



# CODE OF CONDUCT

## Abstract

This Code of Conduct seeks to provide staff, volunteers and parents/guardians with a set of ethical principles guiding the standards of conduct at the John Calvin School, Albany.

John Calvin School  
Albany, Western Australia

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# Code of Conduct

## 1. Preface

The John Calvin School, Albany, is committed to providing a child-safe environment which safe guards all students and is committed to promoting practices which provide for the safety, wellbeing and welfare of our children and young people. The John Calvin School recognises the students as God's special covenant children and therefore expects all school community members including staff, volunteers, students, visitors and contractors to share this commitment.

School staff are in a unique position of responsibility and authority and must make every effort to make sure that our school provides a child safe environment. Teachers in particular are of primary importance when it comes to detecting abuse and preventing abuse from occurring.

This Code of Conduct is supported by and to be read in conjunction with the following documents:

- Constitution of the Free Reformed School Education Association
- John Calvin Staff Handbook 2020
- Rationale of the John Calvin School Albany
- School Policies and Procedures including but not limited to: Child Protection Policy (G005) Physical Restraint (CP002), Access to Students (CP003)

## **2. Introduction and values underpinning this Code of Conduct**

This Code of Conduct details the standards of behaviour expected of all employees of the school. These standards of behaviour reflect the Biblical basis of our school.

The John Calvin School is a Reformed Christian school which recognises that the students are covenant children of Almighty God. In the setting of the school the children are given the opportunity to develop their talents in the fear of the Lord, which is the beginning of all wisdom and knowledge. Employees and volunteers of the school therefore have the responsibility and privilege of aiding the parents in teaching the youth of the church the truths of God's word in all the areas of study outlined in the Western Australian Curriculum. All teaching, therefore, is done in subjection to the truth of Scripture and the doctrines of the Church as they are summarised in the Three Forms of Unity.

Employees, as committed and professing Christians of the Free Reformed Churches are to be well aware of their role of authority within the school. They must exercise their authority in a godly way. While the students are under their authority the teachers are to instruct the children in accordance with the doctrines of Scripture. They act "in loco parentis" and as such must act towards the children as faithful God-fearing parents would. Even outside of school hours employees should remain positive role models in their speech and conduct.

This Code does not attempt to provide a rigid, 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 and gives some examples of the types of behaviour that are or are not acceptable.

The Code places an obligation on all employees and volunteers to take responsibility for their own conduct and to work with colleagues cooperatively to achieve a consultative and collaborative workplace where children are safe and people are able to work in a joyful, thankful and cooperative environment.

This Code of Conduct will not only help in making our school a safer environment for children, it will also reduce the risk that staff will be unjustly accused of unprofessional or abusive conduct.

Nothing in this Code should be taken to limit the circumstances in which the school may take disciplinary action in respect of an employee.

### 3. Who has to comply with the Code of Conduct?

All employees of the school must comply with this *Code*. Volunteers, visitors (including parents/guardians) and contractors are also expected to comply with this *Code*.

Staff, visitors, volunteers and contractors will be held accountable for breaches of the *Code*.

#### **How to Comply**

1. You must:
  - (a) conduct yourself, both personally and professionally in a manner that upholds the Biblical ethos and reputation of the school;
  - (b) comply with the school's policies and procedures; and
  - (c) act ethically and responsibly.
  - (d) not engage in any retaliation, victimisation or harassment in any form
2. If you are responsible for engaging or managing external consultants, contractors or volunteers, it is your responsibility to make them aware of the School's expectations of conduct consistent with the school's Code of Conduct during the period of their engagement. They should be told that any conduct that is not consistent with the *Code* may result in the engagement of a contractor, consultant or volunteer being terminated.

#### **4. Principles of the Code of Behaviour**

As the school has a duty of care to its students, the expectation and understanding is that all staff and students will act in the best interests of the students and that the spiritual and physical welfare and safety of students will be of paramount concern. All interactions therefore should be transparent and meet the principles of the Code of Conduct.

This Code of Conduct is intended to provide staff and community members with guidance as to the expected behaviours of all staff, visitors, volunteers and contractors engaged by the school.

Staff are expected to behave in a manner which promotes the safeguarding role of the school; in a manner which is in accord with godliness as befitting those who profess to be Christians. They are to engage in the best practice of the teaching profession, and at the same time to uphold and abide by the norms of Scripture. They must be fully aware that their actions will be subject to appropriate scrutiny by other staff and by the community and they must be prepared to give an account of their behaviours to leadership when requested.

Any staff member who is unsure about appropriate boundaries in a particular circumstance, must consult as early as possible with the deputy principal or the principal to discuss the possible breaches. If a breach inadvertently occurs the staff member must bring it to the attention of senior management immediately.

