



Code of Conduct

(Employee)

POLICY DATES: JOHN CALVIN SCHOOL CODE OF CONDUCT			
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POLICY AUTHORISATION			
Principal	Daniel Coote	Signature	

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It is the role of the Principal to provide appropriate dissemination of the Code of Conduct as well as the timely in-servicing of all employees.

The code of conduct is available on the school website and on the school network in the 'staff files' folder.

INTRODUCTION

All employees at John Calvin School, Launceston, including the Principal, are bound by this code of conduct. As employees they formally undertake to support the Reformed ethos of the school as a requirement of their employment agreement and are expected to demonstrate their support for the Vision and Mission of Reformed education through the exercise of their employment responsibilities and conduct.

The purpose of this document therefore is to provide members of the John Calvin School - Launceston community with a set of ethical principles guiding the standards of conduct that they are expected to uphold in their interactions with students, each other and the wider community.

This CODE OF CONDUCT for all employees of the Free Reformed School Association, Tasmania is supported by the following documents:

FRSA Constitution

Teachers Registration Board Code of Professional Ethics

JCS Employee Handbook

JCS Student Welfare Policy

JCS Bullying Policy

JCS Behaviour Management Policy

1. PHILOSOPHY AND VALUES OF THE SCHOOL UNDERPINNING THE CODE

- 1.1 The John Calvin School is a Reformed Christian school where children of the covenant are given the opportunity not merely to develop their talents, but to do so in the fear of the Lord, which is the beginning of all wisdom and knowledge. Employees at the school therefore have an added responsibility which makes their task more meaningful; they have the privilege of teaching the Lord's children, of helping the parents to bring them up in the way of the truth. They must be active members of the Free Reformed Church, since their task is to instruct the children in and according to the doctrine of the church in all areas of the curriculum.
- 1.2 Employees ought to be well aware of their position and role within the school community; their authority is derived from the parents of the children they teach and should be exercised according to the norms of Scripture; during school hours they act "in loco parentis" and they should therefore behave towards the children as a Christian parent would. However, even outside of school hours, employees should still be positive role-models for the children in behaviour, language and dress.
- 1.3 Since the school is run by an association, it is important that employees maintain a good relationship with the members of this association on whose behalf they are working. Satan does not hesitate in efforts to break down the harmonious relationship between staff, parents, children, association members and board. Only in the strength of God and in faithful obedience to His Word may we expect to achieve the aims of the school.

2 GENERAL RESPONSIBILITIES OF THE EMPLOYEE

- 2.1 Employees must be prepared to work as a team, with everyone doing his/her part to the best of his/her ability. Employees must uphold not only a Reformed Christian standard, but should also act as professionals at all times in order to carry out tasks successfully and also gain the respect and support of the association.
- 2.2 All employees, as confessing members of the Free Reformed Churches of Australia, are expected to conduct themselves in accordance with the

highest Christian principles and the expectations of the Board and Association as set out in the constitution and Employee Handbook.

- 2.3 Employees should ensure that, unless special exemption has been approved by the Board, any school-aged children are enrolled at John Calvin School.
- 2.4 Employees must maintain currency of their professional competence through appropriate professional development or learning experiences.
- 2.5 Employees must only take leave of absence from their work duties when authorised to do so.
- 2.6 Employees must be cognisant of the policies, procedures and delegations that are applicable to their actions. The Principal and school leaders must make relevant information available to staff. Employees are required to read and make every effort to ensure that they understand policy documents issued to them or circulated to them. Employees who are uncertain about any aspect of policies, procedures and delegations which apply to them should examine the relevant information and seek advice from supervisors. This includes information contained on the school website and in school handbooks and policy folders.
- 2.7 Employees must perform their work duties competently and responsibly, with a focus on delivering or supporting high quality educational services to students, and delivering high quality services to other internal or external school clients.

3. PROFESSIONAL AND ETHICAL CONDUCT

- 3.1 All employees should make themselves familiar with the John Calvin School Employee Handbook which outlines amongst others, the school's expectations regarding employee conduct.
- 3.2 A co-operative, collaborative atmosphere conducive to the promotion of integrity in the workplace will assist staff in the implementation of this code. It is the responsibility of all to foster such an atmosphere and provide guidance, personal and professional development.
- 3.3 In the course of their employment, employees must act in a professional and respectful way that enhances their professional reputation and the reputation of the School and independent education. Employees should be aware that personal conduct and lifestyle outside of normal working hours can reflect either positively or adversely on the School and

independent education and therefore they should act appropriately in the presence of students at all times, both within and outside school hours. At all times employees should conduct themselves in a manner that does not bring the School or independent education into disrepute.

- 3.4 Employees ought to be well aware of their position and role within the school community; their authority is derived from the parents of the children they teach and should be exercised according to the norms of Scripture; during school hours they act "in loco parentis" and they should therefore behave towards the children as a Christian parent would. However, even outside of school hours, employees should still be positive role-models for the children in behaviour, language and dress.
- 3.5 All employees will endeavour to provide a supportive, safe and caring environment and effectively manage and implement programs for child protection and student welfare.
- 3.6 Teachers will devise and document high quality teaching and learning programs and develop and implement appropriate evaluation mechanisms;
- 3.7 Employees must maintain the accuracy, integrity and appropriate confidentiality of all information used in their professional dealings in the School and independent education.
- 3.8 As an employee of the Free Reformed School Association staff may be entrusted with access to information of a sensitive nature to enable them to carry out their duties.
- 3.9 Employees must ensure that confidential, private and sensitive information is handled carefully and that the integrity of such information is maintained at all times in compliance with relevant privacy legislation. Sensitive information may include but is not limited to student records, behaviour management plans or individual education plans.
- 3.10 An employee must not, after leaving employment with the school, use confidential information obtained during the course of his / her employment for other work or non-work related purposes.
- 3.11 Employees must uphold and comply with:
 - 3.11.1 applicable Commonwealth, State and local laws, regulations, industrial awards and agreements;

- 3.11.2 applicable professional standards and codes of practice that do not conflict with government or School policy;
- 3.11.3 Government directives, and School policies and procedures.
- 3.12 Employees must act promptly in reporting breaches of the law, School policies, and government directives, as well as misconduct and maladministration to the School Principal.
- 3.13 Some of the requirements which come under the code of conduct are also the subject of specific provisions of various Acts. If there is any conflict between the code and the provisions of an Act or Regulation the provisions of the Act or Regulation will prevail.
- 3.14 Employees must comply promptly, conscientiously and effectively with all lawful and reasonable decisions and directions given by a person having authority to give such directions.
- 3.15 Employees must not knowingly or deliberately impede compliance with, or implementation of, a lawful and reasonable decision or direction.
- 3.16 When making decisions or giving directions, employees must act within their legal and organisational responsibilities and delegations. Employees must make what they believe to be competent decisions and give fair and reasonable guidance and directions.
- 3.17 Employees must ensure that School and independent education resources are not used improperly. These resources include financial and material resources as well as intellectual, information, system and knowledge resources related to the work of the school and independent education. Work time is also a valuable resource that must be managed effectively to create productive outcomes.
- 3.18 Employees are expected to be modestly and sensibly dressed. Employees must ensure that their personal appearance and presentation are clean, tidy and appropriate for their work and role in accordance with the employer's expectations.
- 3.19 Also in matters of dress and grooming, it is important for employees to remember that they are role-models for the children. The teacher should be an interesting and colourful person also in the way he/she dresses. At the same time the children should not receive the impression that to a Christian, matters of dress are of the utmost importance.

4. DUTY OF CARE

- 4.1 Employees are expected to behave always in ways that promote the safety, welfare and well-being of students, fellow employees and others in their workplace environment in accordance with relevant occupational, health and safety legislation.
- 4.2 Employees whose work involves interacting with students have a special responsibility to comply with duty of care requirements and not to be engaged in inappropriate behaviour such as illegal, anti-social, scandalous or disreputable activities which may negatively impact on them being seen as appropriate role models for those students.
- 4.3 Employees must exercise every care to meet the individual learning needs of students and assist each student to maximise his or her learning outcomes and effectively manage and implement programs for child protection and student welfare.
- 4.4 Duty of care is essentially a duty to do everything reasonably practicable to protect others from foreseeable harm. While this applies in all aspects of an employee's work, it is particularly important for those employees who have interaction with and responsibility for students.
- 4.5 Teachers have a particular duty of care towards students. It arises out of what is known as a fiduciary relationship, that is, a relationship based on trust. Such positions are bound by two ethical principles:
- 4.5.1 *non-maleficance* – the responsibility to cause no harm to self or others
 - 4.5.2 *beneficence* – to actively promote the good of self and others
- 4.6 All students have a basic and expected right to a physical and emotional environment that is free from unreasonable risk of harm. Harm includes any significant detrimental effect to the student's physical, psychological or emotional well-being by any cause and includes minor harm that is cumulative in nature and which would result in a detrimental effect of a significant nature to the student if allowed to continue. Amongst other things, harm can be caused by:
- 4.6.1 physical, psychological or emotional abuse or neglect;
 - 4.6.2 sexual abuse or exploitation; or
 - 4.6.3 domestic or family violence; or
 - 4.6.4 student bullying; or
 - 4.6.5 one's own actions.

Employees are referred for reporting procedures to the *Children, Young Persons & Their Families Act (1997)* with regards to matters of child abuse and neglect.

- 4.7 Employees must actively seek to maintain a physically safe teaching environment for students.
- 4.8 Employees must take reasonable steps to prevent harm to students and to support students who have been harmed.

5. PHYSICAL CONTACT

- 5.1 Employees must not engage in conduct that could physically harm a student and this should be noted especially in cases involving disciplinary action.
- 5.2 Corporal punishment is prohibited in the School.
- 5.3 There may be occasions, however, where physical intervention is appropriate in order to protect students, self and others. In these circumstances this would be deemed reasonable action providing that the physical intervention is to prevent harm or further harm to students and that the employee seeks to avoid inflicting physical harm where possible. The physical intervention must be proportionate to the circumstances.

6. DISCRIMINATION AND HARASSMENT

- 6.1 It is the responsibility of each employee to ensure that no student or adult is discriminated against on the basis of age, disability, family responsibilities (including breastfeeding), gender/sex/sexual orientation, irrelevant medical/criminal record, marital/relationship or parental status, political/industrial belief or activity, pregnancy, race/ethnicity, or religious belief/activity.
- 6.2 Employees must treat students and adults equitably, including those with disabilities or other special needs.
- 6.3 Employees must demonstrate the highest standards of professional behaviour, exercise professional judgement and act in a courteous and sensitive manner when interacting with students, parents or caregivers, staff and the public.

- 6.4 Employees must not behave in ways that a reasonable person would consider to be offensive, intimidating, humiliating or threatening. Such conduct might include, but not be restricted to, targeting students with unfair and continued criticism; making excessive or unreasonable demands of others; and making any form, either oral or written (including electronic communication), of derogatory comments to students, parents, work colleagues or the general public. Should such unacceptable behaviour occur, then all recipients of such behaviour have recourse to the processes contained within the school's Grievance Policy.
- 6.5 Staff will ensure that no student will harm or harass another through bullying tactics of any sort. This is fully outlined in the JCS Bullying Policy.
- 6.6 Staff will treat each other with care and respect as befits Christian brothers and sisters such that no harm will come to another through bullying tactics of any sort. This is fully outlined in the JCS Bullying Policy.
- 6.7 Since we are all members of Christ's body and fellow creatures in God's eyes, the School's employees are committed to providing workplaces free of all forms of discrimination, victimisation and harassment. Common types of harassment include:
- 6.7.1 Intimidation
 - 6.7.2 bullying
 - 6.7.3 sexual harassment
- 6.8 Employees must not discriminate against, victimise or harass any colleague, student or parent, nor discriminate in how services are provided to the community. All employees of the School have the responsibility to act fairly and evenly towards other employees, students and the general public in accordance with the School's policies and relevant legislation including the *Tasmanian Anti-Discrimination Act 1998*, and the Federal Government's *Equal Employment Opportunity Act 1987*, *Sex Discrimination Act 1994* and *Disability Discrimination Act 1992*.
- 6.9 Discrimination, victimisation or harassment will not be tolerated and will be dealt with in accordance with school policies. It should be noted that following the receipt and thorough investigation of an allegation of discrimination, victimisation or harassment against an individual, there is the potential for the laying of criminal charges in cases where the allegation has been sustained.

7. SEXUAL CONDUCT

- 7.1 Employees' interactions with students must be, and be seen to be, professional at all times.
- 7.2 Employees must not attempt to sexualise a relationship with a student. To do so is a breach of trust, an abuse of authority, professional misconduct, immoral and criminal. Failure by the other person to reject such conduct does not necessarily imply meaningful consent for in law a minor cannot consent.
- 7.3 Employees must not provide or exchange personal contact details such as telephone numbers or email addresses with students, unless there are specific work-related reasons. Similarly, employees must not enter into unauthorised electronic communication with students such as text messaging, pod-casting and chat rooms.
- 7.4 The following behaviour constitutes either misconduct or sexual misconduct:
- 7.4.1 unwarranted and inappropriate touching of students
 - 7.4.2 suggestive remarks or action of a sexual nature
 - 7.4.3 sexual exhibitionism
 - 7.4.4 obscene gestures, language, jokes containing sexual references or deliberately exposing students to the sexual behaviour of others in any form, other than in the case of prescribed curriculum material in which sexual themes are contextual
 - 7.4.5 inappropriate conversations of a sexual nature
 - 7.4.6 comments that express a desire to act in a sexual manner
 - 7.4.7 personal correspondence (including electronic communication) with a student in respect of the adult's sexual feelings for a student
 - 7.4.8 deliberate exposure of students to sexual behaviour of others including display of pornographic material
 - 7.4.9 flirtatious behaviour directed at a student
 - 7.4.10 dating a student
 - 7.4.11 spending significant time alone with a student other than to perform one's professional duties, or without other reasonable explanation
 - 7.4.12 expressing romantic feelings towards a student in any way.
- 7.5 Sexual misconduct can also include grooming behaviour. Grooming behaviour is a process whereby sexual offenders condition and build rapport with children or young persons in order to reduce their resistance to, and increase compliance with, sexual abuse. The grooming process can include:

- 7.5.1 misleading students by pretending to them that they are special, for example by spending inappropriate time with students, inappropriately giving gifts, showing special favours to certain students but not to other students, allowing students to overstep the accepted school rules.
 - 7.5.2 breaking of accepted school standards of behaviour, for example undressing in front of students, allowing students to sit on their lap, talking about sex, apparently accidental touching.
 - 7.5.3 engaging in inappropriate, personalised forms of communication.
- 7.6 Employees must discourage and reject any advances of a sexual nature initiated by a student. Should such a situation arise then employees must report such instances immediately to their Principal / Principal delegate to assist in preventing repetition and avoiding subsequent allegations. Allegations will be investigated thoroughly and may involve the Police.

8. USE OF TOBACCO, ALCOHOL, OTHER DRUGS AND MEDICATION

- 8.1 In accordance with the School policy, smoking is not permitted in school facilities and grounds. Similarly, smoking is not permitted whilst staff members have direct responsibility for or contact with students.
- 8.2 Employees have an occupational health and safety obligation, in accordance with the *Workplace Health and Safety Act 1995*, to ensure that their use of alcohol and drugs, whether illicit, proscribed, over-the-counter or prescribed as medication, does not adversely affect their work performance or endanger the health and safety of others.
- 8.3 The illicit use of drugs at any time within a professional context, particularly in association with the supervision of students, is strictly prohibited.
- 8.4 Employees must not provide students with alcohol and must not encourage or condone the illegal use of alcohol (including underage drinking) or the excessive consumption of alcohol.
- 8.5 Employees should reasonably endeavour to avoid direct social contact with students where student consumption of alcohol or the illicit use of drugs occurs.
- 8.6 Employees must not consume or be affected by alcohol and / or the illicit use of drugs in any circumstances where they are responsible for students. This includes camps, retreats, excursions and other such activities.
- 8.7 Employee consumption of alcohol is generally not permitted at any activity or event where students may be present such as fairs, barbecues, graduations and the like. However, in special circumstances where school

authorities have authorised the serving of alcohol, have secured Licensing Commission permits as necessary and have set aside a clearly defined area for such purposes, the limited consumption of alcohol may be permitted.

- 8.8 At the request of parents and with the agreement of appropriately trained employees, employees are authorised to administer prescribed medications in accordance with the School policies and procedures. Employees must not provide students with non-prescribed medications or over-the-counter drugs without the appropriate authorisation of school authorities, nor encourage or condone student illicit use of drugs.
- 8.9 Employees suffering from a drug or alcohol problem that adversely affects their work performance must actively seek professional assistance to correct the problem.

9. CONFLICT OF INTEREST

- 9.1 A conflict of interest may exist when an employee's private interests have the potential to interfere with the proper performance of his / her work duties. A potential or actual conflict of interest must be identified, declared and avoided or resolved in favour of the public interest and should not be undertaken without the express permission of the Principal.
- 9.2 It is understood that situations may occur where employees are working with family members or with persons with whom they develop close personal relationships. Where such relationships exist between employees or with prospective employees, then the potential for conflict of interest should be noted.
- 9.3 As a general principle, all employees who participate in procedures for selection, granting of tenure, performance appraisal, termination or transfer of any person who is a family member or with whom they have, or have had, a close personal relationship should declare any potential conflict of interest. However, the existence of a close personal or family relationship should not constitute a bar to the employment, promotion, granting of tenure or transfer of any individual.
- 9.4 Employees should be aware that private part-time employment including tutoring which conflicts with, or compromises, employment with John Calvin School, may give rise to a conflict of interest. Employees should seek prior approval from the school authorities for any such employment.

- 9.5 Employees should be aware that receipt of gifts from those considered as part of the broad client base of the organization (eg. – students / families in a school setting) may present the potential for a conflict of interest.
- 9.6 In many cases only individual employees themselves will be aware of the potential for conflict. The onus therefore is on the individual in these cases to notify the appropriate supervisor of this potential.

10. USE OF SCHOOL RESOURCES

- 10.1 Employees must ensure that all school equipment, resources, and consumable items are used appropriately for the work and business of the school. Limited and occasional private use of school equipment and resources may occur providing it does not adversely affect the performance of the employee's work duties, or the work duties of others, or the business or reputation of the school. Examples of where this might occur include:
- 10.1.1 limited, occasional and brief private telephone calls and faxes
 - 10.1.2 limited and occasional use of a photocopier
 - 10.1.3 limited and occasional use of computers, email and internet subject to school policy on acceptable use by employees of ICT resources.
- 10.2 Employees must ensure that school equipment is maintained and used in accordance with the manufacturer's requirements, and that all use is both safe and legal.
- 10.3 Employees must have approval to use school equipment and resources off site for work purposes, and must ensure that they are safely stored and secured.
- 10.4 Employees must ensure that they do not breach copyright law or licensing arrangements when copying any school property such as software, library and reference materials, or copying other property for school use.
- 10.5 Employees must not seek financial gain from work produced for the employer without the authorisation of the employer.

- 10.6 Employees whose work duties involve purchasing or managing resources on behalf of the school must act within their delegated authority and comply with legislative requirements, policies and procedures for the purchase, use and disposal of any school resource.

11. USE OF SCHOOL INTERNET, INTRANET, ELECTRONIC MAIL, MOBILE PHONES AND OTHER MEANS OF ELECTRONIC COMMUNICATION

- 11.1 Except for official purposes or in accordance with school policy, employees must not use school resources, including mobile phones, the internet, electronic mail systems, or other means of electronic communication for:
- 11.1.1 accessing, storing, or transmitting words, images or other material that are illegal, sexually explicit, violent or that a reasonable person would find offensive. (This does not include material that is part of a complaint, report or notification about alleged improper conduct of a person made in accordance with an authorised procedure.)
 - 11.1.2 gambling
 - 11.1.3 accessing chat lines not associated with work
 - 11.1.4 transmitting inappropriate jokes
 - 11.1.5 sending of inappropriate programs or mail
 - 11.1.6 what a reasonable person would see as excessive use of the internet
 - 11.1.7 unauthorised use of the school's email distribution lists

12. PROCEDURE FOR DEALING WITH ALLEGATIONS AND APPARENT BREACHES OF THE CODE OF CONDUCT

- 12.1 Procedures for dealing with potential breaches of the code of conduct must be based on the principles of natural justice and procedural fairness. Potential breaches may be addressed in the context of the established grievance policies.
- 12.2 Employees should be aware that the relevant governing body may apply sanctions if this Code of Conduct is breached. Depending on the nature of the breach, various sanctions such as the following may be applied:

- 12.2.1 appropriate warnings
- 12.2.2 counselling
- 12.2.3 actions as prescribed under the various award provisions
- 12.2.4 demotion
- 12.2.5 suspension pending an investigation
- 12.2.6 dismissal
- 12.2.7 laying of criminal charges or civil action

12.3 As appropriate, and according to the word, intent and spirit of the Contracts of Employment, employees may, when in breach of the Code of Conduct, seek access to dispute resolution processes. See JCS Grievance Policy.