



Silver Tree
STEINER SCHOOL

Code of Conduct for Staff, Contractors and Volunteers

2021

This procedure is applicable to: Teachers, Staff, Contractors and Volunteers

AUTHORISED BY: Head of School
VERSION: Version 8
DATE: May 2021
REVIEW: May 2022

TABLE OF CONTENTS

PREFACE	3
INTRODUCTION	4
WHO HAS TO COMPLY WITH THE CODE OF CONDUCT?	4
PRINCIPLES OF THE CODE OF BEHAVIOUR	4
1. Employee expectations	5
2. Good teaching practice	5
3. Respect for people	5
4. Duty of care and OH&S	6
5. Maintain professional relationships between employees and students.....	6
6. Appropriate use of electronic communication and social networking sites	6
7. Use of alcohol drugs or tobacco	7
8. Identifying and managing conflicts of interest	7
9. Declaring gifts, benefits or bribes	7
10. Communication and protecting confidential information.....	7
11. Record keeping.....	7
12. Copyright and intellectual property.....	8
HOW TO COMPLY WITH THE CODE	8
WHAT HAPPENS IF I BREACH THE CODE OF CONDUCT?	9
What do I do if I see someone breach the Code of Conduct?	9
DEFINITIONS.....	10
<i>Child abuse</i>	10
<i>Corporal punishment</i>	10
<i>Degrading punishment</i>	10
<i>Grooming</i>	10
REFERENCES	11

PREFACE

Silver Tree Steiner School (STSS) is committed in accordance with the National Principles for Child Safe Organisations to providing a child-safe environment which safeguards all students and is committed to promoting practices which provides for the safety, wellbeing and welfare of our children and young people. STSS expects all school community members including staff, members of the Board of Governors, 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 are of primary importance when it comes to detecting abuse and preventing abuse from occurring.

INTRODUCTION

This Code of Conduct details the standards of behaviour expected of all employees of the school. The school may, at its discretion, extend this Code of Conduct to volunteers, contractors and others involved with the school.

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 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 happy and proud to work.

In all situations, and regard to managing students' behaviour, Silver Tree explicitly forbids any form of child abuse, corporal and degrading punishment.

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.

This Code should be read in conjunction with the Child Protection Policy which can be found on the school website, www.silvertree.wa.edu.au, staff intranet and at Reception.

WHO HAS TO COMPLY WITH THE CODE OF CONDUCT?

All board members and employees of the school must comply with this *Code*. Volunteers, visitors and contractors are also expected to comply with this *Code*.

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

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 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, board members, visitors, volunteers and contractors engaged by Silver Tree Steiner 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 school expectations, professional expectations and best practice of the teaching profession, as well as the expected norms of our community. You must be fully aware that your actions will be subject to appropriate scrutiny by other staff and by the community and you must be prepared to give an account of your behaviours to leadership when requested.

Any staff member who is unsure about appropriate boundaries in a particular circumstance or must act contrary to either specific or implied boundaries, must consult as early as possible with their line manager 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 from 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?

1. Employee expectations

As an employee, you should be familiar with the school's policies and procedures, know where you can access them for checking purposes and be able and willing to comply with the school's policies and procedures. The policies and procedures are available on the Staff Intranet, the School website www.silvertree.wa.edu.au and the *Policies & Procedures file*, at reception. Electronic copies are available upon request from the School Officer.

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 your line manager or the Head of School.

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) follow reasonable instructions given by your Line Manager or his/her delegate.
- c) comply with lawful directions.
- d) 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.
- e) act honestly and in good faith in fulfilling your duties.
- f) be respectful, courteous and responsive in dealing with your colleagues, students, parents and members of the public.
- g) work collaboratively with your colleagues.
- h) ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the school and does not damage the reputation of the school; and
- i) dress in a professional manner that is appropriate for your role.

2. Good teaching practice

As a professional teacher it is expected that you will provide quality teaching appropriate for your students, cater to the diversity of learners in your care and making every effort to help all students equally so they have every chance of succeeding.

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

3. Respect for people

Staff have a responsibility 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 others reflects on the school's reputation. Therefore, all employees are expected to be approachable, respectful, courteous and prompt in dealing with other people, including students, parents, other employees and members of the community.

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

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 health, safety and student welfare policies, including the *Excursions, Camps and Water Based Activities Policy*.

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 co-workers, 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.

You should ensure that you are aware of and comply with the School's Safety and Health policies.

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 ways that promote the safety, welfare and well-being of children and young people. You must actively seek to prevent harm to children and young people, and to support those who have been harmed.

While not all employees are required to manage and supervise students, it is important for all school employees to understand and observe the School's *Child Protection Policy*.

The detection and prevention of grooming behaviour is a vital consequence of complying with this principle.

6. Appropriate use of electronic communication and social networking sites

The school provides electronic communication facilities for its employees for administrative purposes. It is able to monitor and view data stored or transmitted using the school's facilities. The

fast and permanent nature of electronic communication requires staff to be particularly vigilant with their own communications. All staff must abide by the school's *Internet and Email Usage Policy*.

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 using alcohol or drugs and that the use of such substances does not put at risk you or any other person's health and safety.

The use of illegal substances on the school property is strictly forbidden.

8. Identifying and managing conflicts of interest

Personal interests can, or have the potential to, influence a person's capacity to perform their duties impartially 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.

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. It may also affect the reputation of the school and its staff. You must not create the impression that any person or organisation is influencing the school or the decisions or actions of any of its employees.

10. Communication and protecting confidential information

School employees must maintain the confidentiality of school information. You should be mindful of confidentiality when in discussions with parents, staff, family members and others.

