about yourself.

You must not:

- (a) invite students to your home;
- (b) visit students at their home; or
- (c) attend parties or socialise with students,

unless you have the express permission of the Principal and their parents or care giver.

You must not engage in tutoring or babysitting students from the School without the express permission of the Principal.

You must not invite students to join your personal electronic social networking site or accept students' invitations to join their social networking site (see Section 7 - Appropriate use of electronic communication and social networking sites).



You must not give gifts to students. You should also carefully consider your position before accepting any gift from a student (see Section 10 - Declaring gifts, benefits and bribes)

Wherever practical, you should avoid teaching or being involved in educational decisions involving family members or close friends. Where it is not practical to avoid such situations completely, another member of staff should make any significant decisions relating to the student's assessments and have those endorsed by a supervisor.

You should be aware of, and sensitive to, children with culturally diverse or indigenous backgrounds and cultural practices that may influence the interpretation of your behaviour.

### **Child protection**

You must be aware of and comply with the School's *Child Protection Policy*.

As set out in Chapter 3 you must report any concerns you may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to you to the Principal. This includes self disclosure if the allegation involves you.

Broadly, 'reportable conduct' includes:

- (a) any sexual offence, or sexual misconduct, committed against, with, or in the presence of, a child (including a child pornography offence); or
- (b) any assault, ill-treatment or neglect of a child; or
- (c) any behaviour that causes psychological harm to a child, whether or not the child consents.

Reportable conduct does not extend to:

- (a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards, or
- (b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures; or
- (c) conduct that is exempted from notification by a Class or Kind Agreement<sup>1</sup>.

For further information about 'reportable conduct' see the School's *Child Protection Policy*.

The requirements outlined in Chapter 6 in relation Supervision, Physical Contact and Relationships with Students set professional boundaries in relation to your behaviour. They make clear what behaviour is unacceptable and could amount to reportable conduct.

### **The Working With Children Check**

The Working With Children Check is a prerequisite for paid and unpaid child-related work. Under Part 2, section 6 of the *Child Protection (Working With Children) Act 2012*, child-related work is defined as work in a specific child-related role or face-to-face contact with children in a child-related sector<sup>2</sup>.

You must have a Working With Children Check clearance which will be valid for a period of five years. You are responsible for renewing your Working With Children Check every five years.

### **APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES**

The School provides electronic communication facilities for its students and employees for educational or administrative purposes. It monitors and views data stored or transmitted using the School's facilities. By its nature, electronic communication is a fast and informal way of communicating. However, once a document or image has been sent there is no way to recall it and it exists forever.

You must comply with the School's *Information Technology Use Policy*. This includes:

- (a) exercising good judgment when using electronic mail, following the principles of ethical behaviour;

A Class or Kind Agreement is an agreement between the Ombudsman and an agency (eg the Association of Independent Schools of NSW on behalf of its member schools) that allows for certain kinds of less serious reportable conduct to be exempted from notification to the Ombudsman but the Head of Agency must still conduct a workplace investigation.

If you are already in paid child-related work, or you are a volunteer, you will be phased in over a five year period commencing 15 June 2013, according to schedule provided by the Office of the Children's Guardian.



- (b) using appropriate and professional language in electronic mail messages;
- (c) being aware that if an issue addressed in an email becomes the subject of a legal dispute, then those emails would be discoverable: that is, the court and all parties to the dispute would be entitled to see them;
- (d) not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
- (e) not inviting students into your personal social networking site or accept an invitation to theirs;
- (f) not using social networking sites to email or contact students;
- (g) remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and
- (h) reporting any situations where you become aware of the inappropriate use of electronic communication and social networking sites.

You must never use the School's networks to view, upload, download or circulate any of the following materials:

- (a) sexually related or pornographic messages or material;
  - (b) violent or hate-related messages or material;
  - (c) racist or other offensive messages aimed at a particular group or individual;
  - (d) malicious, libellous or slanderous messages or material; or
  - (e) subversive or other messages or material related to illegal activities.
- Staff members who have a personal Facebook account are not permitted to post any negative comments relating to the School, children, colleagues, or families. If they choose to 'like' the School's page they have a responsibility to ensure that their profile picture is an appropriate representation of an early childhood Educator/Primary Teacher. If it is not, we request that they do not 'like' the page.
  - Staff members are to use their own personal discretion when adding a family of the School as a 'friend' on Facebook. The School does not recommend staff to add families of the School as they will be seen still as a representative of the School and held to the School's Code of Conduct on all posts on their private 'wall' if families have access.
  - Families are asked in our *Social Media Policy* to respect that staff may have a personal policy on adding families due to their professional philosophy and that the School does not recommend staff to have families as friends on their private account.
  - Staff members are not permitted to request the 'friendship' of families from the School.

