



John Colet School

EMPLOYEE CODE OF CONDUCT

Preamble

This policy accords with the Vision, Mission and Values of the School. In particular, it is the aim all members of the School Community to act truthfully and courageously and with service and respect. Employees are expected to be accountable for their actions and decisions and conduct themselves both personally and professionally with dignity, truthfulness and respect for themselves and others. In the same way each employee has the right to be treated reasonably, professionally and respectfully as a responsible human being.

Rationale

John Colet School was founded in 1985 in a terrace house in North Sydney by men and women studying together at the School of Practical Philosophy in Sydney. The School of Practical Philosophy remains the Parent Body of John Colet School.

This document sets out the standards of conduct, professional and personal behaviour John Colet School requires its employees to uphold for the encouragement of a safe, supportive, productive and harmonious workplace. Employees have a responsibility to uphold these standards at all times.

Scope

This Code of Conduct applies to all employees of John Colet School. It outlines the obligations, responsibilities and standard of behaviour John Colet School requires of all employees in order to uphold the values, integrity and reputation of the School.

All employees are to make themselves familiar with the requirements of this document and ensure they comply with the behaviours and obligations outlined within it.

Failure to comply with the responsibilities and obligations outlined in this document may result in disciplinary action being taken, including termination of employment, notification to external agencies and/or criminal charges.

Contractors 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 or volunteer being terminated.

Employees engaging or managing contractors or volunteers are responsible for making them aware of the School's expectations for their conduct during the period of their engagement.

1. General

- 1.1. 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.
- 1.2. Nothing in this Code should be taken to limit the circumstances in which the School may take disciplinary action in respect of an employee.

2. Lawful Compliance

- 2.1. Employees must act lawfully and comply with all legislative, contractual and industrial requirements while engaged by the School. Employees must also comply with School's policies and follow all reasonable and lawful directions given by the School.

3. Ethical Behaviour

- 3.1. Employees of the School are expected to:
 - 3.1.1 Respect the dignity, rights and views of others
 - 3.1.2 Listen and seek to understand different points of view (this does not necessarily mean agreeing with the point of view)
 - 3.1.3 Act respectfully at all times, including respecting cultural, ethnic and religious differences
 - 3.1.4 Acknowledge the genuine contributions that others make
 - 3.1.5 Express constructive feedback considerately and in a moderate tone
 - 3.1.6 Not harass, bully or discriminate against colleagues, students or members of the public
 - 3.1.7 Be courteous, fair, sensitive and considerate to the needs of others
 - 3.1.8 Be honest and act with integrity at all times
 - 3.1.9 Actively assist in managing workplace conflict that personally affects them or colleagues who are under their supervision to create positive and constructive outcomes.

4. Professional Behaviour and Development

4.1. Employees of the School are expected to:

- 4.1.1. Maintain a high standard and quality of work
- 4.1.2. Maintain and develop professional knowledge and understanding
- 4.1.3. Continuously seek to improve work performance and bring about improvements in the workplace
- 4.1.4. Exercise care, responsibility and sound judgement when carrying out their duties
- 4.1.5. Ensure procedural fairness is followed in all processes
- 4.1.6. Maintain adequate documentation to support any decision making
- 4.1.7. Take reasonable care of their safety and health
- 4.1.8. Take reasonable steps that their acts/omissions do not adversely affect the health and safety of others
- 4.1.9. Comply and cooperate with any reasonable instruction, policy or procedure, including with respect to workplace health safety matters
- 4.1.10. Dress professionally and in keeping with the Staff Dress Guidelines.
- 4.1.11. Refrain from carrying out their duties under the influence of alcohol, any illegal substance, or any drug which impairs work performance or poses a safety risk to themselves or others
- 4.1.12. Not ignore work duties or waste time during working hours
- 4.1.13. Not take or seek to take improper advantage of any information gained in the course of employment
- 4.1.14. Not take improper advantage of their position to benefit themselves or others
- 4.1.15. Not allow personal political views/affiliations or other personal interests to influence the performance of duties or exercise of responsibilities
- 4.1.16. Maintain confidentiality and privacy where required; and
- 4.1.17. Report to the School any instance where the employee believes they, or anyone within their workplace, have been treated in a discriminatory or harassing manner

