Introduction

Staff at St Charbel’s College have a responsibility to meet the high standards of professional and ethical behaviour required by the College, students, parents/caregivers, the Catholic and wider community.

Staff undertake their responsibilities within the framework of the law and lawful instructions from their employer. Staff must comply with legislative and industrial requirements, with this Code and any policies and procedures that are implemented by St Charbel’s College.

Respect for the values, mission, policies and practices of St Charbel’s College

In performing their duties, it is expected that all staff will avoid by word, action or public lifestyle that which is contrary to the teachings and values of the Catholic Church in whose name they act.

Staff must familiarise themselves and comply with the values, mission, policies and guidelines of the College as documented.

Professional Responsibilities of staff

In carrying out their duties and responsibilities all St Charbel’s College teachers must:

- Be conscious of their special duty of care to the students in all educational activities in and out of school.

- Demonstrate the highest standards of professional behaviour, exercise professional judgement and act in a courteous and sensitive manner when interacting with students, parents/caregivers, staff and the public.

- Collaborate in the development of school plans, policies and programs.

- Devise and document teaching and learning programs and develop and implement appropriate evaluation mechanisms.

- Treat students equitably, including those with disabilities or other special needs.

- Meet the individual learning needs of students and assist each student to maximise his or her learning outcomes.

- Effectively manage and implement programs for Child Protection and Student Welfare.

- Undertake appropriate ongoing professional development to promote competence in curriculum development, delivery and evaluation, classroom management and teaching skills.

- Comply with legislative and industrial requirements, the College’s Code of Conduct and all College Policies, including the Use of Communication Devices Policy.
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- Be familiar with the provisions of legislation relevant to their official responsibilities.
- Comply with reasonable directions given by their Supervisor or the Principal and adhere to College guidelines concerning the performance of their duties.
- Be fair in exercising delegated responsibility and promote personal and professional development of staff.
- Perform their duties efficiently and effectively and with honesty, integrity and fairness at all times.
- Ensure that decisions are made fairly and conveyed promptly both within the school and to those parents/caregivers and members of the public who have a right to know.
- Use information gained in the course of employment only for proper and appropriate purposes.
- Use school resources economically.
- Behave in such a manner as to protect and enhance the esteem and standing of St Charbel’s college.

Professional Conduct and Dress Code

Staff members are expected to dress and act in accordance with their profession, and are to abide by the following guidelines.

- All staff members should always dress in a professional manner. Even when undertaking Physical Education classes, a teacher’s dress should model for the students practical good grooming. All staff should refrain from wearing to school, any garment which is revealing or provocative in cut or style.
  - No anklets, toe rings, third stud earrings or nose rings.
  - Denim jeans or tracksuits should only be worn on sports days, camps, fun days, etc suitable shoes – no thongs.
  - Tattoos are to be covered if visible to the students.
- There is an expectation that teachers act professionally and provide a good role model for students. For example, mobile phones are to be switched off in church/classrooms/staff meetings etc and only in the case of an emergency should staff take mobile phone calls while in class. All urgent matters can be passed onto staff through the Administration Office.
- Teachers are to conform to the school’s Maronite ethos behaving respectfully in church. Chewing gum, taking mobile phone calls in the church etc is totally unacceptable.

Staff are not permitted to:

- Engage in correspondence on social networking sites pertaining to the college, students of the college, the families of students or college colleagues.
- Discuss school matters on social networking sites (this clause is not intended to prohibit professional or educational online discussions).
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- Accept students as ‘friends’ on social networking sites.

Professional Relationships Interactions with students

It is expected that staff will be caring, compassionate adults who take an interest in their students and who set appropriate boundaries within those employee-student relationships. Staff must be aware that their interactions with students are based on a trusting relationship arising from the nature of the work, and that those relationships are open to scrutiny.

Staff must not, under any circumstances, use any form of discipline which involves corporal punishment or engage in any form of behaviour which could cause physical or emotional abuse to students.

Staff must always treat students with respect. Within this, there is no place for sarcasm, derogatory remarks, offensive comments or any other inappropriate conduct that may result in emotional distress to a child.

- Behaviour that may cause psychological harm to a student includes:
  - Targeted and sustained criticism, belittling or teasing.
  - Excessive or unreasonable demands.
  - Hostility, verbal abuse, rejection or scape-goating.
  - Using inappropriate locations or social isolation, outside of the school’s discipline policy, as punishment.
  - Staff must always treat students in a consistent manner without inappropriate familiarity or spending “special time” with a student.

Some indicative behaviours that may suggest a student is not being treated in a consistent manner could include:

- Giving gifts to a child (for example, giving a birthday gift to a particular student when this is not the practice with other students, or asking the student to keep the gift a secret from others).

- Showing special favours.

- Allowing a student to over-step rules, except where it is clearly articulated in a student’s individual education plan or individual behaviour management plan.

- Sharing secrets with a student.

- Inconsistent consequences or allowances.

Social interactions between staff and students outside of school and school related activities can be problematic and may lead to allegations against staff. Staff must be conscious that their position places extra obligations on them and they should follow the policy and procedure as set by their school. Staff are to seek guidance from their Principal if a personal relationship exists with the student’s family.

Examples of when staff are to seek guidance from their Principal include:

- Visiting students at their home.
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- Inviting students to visit the employee’s home.
- Making telephone calls of a personal nature to students.
- Sending emails of a personal nature to students.
- Sending SMS (mobile phone texting) messages to students.

When congratulating a student, a consistent approach should be used in line with school practice. Staff must be conscious that their actions, particularly physical gestures may be open to scrutiny by others. Staff are required to develop and exercise prudent judgment and sensitivity regarding appropriate physical interactions with students.

Staff should, whenever possible, endeavour not to drive a student in their car unless they have specific permission, and do so in accordance with College policy. In the event of an emergency, staff should attempt to obtain parental consent and also report the matter to the Principal, where possible prior to the journey commencing.

Staff may only engage in tutoring or coaching students outside of school hours in accordance with College policy. Staff should be aware that child protection issues may arise in these circumstances and should continue to follow their obligations under this Code.

Staff should avoid, as far as possible, situations where they are alone with a student. In the conduct of their professional duties, staff may be required to work in a one to one situation with a student. In such situations staff must follow the College’s policy and procedure.

When responsible for a single student, an employee should:

- Have previously discussed arrangements with the Principal
- Maintain visibility into a room
- Where possible, interact with the student in an area open to observation.

Staff must do everything within reason to ensure that alcohol, tobacco or prohibited substances are not consumed by students on the school’s premises or at school functions, camps or excursions. Staff must not give to students, nor are they to encourage or condone the students’ use of the abovementioned substances. Consumption of alcohol by staff at school, or while at school functions should be in accordance with school policy. Administration of prescribed medications should be in accordance with school policy.

Staff must not, under any circumstances, engage in intimate and/or sexual relationships with a student or engage in any conduct of a sexual nature with a student. It is irrelevant whether the relationship is heterosexual or homosexual, consensual or non-consensual or condoned by parents/caregivers. The age of the students or staff involved is also irrelevant.

Teachers must not, under any circumstances, engage in conduct of a sexual nature with a student. Improper conduct of a sexual nature by a teacher against a student includes sexual intercourse and any other form of child sexual abuse (which must be notified) as well as but not limited to the following

- Inappropriate conversations of a sexual nature.
- Obscene language of a sexual nature.
- Suggestive remarks or actions.
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- Jokes of a sexual nature.
- Obscene gestures.
- Unwarranted and inappropriate touching.
- Sexual exhibitionism.
- Personal correspondence with students in respect of the employee’s sexual feelings for the student.
- Deliberate exposure of students to sexual behaviour of others, other than in the case of prescribed curriculum material in which sexual themes are contextual.
- Possession, distribution or display of pornography.
- Electronic transmission of messages or files which are sexually explicit, offensive or contain inappropriate jokes.
- Sending SMS (mobile phone texting) messages which are sexually explicit, offensive or contain inappropriate jokes.

Teachers in their pastoral care role must be cautious of the content and context of their discussions with students.

Staff must exercise caution when:

- Making personal comments about a student.
- Asking questions that probe a student’s sexuality or personal relationships.
- Discussing personal details of lifestyle of self or others.
- Disclosing their personal contact details to students.

Staff must not discuss matters of a sexual nature relating to themselves.

Should any student engage, or attempt to engage, in inappropriate behaviour of a sexual nature with an employee, then immediate steps must be taken to discourage the student and the matter should be immediately reported to the Principal.

Staff must notify the Principal immediately should they suspect a situation involving any form of reportable conduct or concern of risk of harm to students. Staff must also be aware of individual mandatory reporting requirements under the Children and Young Persons (Care and Protection) Student Management Act 1998 and the “Keep them Safe ” legislation, 2010. It is not the responsibility of staff to investigate allegations or suspicions of a child protection nature.

Maintaining Professional Boundaries

The following self-assessment may assist staff in assessing their application of professional boundaries:

- Am I dealing with a particular student in a different manner than with others under the same circumstances?
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- Would I do or say this if a colleague was present?
- Is my dress/availability/language different from the normal with a particular student(s)?
- Are the consequences of my actions likely to have negative outcomes?
- Are my personal feelings translating into inappropriate actions?
- Could my conduct with a student be perceived as demeaning or belittling?

Staff are required to bring to the attention of the Principal any potential, perceived or actual contraventions of any of these boundaries set out in this Code, whether by themselves or colleagues. The requirement to report any possible contraventions is essential given the duty of care owed to students within the school environment. In addition, all staff are to notify any allegation of reportable conduct or reportable convictions of which they become aware in accordance with current legislation and College policy.

**Duty of Care**

The College owes a duty of care to its staff and students. It is expected that all staff contribute towards the fulfilment of this legal duty. Staff will exercise with diligence, the duty of care that they owe to the student. In addition to this, staff are expected to take all reasonable steps to protect students from risk of harm. This may require making formal notifications/reports to government agencies.

Staff are also expected to cooperate with the school to maintain a workplace environment that is positive, open and healthy for members of the school community. Each employee has a significant role to play in achieving and maintaining this objective. It is expected that any matters that threaten the fulfilment of this objective are reported to the employee’s direct supervisor.

The supervisory role of staff is aimed at enhancing a student’s educational opportunities, building self-esteem, and ensuring students are safe and supported. Whilst in a supervisory role, the employee has an obligation to fulfil duty of care requirements.

Teachers must comply with the arrangements for student supervision put in place by the College for all activities where the student is under the duty of care of an employee. Playground supervision is an integral part of this responsibility. Teachers must actively supervise their designated area, be vigilant and constantly mobile. Punctuality is an essential element of this compliance.

Staff should be alert to bullying or any other form of harassment or discriminatory behaviour, act on and report incidents in accordance with the College’s Anti-Bullying Policy.

Ill or injured students should be attended to by the supervising employee in accordance with the College First Aid and Health Policy.

Attention to the personal care needs of a student should be done in accordance with the College’s policy and procedure and individual management plan, if one exists.

Staff should remain with students at after school activities in accordance with College policy.

**Risk Management**

All staff should be aware of risks that arise in the school and take steps to minimise and/or eliminate those risks. Staff also need to appreciate that the College, in exercising its duty of care
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for students and staff, may from time to time require an employee to conduct a risk assessment, having regard to the welfare of all.

Student Discipline

Student discipline practices at St Charbel’s College aim to facilitate the development and experience of responsible self-discipline amongst students and to promote the well-being, safety and effective management of the school community.

It is the responsibility of each employee to develop effective, consistent and appropriate management strategies in day to day interactions with students as a preventative system of behaviour management. These strategies should include a clear, consistent and graded method of dealing with inappropriate behaviours and should be developed in accordance with the College’s Pastoral Care, Student Management and Discipline policies. It is the responsibility of each employee to be familiar with these policies.

As a general rule, staff will use their own management strategies in their initial dealings with students. However, students who display recurrent challenging behaviours, particularly unsafe behaviours should be referred to the appropriate person in line with the College’s policy and procedures. Where a student’s behaviour is unable to be managed by the implementation of the College’s policies, an individual behaviour management plan should be developed for that student. All staff should be made aware of this individual management plan and act in accordance with the procedures documented in this plan.

All staff should be aware that corporal punishment is prohibited. Corporal punishment involves the application of physical force to punish or correct a student unless that physical contact is reasonable and necessary for the protection of any person.