Staff are responsible for their own actions and should avoid any conduct which might be construed by a reasonable person as inappropriate. When considering their actions, staff could consider the following:

- (a) How might this interaction be perceived by others?
- (b) Am I treating this student differently to others?
- (c) Can I achieve the same outcome through a different interaction?
- (d) Would I do this or say this if a colleague were present?
- (e) Would I condone my conduct if I observed it in another adult?
- (f) What guidance would my employer give me in this situation?
- (g) Are my actions/interactions in line with the values underpinning the school?

The following pages outline the principles included in this Code of Conduct.

## 6. Principles

### Principle 1 Employee responsibilities

As an employee, you should be aware of the school's policies and procedures, particularly those that apply to your work. Many of these are available on the *staff shared* folder on the school's computer system; 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, or any legal obligations to which you are subject, you should seek clarification from the Principal or Deputy Principal.

You should also be familiar with the legislation under which you are employed as this may specify requirements with which you need to comply.

As a school employee, you are expected to:

- a) perform your duties to the best of your ability and be accountable for your performance;
- b) comply with lawful instructions and directions given by your supervisor;
- c) carry out your duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve your knowledge and skills, including through participation in relevant professional development;
- d) act honestly and in good faith in fulfilling your duties;
- e) be courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- f) work collaboratively with your colleagues;
- g) ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the school, and
- h) dress in a professional manner that is appropriate for your role.

#### How to Comply

- 1 Inform the Principal if you are charged with or convicted of a serious offence. You must also inform the Principal if you become the subject of a Violence Restraining Order.
- 2 If you become aware of a serious crime committed by another staff member, you are required to report it to the Principal, who may be required to inform the Police and/or the Department of Child Protection and/or the Teacher Registration Board WA.
- 3 Report any concerns that you may have about the safety, welfare and well being of a child or young person.
4. Report any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people;
5. 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; and

- a) 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
- b) if you become the subject of allegations of 'reportable conduct' whether or not they relate to your employment in the school.

You should refer to the school's (Child Protection Policy) for further information about these obligations.

6. Staff should make themselves familiar with the procedure for handling allegations against staff and students. It is expected that staff who form a belief that the boundaries or code of conduct has been breached will inform the Deputy Principal or Principal.
7. Teachers, and some other employees, have mandatory reporting obligations under the Children and Community Services Act 2004 (WA) where they have reasonable grounds to suspect a child is at risk of sexual harm and have current concerns about the wellbeing of the child. You should refer to the school's (Child Protection Policy) for further information about these obligations.
8. All staff and volunteers must comply with the Disputes and Complaints Policy, and report complaints to the Deputy Principal or Principal.
9. All staff and volunteers must comply with the Whistleblower Policy.

## **Principle 2      Good teaching practice**

As a professional teacher it is expected you will provide quality teaching appropriate for your students, recognising the diversity of learners in your care and making every effort to help all students equally so they have every chance of succeeding. Teachers are to aim to improve in all seven standards of teaching as outlined in the three domains of Professional Knowledge, Professional Practice and Professional Engagement. For further information see <http://www.trb.wa.gov.au/SiteCollectionDocuments/Professional-Standards-for-Teachers-in-WA.pdf>

Good teaching also means you will work closely with your colleagues and the carers of your students and respond appropriately and promptly to any concerns they have.

### **How to Comply**

1. You differentiate your lessons to cater for all learners and show no favoritism, bias or prejudice in your dealing with your students.
2. You maintain a safe classroom environment.
3. As a professional you will look for and take advantage of every learning opportunity that is appropriate to your role.
4. As part of your treating all students with respect you will have high expectations of all of your students.
5. It is expected you will regularly review school policies and make every effort to comply with them.
6. You maintain regular communication with your students' parents via personal talks, email, Applecart and reports.



7. As a professional teacher who understands that things change and improvement is always possible you will work cooperatively with your colleagues and share ideas and experiences in a collegiate manner.
8. You refuse and prohibit the use of corporal punishment by others at school.

### **Principle 3      Respect for people**

Staff should understand their responsibilities to safeguard and promote the welfare of students and other staff.

The school expects employees to treat each other with respect and courtesy. Our daily interaction with other is to be a reflection of the love the Lord has shown us. 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 association.

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.

#### **How to Comply**

1. Model effective leadership and respect in your interactions with students.
2. Continually monitor and reflect on their own practice, so as to model appropriate behaviour and to follow the guidance in this code of conduct.
3. Do not use 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.
4. You must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent. Unlawful harassment or discrimination may constitute an offence under the Equal Opportunity Act 1984 or federal industrial or discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.
5. 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 Deputy Principal or Principal in the first instance to seek guidance on how to do this; and
  - (b) if the issue is not resolved by speaking to the person then report the matter to the Deputy Principal or Principal and seek their support and guidance.

6. Do not lie about or exaggerate a complaint.
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#### **Principle 4      Duty of Care and OH&S**

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

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

- the provision of adequate supervision
- ensuring grounds, premises and equipment are safe for students' use
- implementing strategies to prevent bullying from occurring in the school, and
- providing medical assistance (if competent to do so), or seeking assistance from a medically trained person to aid a student who is injured or becomes sick at school.

#### **Duty of care**

As an employee of the school, you have a duty of care to students in your charge. That duty is to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. For example, preventative measures should be taken against risks from known hazards and from foreseeable risk situations. The standard of care that is required, such as the degree of supervision, needs to be commensurate with the students' maturity and ability.

Duty of care to students applies during all activities and functions conducted or arranged by the school. The risks associated with any activity need to be assessed and managed before the activity is undertaken.

You should ensure that you are aware of the school's Duty of Care, Excursions, and Risk Management Policies.

#### **Occupational health and safety**

You also have a responsibility under occupational safety and health 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 your own safety at risk and that of your colleagues, students or other persons that you may come into contact with at work.

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

### **How to Comply**

1. Do not expose students or anyone else at your workplace to any risk or hazard.
2. Be familiar with the school's evacuation and/or lock down procedures.
3. Do not leave students unsupervised either within or outside of class. You should be punctual to class.
4. 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.
5. Do not be late to playground duty. Actively supervise your designated area, being vigilant and constantly moving around.
6. Look out for 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 school's bullying policy.
7. Attend to ill or injured students. Should additional assistance be required you should contact available and qualified staff members.
8. Do not store or administer medication to students unless their use complies with the school policy on the administration of medication.
9. Do not engage in any retaliation, victimisation or harassment in any form.

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

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

As a school employee, you are expected to always behave in a Godly way that promotes 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.

The detection and prevention of grooming behaviour is a vital consequence of complying with this principle. Appendix 1 deals with signs associated with grooming behaviour.

### **How to Comply**

#### **Supervision of students**

- 1 Do not be 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 the Deputy Principal or Principal.

- 2 Do not drive a student in your car unless you have specific permission from the Deputy Principal or Principal and written permission from the parent to do so. In the event of an emergency you should exercise discretion but then report the matter to your supervisor.
- 3 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.

### **Physical contact with students**

1. You must not impose any form of corporal or demeaning punishment on a student in the course of your professional duties. Refer to the school's Student Management Policy.
2. 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 before making contact or asking for a volunteer if necessary to demonstrate a particular activity.
3. When physical contact with a student is not a necessary part of the teaching/learning program you must exercise caution to ensure that the contact is age appropriate and acceptable. Younger students (K – 2) may need the comfort, encouragement and assurance of physical contact (pat on the shoulder, quick hug) in certain circumstances.
4. Attention to the toileting needs of young children should be done with caution. For students with a disability the management of toileting needs should be included in the student's individual management plan.
5. 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.
6. Assessing a student who is injured or ill may necessitate touching the student. Always advise the student of what you intend doing and, if they are conscious, seek their consent.
7. 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**

1. 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 his or her student under the age of 18 years.

2. 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 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 threat to the school's ethos.
3. 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 Deputy Principal or the Principal as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.
4. 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.
5. 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.
6. You must not engage in tutoring or coaching students from the school without the express permission of the Principal.
7. You must not invite students to join your personal electronic social networking site or accept students' invitations to join their social networking site.
8. Social networking sites which are established for educational purposes are to be transparent to colleagues and students and may only operate with the express permission of the Principal.
9. You must not give gifts to students. You should also carefully consider your position before accepting any gift from a student or a parent.
10. 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. The policy can be found on the school's server on *staff share*.

### **Principle 6      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.

### **How to Comply**

1. You must comply with the school's Information Technology Policies and Procedures. This includes:
  - a) exercising good judgment when using electronic mail, following the principles of ethical behaviour;
  - 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 accepting 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.
2. 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.

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

Occupational Safety and Health is of fundamental importance to the school. Maintaining a safe work environment requires everyone's continuous cooperation.

You are responsible for ensuring your capacity to perform your duties is not impaired by the use of alcohol or drugs and that the use of such substances does not put at risk you or any other person's health and safety.

### **How to Comply**

#### **General**

1. You must not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances.
2. Do not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;

3. You must notify the Deputy Principal or Principal if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
4. Take action to resolve any alcohol or other drug-related problems that you have; and
5. Consult with the Deputy Principal or Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

### **Drugs**

1. 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 and/or the Teacher Registration Board WA;
2. You must not give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
3. You must not supply or administer prescription or non-prescription drugs to students unless authorised to do so.

### **Alcohol**

1. 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.
2. 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
3. You must not encourage or condone the use of alcohol by students of any age during educational activities.

### **Tobacco**

1. 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.
2. You must not smoke whilst at any school function even if it is not on school campus. This includes, amongst all other activities, camps, tours and excursions.
3. You must not purchase tobacco or tobacco products for any school student, or give them tobacco or tobacco products.

## **Principle 8 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.

A conflict of interest can involve:

- a) pecuniary interests i.e. financial gain or loss or other material benefits;
- b) non-pecuniary interests i.e. favours, personal relationships and associations.

Conflict of interest also include:

- a) the interests of members of your immediate family or relatives (where these interests are known);
- b) the interests of your own business partners or associates, or those of your workplace;  
or
- c) the interests of your friends.

### **How to Comply**

- 1 As a school employee, you must not act in conflict with the school's best interests.
- 2 When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to the Deputy Principal or Principal.
- 3 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.

## **Principle 9. Declaring gifts, benefits or bribes**

As an employee, you may be offered a gift or benefit as an act of gratitude. There are some circumstances when to refuse a gift would be perceived as rude, insulting or hurtful. You are expected to exercise sound judgement when deciding whether to accept a gift or benefit.

Accepting gifts and other benefits has the potential to compromise your position by creating a sense of obligation and undermining your impartiality. Substantial gifts may be seen as bribes. In Exodus 23:8 the Lord commands his people not to accept a bribe 'for a bribe blinds the discerning and perverts the words of the righteous.' Such action 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.

### **How to Comply**

- 1 If you are offered a bribe (i.e. anything given in order to persuade you to act immorally and improperly), you must refuse it, explain why it is not appropriate, and as soon as possible report the matter to the Principal.
2. 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 of a 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.
3. When a gift is accepted, you must advise the Principal. She/he 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.

4. 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.

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

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

School employees should be aware that there are strong legal requirements around the collection, release and privacy of information.

Before asking for information or disclosing information staff need to assure themselves that they are acting in a legal manner. If unsure you should discuss the matter with the Deputy Principal or Principal.

### **How to Comply**

#### **Communication**

1. You are required to comply with the school's Disputes and Complaints policy.
2. 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.
3. All confidential 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.
4. 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**

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

#### **Privacy**

1. Sensitive and personal information should only be provided to people who are authorised to have access to it.
2. 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.



### **Principle 11. Copyright and intellectual property**

When creating material you need to ensure the intellectual property rights of others are not infringed and information is recorded about any third party copyright/other rights included in materials.

If you develop material that relates to your employment with the school, the copyright in that material will belong to the school. This may apply even if the material was developed in your own time or at home.

#### **How to Comply**

1. Advice relating to sharing or licensing the school's intellectual property should be sought from the Principal.
2. Do not give away or assign the school's intellectual property without the approval of the Principal.
3. You should not use the school's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal.

## **6. 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.

All alleged breaches of the Staff Code of Conduct will be subject to scrutiny and if substantiated staff may be warned, suspended or have their employment terminated. If the breach is considered to be sexual grooming, the school is obliged to report this to the Teachers' Registration Board (where a teacher is involved) and the Department of Education Services as a critical incident. Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by the senior management.

- 5.1 The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach.
- 5.2 Depending on the nature of the breach employees may need to report possible breaches by colleagues to the Deputy Principal or the Principal. If the possible breach is by the Deputy Principal then it should be reported to the Principal. If the possible breach is by the Principal then it should be reported to the chair of the governing body.
- 5.3 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 whether the breach would be serious enough to warrant formal disciplinary action.
- 5.4 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 and reporting of the matter (in the case of a teacher) to the Teacher Registration Board WA. The school reserves the right to determine in its entirety the response to any breach of this Code.
- 5.5 As prescribed by the Whistleblower Policy, all staff and volunteers refrain from any retaliation, victimisation or harassment in any form.

**7. Acknowledgement**

**By signing this Acknowledgement you are agreeing to abide by this Code of Conduct to the best of your ability and acknowledge that you understand that breaches of this Code of Conduct will be taken seriously and could result in termination of your employment.**

**I \_\_\_\_\_ have read, understood and agree to comply with the terms of this Code of Conduct.**

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Dated**

\_\_\_\_\_  
**Principal Signature**

\_\_\_\_\_  
**Dated**

The original will be kept on file and a signed copy passed on to the employee

## Appendix to this Code of Conduct

### Understanding Grooming Behaviour

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 actually takes place. The grooming may occur in person, via cyber media and/or other forms of communication.

A committed offender will employ grooming behaviour 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 minimise 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 behaviours 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, recognise unprofessional behaviour and build a shared understanding of what a safe school is.

Grooming behaviour 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 desensitised 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 behaviour 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.
- Recognising 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).
- 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.