5. Duty of Care and Work Health and Safety

- 5.1 School employees have a duty of care to students in their charge to take all reasonable steps to protect students from risks of harm that can be reasonably predicted.
- 5.2 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 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

- 5.3 The duty of care owed by employees is to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. For example, risks from known hazards and from foreseeable risk situations against which preventative measures can be taken. The standard of care that is required, for example the degree of supervision, needs to be commensurate with the students' maturity and ability.
- 5.4 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.
- 5.5 Employees should ensure that they are aware of the School's Information Sheets relating to Duty of Care, Excursions, Inter School Sport and Exchange Programs.

Work health and safety

- 5.6 Employees also have a responsibility under work health and safety legislation to take care of their own health and safety at work. Employees also have a responsibility to ensure that their activities do not place at risk the health and safety of colleagues, students or other persons that they may come into contact with at work.
- 5.7 Considerations of safety relate to both physical and psychological wellbeing of individuals.
- 5.8 Employees should ensure that they are aware of the School's Work Health & Safety Policy.

Supervision of students

- 5.9 Employees should take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury.
- 5.10 Employees should be familiar with, and comply with the School's evacuation procedures.

- 5.11 Students should not be left unsupervised either within or outside of class. Employees should be punctual to class and allocated supervision.
- 5.12 Employees should remain with students at after school activities until all students have been collected. In the event that a student is not collected employees should remain with the student until collected, or seek advice from their supervisor.
- 5.13 Playground supervision is an integral part of the responsibility of employees. It must take precedence over other activities. It is unacceptable to be late. Employees should actively supervise their designated area, being vigilant and constantly moving around.
- 5.14 Employees should be alert to bullying or any other form of discriminatory behaviour, and report incidents accordingly. Additional detail about student bullying is set out in the Student Safety and Welfare Policy.
- 5.15 Ill or injured students should be attended to by the supervising employee. Should additional assistance be required employees should contact their supervisor or the Headmaster.
- 5.16 Employees should ensure that they understand and comply with the School's policy in regard to the storage and administration of prescribed medication to students.

6. Professional Relationships Between Employees and Students

- 6.1. Employees are expected to behave in ways that promote the health, safety and wellbeing of the students.
- 6.2. While not all employees are required to manage and supervise students, it is important for all School employees to understand and observe child protection legislation and the School's Child Protection Policy Framework.
- 6.3. Employees must be aware of the policies around allegations of reportable conduct against employees. Employees must be aware that their interactions with students are based on a trusting relationship arising from the nature of their role in the workplace, and that those relationships are open to scrutiny. This includes interactions with children which occur outside of the workplace.
- 6.4. Employees should avoid situations where they are alone in an enclosed space with a student. Where an employee is left with the responsibility of a single student they 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 their supervisor and/or the Headmaster.
- 6.5. Employees should never drive a student in their car unless they have specific permission from their supervisor and/or the Headmaster to do so. In the event of an emergency the employee should exercise discretion but then report the matter to their supervisor.
- 6.6. If employees wish to conduct a private conversation with a student they should

consider the time and venue carefully to avoid placing themselves in a vulnerable situation. It is preferable to leave the door open. Employees should not locate themselves between the student and the door.

- 6.7. When confiscating personal items, such as mobile phones or hats, employees must ask students to hand over the items. Employees should only take items directly from students in circumstances where concern exists for the safety of the student or others and the employee's own safety is not jeopardised by this action.
- 6.8. Employees must not impose physical punishment on a student in the course of their professional duties or at any other time.
- 6.9. When physical contact with a student is a necessary part of the teaching/learning experience employees must exercise caution to ensure that the contact is appropriate and acceptable. Seek reassurance from the student by asking for a volunteer if necessary to demonstrate a particular activity.
- 6.10. 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.
- 6.11. 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.
- 6.12. Assessing a student who is injured or ill may necessitate touching the student. Employees must always advise the student of what they intend doing and seek their consent.
- 6.13. Sometimes in ensuring duty of care employees 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. Employees should report and document any such incidents.
- 6.14. Employees 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. Employees 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
- 6.15. Employees 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 an employee is responsible for teaching, tutoring, advising, assessing, or for whom the

employee provides 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.