The following behaviour management practices are unacceptable:

- Using an object, such as a ruler, book, duster, chalk or whiteboard marker.
- To gain a child’s attention in a hostile or an inappropriate physical manner.
- Restraining a student for any purpose other than a student’s actions causing imminent harm to self or others.
- Hitting or kicking a student.
- Pushing, shaking, pulling, shoving, grabbing, pinching or poking a student.
- Intimidating or swearing at a student.
- Using sarcasm to humiliate.
- Locking a student in a confined space.
- Refusing biological needs as a means of punishment.
- Criticising a student rather than the student’s actions.
- Practices which instil fear, or using fear as a means of controlling a student.
- Practices which cause a student to feel alienated.
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- Exposing a student to material that contains violent or inappropriate sexual messages or themes.
- Contains adult concepts or themes that are inappropriate to the student’s age or curriculum expectations.

Physical contact with students

When physical contact with a student is a necessary part of the teaching/learning experience staff must exercise caution to ensure that the contact is appropriate and acceptable for the duty to be performed.

- Assessing a student who is injured or ill may necessitate touching. An employee should advise the student of what they intend to do and, where possible, seek the student’s concurrence.
- Teaching sport, music and other activities may require the physical handling of a student to demonstrate a particular action or skill.

Physical contact with students which may be appropriate includes:

- Comforting a distressed student.
- Guiding a student in a non threatening manner.
- Tapping a student on the shoulder to gain his/her attention after verbal requests were unsuccessful.
- Protecting a student from imminent danger to himself/herself or to others.

The physical contact referred to above is only acceptable if the contact was reasonable for the purpose of discipline, management or care of the student. The contact must also be appropriate given the age, maturity, health or other characteristics of the child. Physical contact with a student should be consistent with any behaviour management plan in place for that student.

Physical interventions (including physical restraints, removals or escorts) to contain and/or control the behaviour of students should only be employed as measures of last resort to ensure safety and protection. The use of physical intervention is restricted to occasions when the student, other students, staff or others are being harmed or are in imminent danger of being harmed.

Some examples of when it may be appropriate to use physical intervention as a last resort include:

- A student attacking an employee.
- A student attacking another student.
- Students physically fighting.
- A student causing, or at risk of causing, injury to self or others.
- A student misusing dangerous materials, substances or objects where it is likely that this will cause imminent harm.
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As any physical intervention involves some risk of injury to the student or employee, staff must weigh this risk against the risks involved in failing to physically intervene when it may be warranted. All staff using physical interventions are responsible and accountable for the manner in which they exercise that authority.

Confidentiality

Staff should be aware of, respect and adhere to, the established lines of communication in the College. Where matters arise in a school under Child Protection Legislation, staff should maintain the confidentiality of all parties concerned. In any matters where an employee is in doubt as to the requirements of confidentially, they should seek the advice of the Principal or the Principal's delegate, without discussing the matter with any other employee.

Privacy

Staff members are reminded that information about past or present students cannot be given to anyone making enquires. This includes the provision of names and addresses. Staff should be aware of increasing public sensitivity about privacy, and should be extremely careful not to give out information. All enquires should be directed to the office.

Unacceptable Conduct

All staff members are expected to treat colleagues and students with proper respect and consideration. Under no circumstances should a staff member strike a student. All staff should be careful to refrain from the use of any language that may be degrading or offensive, as well as terminology that can best be described as vulgar or obscene.

Conduct which is contrary to this Code may amount to reportable conduct and/or disciplinary action within the meaning of Child Protection Legislation and will be dealt with in accordance with the College’s Disciplinary Policy.

Clarification of the Code

If there is any conflict between this Code and applicable legislation, the legislation will prevail. If an employee is in doubt about the interpretation of this code then the matter should be discussed with a more senior employee. If this matter cannot be clarified at a local level, the matter may be referred to the Catholic Commission for Employment Relations.

Notification of Serious Offences Committed by Members of staff

A member of staff who is charged with or who is found guilty of an offence referred to in Section 86 of the Teaching Services Act 1980 (a serious criminal offence committed in New South Wales or elsewhere) must immediately report that fact to the Principal. Furthermore, it is an offence for a prohibited person to engage in child related employment. A prohibited person is someone who has been convicted of a serious sex offence. On becoming aware of the fact that a member of staff has been charged with or found guilty of such an offence or has been charge with or found guilty of a serious criminal offense, the Principal will take in accordance with the St Charbel’s College Conflict Resolution Policy (Grievance Procedures).