#### PERSONAL PHONE CALLS/MOBILE PHONES/SMART WATCHES

We are mindful that Educators have a duty of care to ensure children are protected from potential risk of harm. It is imperative that all employees of the School provide children with their full attention, ensuring supervision is maintained and remains on the children.

- Employees are not authorised to use the School's phones for personal reasons unless in the case of an emergency or with permission from management.
- No personal mobile phones are to be used, checked or brought on the floor during working hours unless prior approval has been authorised..
- Mobile phones are to be kept inside employee's bags which will be placed in a designated, secure location for safe keeping.
- Employees are not permitted to use smartwatches to access emails and social media during working hours. Smart watches are only to be used for viewing the time.
- If it becomes apparent that Educators are using their Smart watches to check and respond to messages during work hours, they will be asked to either leave them at home or place in a their locker / bag until the end of the day.
- Personal mobile phones and Smart watches may be used during shift breaks when employees are free from work and supervision duties. They are not to be used in general sight of children, unless a situation arises where there is an emergency.

- Personal mobile phones are not to be used to take photos of children as this is a breach of children's privacy. (School mobile phones or iPads may be used if it's for the purposes of 'observations' etc.)
- Children are at no time to be given access to staff mobile phones.
- No personal mail or deliveries should be directed to the School unless prior approval has been granted by the Nominated Supervisor/management.
- Educators and staff are not to contact families or children of the School for personal reasons.
- If, for personal reasons a staff member needs to remain contactable from someone outside the School they should ensure that the situation is explained to management and that the School's primary contact details are passed on to the persons/family outside the School.

### USE OF ALCOHOL, DRUGS AND TOBACCO

Work Health and Safety 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.

Our school is bound by the Education and Care National Regulations. As such, alcohol drugs, or other substance abuse by employees can have serious adverse effects on their own health and the safety of others. As such, all employees must not:

As a School employee, you must:

- not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
- not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;
- notify your supervisor if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
- take action to resolve any alcohol or other drug-related problems that you have; and
- consult with your supervisor or Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

#### Drugs

As a School employee, you must not:

- have illegal drugs in your possession while at work. Any illegal drugs found on School property or in the possession of any person on School property may result in disciplinary action including the termination of your employment and referral to the Police;
- give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
- supply or administer prescription or non-prescription drugs to students unless authorised to do so.

#### Alcohol

You must not take alcohol to School or consume it during School hours or at any School function at any time School students are present, including those events conducted outside School premises unless expressly permitted to do so by the Principal. A School function is any occasion organised by the School and/or in the School's name, including dances, farewells, excursions, sporting fixtures and fund raising events.

You must not:

- purchase alcohol for, or give alcohol to, any School student (or to any other person under the age of 18 years); and
- encourage or condone the use of alcohol by students of any age during educational activities.

#### Tobacco

You must not smoke or permit smoking in any School buildings, enclosed area or on School grounds. This includes all buildings, gardens, sports fields, cars and car parks.

You must not purchase tobacco or tobacco products for any School student, or give them tobacco or tobacco products.

## IDENTIFYING AND MANAGING CONFLICTS OF INTEREST

Private interests can, or have the potential to, influence a person's capacity to perform their duties and in turn compromise their integrity and that of the School

As a School employee, you must not act in conflict with the School's best interests. A conflict of interests 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.

It may not only be about your own interests. It may 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.

When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to your supervisor or the Principal.

You should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.

## DECLARING GIFTS, BENEFITS AND 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 judgment when deciding whether to accept a gift or benefit.

If you are offered a bribe (i.e. anything given in order to persuade you to act improperly), you must refuse it, explain why it is not appropriate, and immediately report the matter to the Principal/Head of School.

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.

If you are offered a gift or benefit, you should always consider the value and purpose of a gift or benefit before making any decision about accepting it. A gift that is more than nominal value (\$50) must not become personal property. You should either politely refuse it or advise the contributor that you will accept it on behalf of the School.

When such a gift is accepted, you must advise your Principal. They will determine how it should be treated and make a record of its receipt. Depending on the nature and value of the gift, it may be appropriate to record the gift in the asset register as a donation or other such record established for that purpose.

Sometimes employees might, in the course of their work, win a prize of significant monetary value e.g. a computer, from another organisation. Prizes are usually considered the property of the School. If you win a prize you must advise your supervisor or the Principal who will determine how the prize should be treated and recorded.

## COMMUNICATION AND PROTECTING CONFIDENTIAL INFORMATION

### Communication

You are required to comply with *Staff & Parent communication & Confidentiality Policy*.

You should be mindful of confidentiality when in discussions with parents. You cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.

You should not disclose personal information about another staff member to students or parents or discuss their work performance, except if authorised by the Principal in the context of grievance resolution.

All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with students, members of the school community, or the public.