- 6.16. If an employee considers that a student is being overly familiar, seeking to establish a personal relationship with or has developed a 'crush' on them, they should report their concerns to their supervisor and/or the Headmaster as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.
- 6.17. At all times when speaking with students care must be taken to use appropriate language. Employees must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.
- 6.18. Employees may, as part of their pastoral care role, engage in discussion with students. This is entirely appropriate. However employees must be cautious about making personal comments about a student or asking questions that probe their own or a student's sexuality or relationships. Employees must not hold conversations with a student of an intimately personal nature where personal information is disclosed
- 6.19. Employees must not:
 - a. invite students to their home;
 - b. visit students at their home; or
 - c. attend parties or socialise with students,unless they have the express permission of the Headmaster and their parents or care giver.
- 6.20. Employees must not engage in tutoring or coaching students from the School without the express permission of the Headmaster.
- 6.21. Employees must not invite students to join their personal electronic social networking site or accept students' invitations to join their social networking site (see Section 10).
- 6.22. Employees must not give gifts to students and should also carefully consider their position before accepting any gift from a student (see Section 8).
- 6.23. Wherever practical, employees 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 employee should make any significant decisions relating to the student's assessments and have those endorsed by a supervisor.
- 6.24. Employees should be aware of, and sensitive to, children with culturally diverse or indigenous backgrounds and cultural practices that may influence the interpretation of their behaviour.

7. Required Reporting

- 7.1. Employees are required to report certain information to the School.
- 7.2. All employees are required to inform the Headmaster if they are charged with or convicted of a serious offence (those punishable by 12 months or more in jail). Employees must also inform the Headmaster if they become the subject of an Apprehended Violence Order.
- 7.3. If, through their employment with the School, an employee becomes aware of a serious crime committed by another person, they are required to report it to the Headmaster, who may be required to inform the police.
- 7.4. Employees must report to the Headmaster:
 - 7.4.1. Any concerns that they may have about the safety, welfare and well-being of a child;
 - 7.4.2. Any concerns they may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people;
 - 7.4.3. Any concerns they may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to them; and
 - 7.4.4. If they 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
 - 7.4.5. If they become the subject of allegations of 'reportable conduct' whether or not the allegations relate to their employment in the School.
 - 7.4.6. If an employee's Working With Children Check clearance is cancelled or if they are or become a disqualified person from working or volunteering with children (as defined in the *NSW Child Protection (Working With Children) Act 2012* Section 18).
 - 7.4.7. Employees should refer to the following John Colet School policies for further information about these obligations:
 - a. Child Protection Policy
 - b. Promote Child Safety in the Workplace Policy
 - c. Identify and Respond to Child Abuse and Neglect Policy
 - d. Child Protection Records and Information Exchange Policy
- 7.5. Please note that teachers and some other employees have mandatory reporting obligations under the *Children and Young Persons (Care and Protection) Act 1998 (NSW)* where they have reasonable grounds to suspect a child under the age of 16 years is at

risk of significant harm and have current concerns about the safety, welfare and wellbeing of the child. Employees should refer to the Identify and Respond to Child Abuse and Neglect Policy for further information about these obligations.