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

- promotes self and creates a reputation as caring, child-loving, competent, available, trustworthy, truthful
- raises doubts about the motives, mental health, reliability of the child or anyone else who might approach support services with allegations
- fosters dependency as someone the family can rely on
- positively represents child to others so as 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 particular preference for children within particular age bands and some studies have shown that groomers will take child focussed 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 behaviour.

In the event of a reported breach of conduct, all staff and volunteers will abide by the principles and requirements of the Whistleblower Policy.

<b>G005</b>	<b>Disputes and Complaints</b>
<b>Purpose</b>	The purpose of this policy is to help address and resolve potential problems, with a focus on restoring and building relationships, a fair and timely resolution of the complaint, and pre-empting and finding improvement, based on the Bible and the Confessions of the Free Reformed Church.
<b>Authority</b>	New King James Bible Heidelberg Catechism School Education Act 1999 Equal Opportunity Act 1984 Human Rights and Equal Opportunity Commission Act 1986 (Cth) Racial Discrimination Act 1974 Working with Children Act 2004 Working with Children Regulations 2005
<b>Policy</b>	All disputes and complaints will be treated seriously and dealt with fairly, in line with the attached procedures.
<b>Delegation</b>	Principal, School Committee
<b>Related Policies</b>	Child Protection Policy (CP001) Staff and Student Code of Conduct (Prof006, R005) Privacy Policy (G001)
<b>Date approved</b>	December 2014, 2017
<b>Next Review Due</b>	December 2021
<b>Review Authority</b>	Governance
<b>Keywords</b>	Disputes; complaints; conflict; resolution; grievances
<b>Authorised by: Board Chairman</b>	
<b>Date:</b>	
<b>Author/Reviewer:</b>	Pete Witten – April 2019

**Definitions****Complaint:**

An expression of dissatisfaction with any aspect of education or related to a particular staff, part of the school, a policy or decision. Any person may lodge a complaint. A complaint must contain sufficient detail to enable it to be addressed and recorded.

**Concern:**

An opinion, comment or expression of a concern (because of its importance and effect) which is raised informally in order to improve or change a situation. A concern can generally be addressed at the time of being raised without the need for more involved consideration.

**Dispute:**

An unresolved complaint.

**Resolution:**

An outcome of a complaint that has followed policy process and natural justice.

**Natural Justice:**

The principles of natural justice will apply to all decisions made under this policy and procedure document. As the consequences of any decision for any individual become more severe, so the importance of demonstrably acting fairly increases. The fundamental principles of natural justice are:

- The right to procedural fairness
- The right to be given a fair hearing and the opportunity to present one's case;
- The right to have a decision made by an unbiased decision maker;
- The right to have that decision based on Biblical norms and logically probative evidence.

**Principles for Dealing with Disputes and Complaints:**

At JCSA complaints are treated seriously and are used to improve standards and prevent cause for further complaint. Even unjustified complaints are viewed as possible indicators of areas requiring improvement.

The principles of natural justice and the application of Biblical norms will be applied to all concerns or complaints. The staff charged with managing the concern or complaint will demonstrate fair and consistent decision-making.

The key principles for the handling of complaints at JCSA are:

- The School is open to the concerns of parents and students;
- Complaints are received in a positive manner;



- Parents and students can expect to be taken seriously and can approach any member of staff about their concerns;
- Information about complaints contains sufficient detail and is clear and readily available;
- Concerns are acknowledged within 48 hours and dealt with speedily and those who have raised them are kept informed about progress;
- Formal written complaints will be acknowledged in writing;
- Those involved in a complaint shall not be subject to prejudice, intimidation, and harassment or any detriment because of their involvement.
- It is not acceptable for students to receive adverse treatment because they or their parents have raised a complaint;
- Clear confidential files and a log are kept;
- Confidentiality is respected and maintained as far as possible;
- Resolution of the matter is sought;
- The Principal may determine that the school will not pursue vexatious, trivial or previously finalised issues after a complaint has been considered.
- An independent arbiter can be engaged as a final level in the process.

#### ***'How should I complain?'***

You can contact the school in person, by telephone (insert number here), at (insert email address), by submitting a message on the school's website (if applicable) or by letter (insert school address here). Please ask if you require some assistance in expressing your concern.

When you contact the school, please ask to speak to *(the inclusion of this wording will depend on the policy of the school. However, please bear in mind that having only one point of contact may appear inflexible to the complainant and the regulator)*. Be as clear as possible about what is troubling you.

Members of staff will be happy to help. It may be best to start with the person most closely concerned with the issue – e.g. the classroom teacher, or subject teacher. They may be able to sort things out quickly, with the minimum of fuss. However, you may prefer to take the matter to a more senior member of staff, for example the Head of Department, the Deputy Principal or the Principal.

#### ***'I don't want to complain as such, but there is something bothering me'***

The school is here for you and your child, and we want to hear your views and your ideas. You can start by contacting a member of staff, as described above.

#### ***'I am not sure whether to complain or not'***

If as parents you have concerns, you are entitled to raise them. If in doubt, you should contact the school, as we are here to help.

**'What will happen next?'**

If you raise something face-to-face or by telephone, it may be possible to resolve the matter immediately and to your satisfaction.

If you have made a complaint or suggestion in writing, we will contact you within five (5) working days, to respond to your concerns and explain how we propose to proceed.

**Recording:**

The school maintains an accurate record of complaints and other concerns. This is required as:

- The complaint may become the cause of future difficulties;
- Patterns in the record of complaints may indicate a need for action; and
- The Principal will check the log regularly for trends and report on complaints to the School Committee.

The log is maintained by the Principal and contains the following:

- Date when the issue was raised;
- Name of parent;
- Name of student;
- Brief statement of the issue;
- Location of detailed file;
- Member of staff handling the issue; and
- Brief statement of the outcome. (See Appendix 3)

Confidential files on all complaints are to be maintained and cross-referenced with other files as necessary. The files contain simple but clear notes of all conversations with parents about any source of dissatisfaction. This includes chats and telephone calls, as misunderstandings easily arise. Records concerning students are kept for seven years after the student reaches 18 years of age.

**Confidentiality:**

Confidentiality is an important issue for students, parents and staff. It is essential that any complaint is treated with respect and in a confidential manner.

It may be possible to deal with a problem without naming individuals. However, if not, the staff and/or student will be identified.

Members of staff have the right to know about complaints that might be damaging to their reputation. Such complaints will be made known to them and those who need to be consulted. The school is aware there is a need to provide support for staff against whom a

complaint is made. This would normally be provided by a colleague who is not otherwise involved.

Third parties will be involved if for example, the child's safety is at risk or the police need to be notified or the dispute cannot be resolved.

#### **Lines of Approach:**

Concerns and complaints may be made to any member of staff, but parents are encouraged to raise issues regarding their children directly with the teachers, giving heed to the Biblical norms of Christian relationships.

In all instances, the staff must bring the matter to the attention of the Principal or Deputy Principal.

There may be some parents who wish to go directly to the Principal with their concern or complaint, and this should be complied with. However, it should be explained that the Principal may be delayed in responding to the issue.

If the complaint relates to the actions of the Principal, the complaint should be taken to the Chairman of the School Committee. The Chairman will discuss the matter fully with the Principal and be provided with the relevant documentation. If a briefing is required from a member of staff, this will occur in the presence of the Principal.

#### **Resolution:**

Resolution of the complaint may come from any of the following:

- knowing that changes have been made and matters will be different in the future;
- knowing that the School is now alert to a possible problem;
- feeling that their concern has been considered seriously;
- an outcome which may be different from the one they sought, but which they perceive to be well-considered;
- a considered letter; or
- an apology if appropriate.

If time has been needed to consider matters, parents will receive a report. This should cover:

- the issues raised;
- how the issues were considered;
- the people consulted;
- the action that is to be taken; and
- an apology, if appropriate.

#### **Disputes:**

If a satisfactory outcome cannot be reached the complaint will become a dispute, the Principal will refer the matter to the Chairman of the School Committee and inform the parents that this stage has been reached. Where a parent believes that the complaint has been mishandled by the Principal, the parent may write directly to the Chairman of the School Committee.

The Chairman will respond to the parents, notifying them that he/she is reviewing the matter, asking if they wish to add anything further and providing a date by which they may expect a response.

The Chairman may be able to offer a new approach to the matter, and this may satisfy the parents. The Chairman's response should be clear and detailed, and may offer a meeting with the parents. The Chairman will consider seeking the advice of an independent arbitrator. The Association of Independent Schools of Western Australia (AISWA) will be asked for guidance and advice.

### **Intractable Complaints:**

There may be a small minority of complainants who will never be satisfied. Nevertheless, all complaints will be treated seriously and the school's procedures followed.

### **Outcomes:**

Outcomes will vary from case to case depending on the nature and circumstances of each. Outcomes could include:

- The complainant gaining a better understanding of the situation and no longer feeling wronged.
- The complainant receiving a verbal or written apology
- The respondent receiving a verbal or written reprimand
- One or both parties agreeing to participate in some form of counselling
- Disciplinary action where a school policy or rule were found to have been breached or where misconduct/serious misconduct or unsatisfactory performance has occurred.

Disciplinary action may also be taken where:

- A grievance is found to have been malicious or vexatious
- A person victimises another person because of their involvement in the grievance.
- Unnecessary disclosure of information (breach of confidentiality) has occurred.

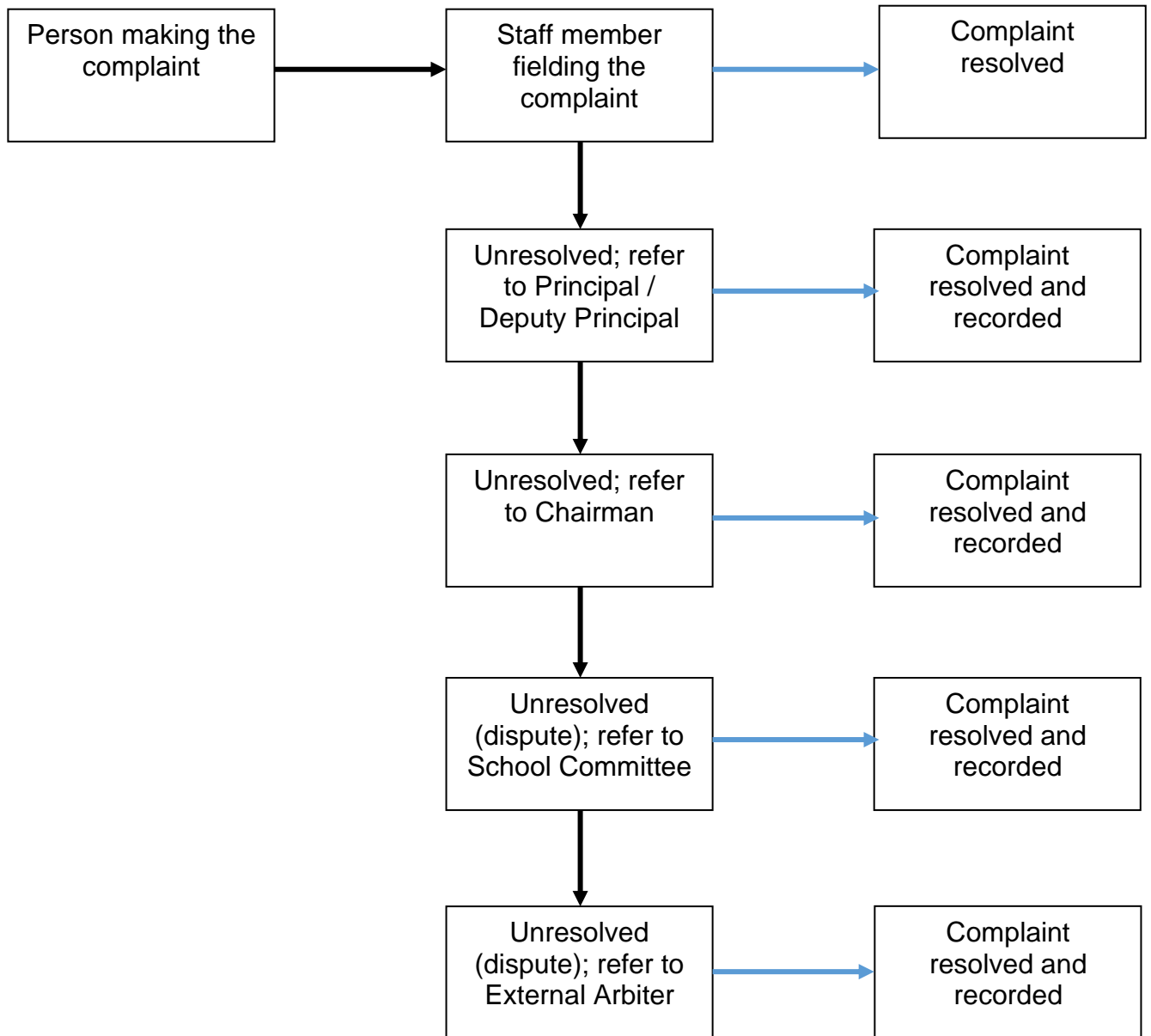
### **Student Complaints**

In addition to the procedures and principles outlined above, the following applies:

- Students are made aware of Student Code of Conduct and procedures for reporting breaches of the Student Code of Conduct
- Students will be told who they can talk to if they are feeling unsafe and know what will happen
- The student flow-chart outlining the student complaints procedure is shared with all students and kept in a visible location
- Complaints by students are taken seriously, and responded to promptly and thoroughly
- The safety and well-being of students involved in the complaint will be a priority
- Staff and volunteers will be alert to the ways students express concerns or distress or disclose harm

- Information about all complaints and concerns, including breaches of the relevant policies or the Code of Conduct, will be recorded and analysed, including in relation to process, timeframes and record keeping practices
- Timely feedback is provided to students who raise concerns or complaints. This includes reporting back on incidents, concerns and complaints.

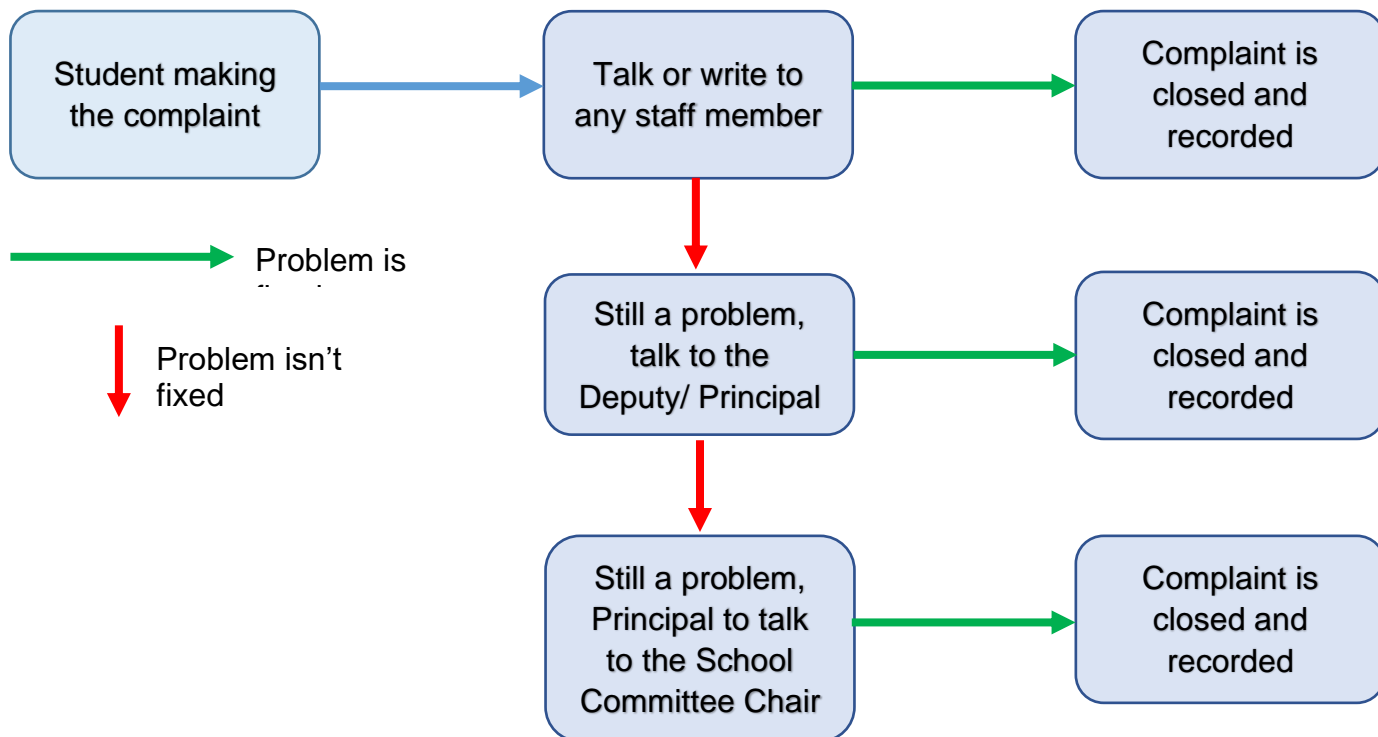
• Appendix 1 Flowchart of Parent/Member of Public Complaints Procedure



The Director General of the Department of Education is responsible for ensuring that the school observes the registration standards, including the standard about its complaints handling system. Any student, parent or community member is entitled to contact the Director General with concerns about how the school has dealt with a complaint. Information is available on the [Department of Education website](#). While the Director General may consider whether the school has breached the registration standards, she does not have power to intervene in a complaint or override the school's decision.

If something is not right or you are feeling unsafe you can tell any staff member at school and ask for help. You can also ask your parent to tell an adult and ask for help.

- It is the responsibility of all adults at school to protect and care for children. You will be helped.
- The adult will listen to your concerns and help you.
- The information will not be shared with the person who is troubling you or making you feel unsafe.
- The adult might need to share the information with other people who can help to support and protect you.



**Note: increase size for actual use**

## Appendix 3 Complaints Register

<i>Date of complaint</i>	<i>Complainant</i>	<i>Nature of complaint</i>	<i>Complaint investigator &amp; position</i>	<i>Complaint Status (tick stages completed)</i>	<i>Date actioned</i>	<i>Resolution Notes</i>	<i>Review Dates</i>
	Service user			Being investigated			
	Staff member			Resolution proposed			
	Volunteer			Resolved			
	Governance body member			Remains unresolved			
	Member						
	Parent						
	Other agency						