You cannot always give a guarantee of confidentiality especially if the matter under discussion is related to mandatory reporting.

School employees should be aware that there are strong legal requirements around the collection, release and protection of 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 your line manager.

11. Record keeping

All employees have a responsibility:

- a) to create and securely maintain full, accurate and honest records of their activities, decisions appropriate school-based interactions and other relevant transactions;

- b) to capture or store records in the school's record systems, as required; and
- c) to not deliberately access school information to which they are not authorised to do so.

12. 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 WITH THE CODE

I will:

- Act in accordance with Silver Tree Steiner School's child safety and wellbeing policies and procedures at all times.
- Behave respectfully, courteously and ethically towards children and their families and towards other staff.
- Listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
- Promote the human rights, safety and wellbeing of all children at Silver Tree Steiner School.
- Demonstrate appropriate personal and professional boundaries.
- Consider and respect the diverse backgrounds and needs of children.
- Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families.
- Report objectively observable behaviour which breaches or is suspected of breaching this Code, (other than those subject to mandatory reporting obligations) to the Head of School or to the chair of the Board of Governors.
- Involve children in making decisions about activities, policies and processes that concern them wherever possible.
- Contribute, where appropriate, to Silver Tree Steiner School's policies, discussions, learning and reviews about child safety and wellbeing.
- Identify and mitigate risks to children's safety and wellbeing as required by Silver Tree Steiner School's risk assessment policy or process.
- Respond to any concerns or complaints of child harm or abuse promptly and in line with Silver Tree Steiner School's concerns and grievances policy.
- Report all suspected or disclosed child harm or abuse as required by the Children and Community Services Act 2004, and the Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008, and by Silver Tree Steiner School's Child Protection Policy.
- Comply with Silver Tree Steiner School's protocols on communicating with children.
- Comply with Silver Tree Steiner School's policies and procedures on record keeping and information sharing, and the relevant legislation contained within (see *Records Management Policy*).

I will not:

- Engage in any unlawful activity with or in relation to a child.
- Engage in any activity that is likely to physically, sexually or emotionally harm a child.
- Unlawfully discriminate against any child or their family members.

- Be alone with a child unnecessarily.
- Arrange personal contact, including online contact, with children I am working with for a purpose unrelated to Silver Tree Steiner School's activities.
- Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or unless I am required to do so by Silver Tree Steiner School's Child Protection Policy.
- Use inappropriate language in the presence of children or show or provide children with access to inappropriate images or material.
- Work with children while under the influence of alcohol or prohibited drugs.
- Ignore or disregard any suspected or disclosed child harm or abuse.

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 employment terminated. If the breach is considered to be grooming, the school is obliged to report this to the Director General of the Department of Education as a critical incident, via the appropriate notification form. Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by the senior management.

1. The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.
2. Employees are required to report all objectively observable behaviour, that is not permitted by the Code, other than those subject to mandatory reporting obligations, to the Head of School, or the Chair of the Board of Governors NB: If the prohibited behaviour is by the Head of School, then it should be reported to the **Chair of the Board of Governors**.
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.
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. The school reserves the right to determine in its entirety the response to any breach of this Code. However, please note that circumstances where a formal warning is issued to a staff member or their employment is ceased, as a result of a breach that is suspected to have involved grooming behaviour, are required to be notified to the Director General of the Department of Education, as a critical
5. Section 42 of the Teacher Registration Act 2012 outlines the circumstances under which registered teachers are to be reported to the Teacher Registration Board of WA (TRBWA). Circumstances where a formal warning is issued to a teacher or their employment is ceased, as a result of a breach of the Code of Conduct that is suspected to have involved grooming behaviour, fits within the requirements of s.42, as well as being a reportable incident to the Director General of the Department of Education. (Please refer to section 2.2 of this document for details of s.42)

What do I do if I see someone breach the Code of Conduct?

- Act to prioritise the best interests of children.
- Take actions promptly to ensure that children are safe.

- Promptly report any concerns to the Head of School, or the Chairperson of the Board of Governors if your concerns are regarding the Head of School.
- Follow Silver Tree Steiner School's Concerns and Grievances Policy for receiving and responding to complaints and concerns, reports and/or allegations.
- Comply with Mandatory Reporting requirements if relevant, and with Silver Tree Steiner School's Child protection Policy on internal and external reporting.

Silver Tree Steiner School will not tolerate victimisation or other adverse consequences that are directed towards any person who makes such reports in good faith.

DEFINITIONS

Child abuse

Four forms of child abuse are covered by WA law and are defined by the Department of Communities:

1. Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or caregiver.
2. Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level, and includes sexual behaviour in circumstances where:
 - (a) the child is the subject of bribery, coercion, a threat, exploitation or violence;
 - (b) the child has less power than another person involved in the behaviour; or
 - (c) there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
3. Emotional abuse includes:
 - (a) psychological abuse; and
 - (b) being exposed to an act of family and domestic violence.
4. Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged, or they are injured. Neglect may be acute, episodic or chronic.

Corporal punishment

Any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm. *[UN Committee on the Rights of the Child, General Comment No. 8 (2006)].*

Degrading punishment

Any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child *[UN Committee on the Rights of the Child, General Comment No. 8 (2006)].*

Grooming

The use of a variety of manipulative and controlling techniques with a vulnerable subject in order to establish trust or normalise sexually harmful behaviour with the overall aim of facilitating exploitation and/or avoiding exposure. Please refer to the school's *Child Protection Policy* for information on recognising grooming behaviour.

REFERENCES

AISWA Policies and Procedures Guidelines for Schools: Code of Conduct
Available: <https://www.ais.wa.edu.au/policy-and-procedure-guidelines>