8. Conflicts of Interest

- 8.1. A conflict of interest includes any circumstance, whether actual or perceived, arising from a conflict between the performance of an employee's professional duties with the School and their personal interests. Employees are to take all appropriate steps to disclose a conflict of interest (or potential conflict) to the School as soon as the employee becomes aware of it.
- 8.2. A conflict can arise when there is a reasonable expectation of a personal benefit, direct or indirect, for an employee that could influence the performance of their duties. This benefit may be financial or non-financial.
- 8.3. Employees must take suitable measures to avoid, or appropriately deal with, any situation or relationship they may have where a conflict of interest could, directly or indirectly, compromise the performance of their duties.
- 8.4. An employee may ask themselves the following questions to assist in identifying whether a situation or relationship is potentially a conflict of interest:
 - Do I have personal interests that may conflict, or be perceived to conflict, with my position at the School?
 - Could there be benefits for me now, or in the future, that could cast doubt on my objectivity?
 - How will my involvement in the decision or action be viewed by others?
 - Does my involvement appear fair and reasonable in all the circumstances?
- 8.5. Employees must not solicit or accept gifts, benefits or hospitality which might be reasonably seen to either directly or indirectly compromise or influence their professional duties with the School.

9. Gifts and Benefits

- 9.1. Gifts of a nominal value generally used for promotional purposes, or moderate acts of hospitality offered as a genuine thank you by a student or family, may be personally retained as long as they have not been solicited by the employee or could be seen to have comprised or unduly influenced the employee's professional duties with the School.
- 9.2. Gifts or hospitality offered as an inducement to purchase, provide information or treat someone favourably are not acceptable regardless of their monetary value. Examples of inducement include a recruitment agency offering theatre tickets for each temporary person employed.

- 9.3. Gifts, such as a Christmas hamper or a box of chocolates from a contractor, should be shared and made available for consumption by all staff. Consideration should also be given to donating such gifts to charity.

10. Secondary Employment

- 10.1. Employees engaged on a full-time basis must seek and obtain approval in writing from the School prior to engaging in any secondary employment or business activity, including employment within a family business.
- 10.2. Part-time and casual employees must also seek approval to undertake secondary employment from the School if the employment may result in potential conflicts of interest that could adversely impact on the employee's ability to perform their duties with the School, including work, health and safety concerns, or where the secondary employment may affect the School's financial position, services, clients or standing in the community.
- 10.3. Approval for secondary employment is still required when employees are on leave, including periods of leave without pay.
- 10.4. Where an employee is already involved in secondary employment, they must provide details of the secondary employment to the School and obtain the necessary approval.

11. Appropriate use of electronic communication and social networking sites

- 11.1. The School provides electronic communication facilities for its students and employees for educational or administrative purposes.
- 11.2. Employees must comply with The ICT Acceptable Use Policy. This includes:
 - 11.2.1. Exercising good judgment when using electronic mail, following the principles of ethical behaviour
 - 11.2.2. Using appropriate and professional language in electronic mail messages
 - 11.2.3. 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
 - 11.2.4. Not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene
 - 11.2.5. Not inviting students into their personal social networking site or accepting an invitation to theirs
 - 11.2.6. Not using social networking sites to email or contact students

- 11.2.7. Remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden
 - 11.2.8. Reporting any situations where they become aware of the inappropriate use of electronic communication and social networking sites.
- 11.3. Employees must never use the School's networks to view, upload, download or circulate any of the following materials:
- 11.3.1. Sexually related or pornographic messages or material;
 - 11.3.2. Violent or hate-related messages or material;
 - 11.3.3. Racist or other offensive messages aimed at a particular group or individual;
 - 11.3.4. Malicious, libellous or slanderous messages or material; or
 - 11.3.5. Subversive or other messages or material related to illegal activities.

12. Use of Alcohol, Drugs and Tobacco

- 12.1. Employees are responsible for ensuring their capacity to perform their duties is not impaired by the use of alcohol or drugs and that the use of such substances does not put at risk their health and safety or that of any other person.
- 12.2. Employees must:
- 12.2.1. Not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances
 - 12.2.2. Not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work
 - 12.2.3. Notify their supervisor if they are aware that their work performance or conduct could be adversely affected as a result of the effect of a prescribed drug
 - 12.2.4. Take action to resolve any alcohol or other drug-related problems that they have
 - 12.2.5. Consult with the Headmaster if they are concerned about working with other employees who may be affected by drugs or alcohol.