The media should not be given access to students or allowed entry to the School without the express permission of the Principal. You should not make any comments to the media about the School, students or parents without the express permission of the Principal.

### Confidential information-Adhering to:

- As a School employee, you must only use confidential information for the work-related purpose it was intended.
- Unless authorised to do so by legislation, you must not disclose or use any confidential information without the express permission of the Principal.
- You must make sure that confidential information, in any form, cannot be accessed by unauthorised people.

- Employees will adhere to the School's Privacy and Confidentiality Policy

### Privacy

Sensitive and personal information should only be provided to people, either within or outside the School, who are authorised to have access to it.

You should always exercise caution and sound judgment in discussing the personal information of students, parents, staff and other people with other School employees. 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 because of their expertise.

### RECORD KEEPING

All employees have a responsibility:

- (a) to create and maintain full, accurate and honest records of their activities, decisions and other business transactions, and
- (b) to capture or store records in the School's record systems.

You must not destroy or remove records without appropriate authority.

Supervisors have a responsibility to ensure that the employees reporting to them comply with their records management obligations.

Employees responsible for assessing and recording marks for students' work must do so accurately, fairly and in a manner that is consistent with relevant policy and the requirements of the School.

Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

### 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.

Advice relating to sharing or licensing the School's intellectual property should be sought from the Principal.

The School cannot give away or assign its intellectual property without the approval of the Principal.

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.

For items that are produced outside of school, the Intellectual property of these items only belongs to the school under any of the following circumstances:

- The item produced is part of the employee's job description.
- The item produced is to be used in school.
- The item produced was made with school funds, or school resources
- The item produced was made within the school premises or during working hours.

You should not use the School's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal.

### DISMISSAL

All staff members are made fully aware that the following breaches of the Code of Conduct and role responsibilities may lead to termination of employment:

- Reporting to work under the influence of alcohol or drugs
- Refusal to complete required additional training
- Possessing or selling drugs at the Service
- Immoral, immature or indecent conduct while at the Service
- Inappropriate use of company equipment
- Refusing to work as directed
- Possessing a dangerous weapon while at the Service
- Bringing disrepute to the Service
- Bringing disrepute to the relationship between a family and the Service
- Disclosure of confidential information
- Falsifying documentation
- Fraternising with families
- Taking, abusing or destroying company property
- Interfering with work schedules, falsification of reports, documents or wages information
- Failure to report for work
- Walking off the job
- Failure to follow policies and procedures

- Vulgarity, disrespectful conduct to families, management or colleagues
- Making or publishing false, vicious or malicious statements about any client, employee, supervisor, the company or its services
- Failure to hand in lost property is regarded, as stealing and dismissal will follow. Lost property is to be handed to the Nominated Supervisor.

### DISCIPLINARY ACTION

All staff members are made fully aware that continued abuse of the following might result in disciplinary action. These include, but are not limited to the following:

- Unauthorised absence
- Having personal visitors whilst on shift
- Continued personal phone calls
- Unauthorised solicitation or distribution of money or materials
- Poor work standard
- Carelessness
- Low level of enthusiasm
- Lack of personal cleanliness
- Failure to report health, fire or safety hazards
- Repeated tardiness

### ACKNOWLEDGEMENT

I \_\_\_\_\_ have read, understood and agree to comply with the  
(Full Name-Printed)  
terms of this Code of Conduct Policy.

Signed :

Date:

### Source

- *Anti-Discrimination Act*: See <https://raisingchildren.net.au/disability/disability-rights-the-law/law/anti-discrimination-laws> for Acts for specific Australian states and territories.
- Australian Children's Education & Care Quality Authority. (2014).
- Australian Human Rights Commission <https://www.humanrights.gov.au/our-work/childrens-rights>
- Early Childhood Australia Code of Ethics. (2016).
- *Fair Work Act 2009* (Cth).
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).
- Guide to the National Quality Framework.-(2020)
- *Ombudsman Act 2001* (Cth).
- *Privacy and Personal Information Protection Act 1998* (Cth).
- Revised National Quality Standard. (2018).
- Unicef- *United Nations Convention on the Rights of the Child* <https://www.humanrights.gov.au/our-work/childrens-rights>

### Review

Review	Modification	Next Review
Policy Review Date: July 2016,		
March 2018	New logo and formatting done	2020

Reviewed & Updated April 2018	with amendment inserted WH & S (shoes)	2020
May 2020	<ul style="list-style-type: none"> <li>• Divided some lengthy points containing unrelated information into individual points.</li> <li>• Additional information added to points.</li> <li>• Rearranged the order of points for better flow</li> <li>• Mobile phone additions</li> <li>• Sources/references checked for currency/updated/ additional sources</li> </ul>	2024
May 2021	<ul style="list-style-type: none"> <li>• No changes update policy on Website</li> </ul>	2024