12.3. Drugs

12.3.1. Employees must not:

- 12.3.1.1. Have illegal drugs in their 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 employment and referral to the Police
- 12.3.1.2. Give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
- 12.3.1.3. Supply or administer prescription or non-prescription drugs to students unless authorised to do so.

12.4. Alcohol

- 12.4.1. Employees 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 Headmaster. 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.
- 12.4.2. Employees must not:

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

12.5. Tobacco

12.5.1. Employees must not:

- 12.5.1.1. Smoke or permit smoking in any School buildings, enclosed area or on School grounds. This includes all buildings, gardens, sports fields, and car parks not belonging to the School but which the School may be currently using.
- 12.5.1.2. Purchase tobacco or tobacco products for any School student, or give them tobacco or tobacco products.

13. Management and Resources

- 13.1. Employees must use the School's resources economically and ethically. Such resources include money, facilities, equipment (e.g. phones, computers, iPads, fax machines), vehicles, services (e.g. internet) and any other property which is owned or is the responsibility of the School. Employees also have a duty to ensure the School's resources are used only for their intended purpose, are well maintained and secured against theft or misuse.
- 13.2. Employees are fully accountable for the use of the School's work time and resources. Employees should not use John Colet work time or resources for an outside interest, secondary employment or personal gain, such examples include the development of a new commercial idea or writing a book.
- 13.3. Employees have a duty to report to the School any improper use, waste or abuse of resources, corrupt or fraudulent conduct or inadequate administration or accountability.

14. Protected Disclosures

- 14.1. In reporting any suspected improper use, fraud, waste or abuse of resources, corrupt conduct, inadequate administration or accountability, employees are entitled to seek support and protection when making such disclosures, and to be notified of the action taken in relation to the disclosure.
- 14.2. Employees are not entitled to protection for disclosures which, on investigation, are found to be vexatious or malicious allegations, and may be liable for disciplinary action as a result.

15. Communication

- 15.1. Employees are required to comply with the established line of communication with parents as set by the School.
- 15.2. Employees should be mindful of confidentiality when in discussions with parents. Employees cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.
- 15.3. Employees should not disclose personal information about a colleague to students or parents or discuss their work performance, except if authorised by the Headmaster in the context of grievance resolution.
- 15.4. 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.
- 15.5. The media should not be given access to students or allowed entry to the School without the express permission of the Headmaster. Employees should not make any comments to the media about the School, students or parents without the express

permission of the Headmaster.

16. Confidential information

- 16.1. School employees must only use confidential information for the work-related purpose it was intended.
- 16.2. Unless authorised to do so by legislation, employees must not disclose or use any confidential information without the express permission of the Headmaster.
- 16.3. Employees must make sure that confidential information, in any form, cannot be accessed by unauthorised people.

17. Privacy

- 17.1. Sensitive and personal information should only be provided to people, either within or outside the School, who are authorised to have access to it.
- 17.2. Employees should always exercise caution and sound judgment in discussing the personal information of students, parents, employees 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.
- 17.3. Further information about this policy can be sought from the Headmaster.

18. Record Keeping

- 18.1. 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.
- 18.2. Employees must not destroy or remove records without appropriate authority.
- 18.3. Supervisors have a responsibility to ensure that the employees reporting to them comply with their records management obligations.
- 18.4. 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.
- 18.5. Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

19. Breaches of the Employee Code of Conduct

- 19.1. Employees hold a position of trust and are accountable for their actions.
- 19.2. The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach.
- 19.3. Employees should report possible breaches by colleagues to their supervisor or the Headmaster. If the possible breach is by their supervisor then it should be reported to the Headmaster. If the possible breach is by the Headmaster then it should be reported to the Chairman of the Board of Governors.
- 19.4. Factors the School may consider when deciding what action to take may include:
 - 19.4.1. the seriousness of the breach
 - 19.4.2. the likelihood of the breach occurring again
 - 19.4.3. whether the employee has committed the breach more than once
 - 19.4.4. the risk the breach poses to employees, students or any others
 - 19.4.5. whether the breach would be serious enough to warrant formal disciplinary action.
- 19.5. 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.

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Policy Approval Date: