



# **SILVER TREE STEINER SCHOOL**

## Code of Conduct for Staff, Board of Governors, Contractors and Volunteers

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2024

This policy applies to: Staff, Board of Governors, Contractors, Volunteers and Practicum Students

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*Silver Tree Steiner School is committed to being a Child Safe Organisation, taking a preventative and participatory stance on child protection issues and promoting a child safe environment based on the National Principles for Child Safe Organisations.*

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## Background

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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, practicum students, students, visitors and contractors to share this commitment. Policies related to the National Principles for Child Safe Organisations are regularly reviewed.

STSS implements a Code of Conduct for all staff, governing body members, practicum students and volunteers which is consistent with the Example Code of Conduct published by the Australian Human Rights Commission and with the National Child Safe Organisation Principles.

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. All staff are required to report objectively observable behaviour which breaches or is suspected of breaching the Code to the Head of School or Chair of the Governing body.

To support this Code of Conduct, all students receive a protective behaviours and sexual abuse prevention education. In addition, the School, in consultation with its students develops and regularly reviews a student code of conduct and guidelines on how to comply which sets out minimum standards of conduct, prohibits bullying, harassment and other forms of peer-to-peer abuse and requires respect for the privacy and human dignity of other students.

In all situations, and with particular regard to managing students' behaviour, Silver Tree Steiner School explicitly forbids child abuse, grooming, corporal and degrading punishment, as defined in our *Child Protection Policy*.

## 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

Defined in the *Guide to the Registration Standards and Other Requirements for Non-Government Schools*

in *Western Australia 2022 (The Guide)*, as ‘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’. (From UN Committee on the Rights of the Child, General Comment No. 8 (2006), paragraphs 11 and 15: CRC/C/GC/8, 2 March 2007)

### **Degrading Punishment**

Defined in *The Guide* as ‘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.’ (From UN Committee on the Rights of the Child, General Comment No. 8 (2006), paragraphs 11 and 16: CRC/C/GC/8, 2 March 2007)

### **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. See Appendix A *Understanding Grooming Behaviour*.

## **Relevant Legislation**

- School Education Act 1999 (WA)
- School Education Regulations 2000 (WA)
- The Teacher Registration Act 2012
- Work Health and Safety Act 2020 (WA)
- Working With Children Act 1988
- Equal Opportunity Act 1984 (WA)
- Privacy Act 2020
- Disability Standards for Education 2005
- National Principles for Child Safe Organisations
- Australian Professional Standards for Teachers
- TRBWA Teacher-Student Professional Boundaries
- Guide to the Registration Standards and Other Requirements for Non-Government Schools 1 January 2024
- Occupational Safety and Health Act 1984 (WA)
- Disability Discrimination Act 1992 (Commonwealth)

## **Related Policies**

Other policies that should be read in conjunction with this policy are:

- Code of Conduct for Students
- Code of Conduct for Parents
- Behaviour Management Policies
- Duty of Care Policy
- Risk Management Policy
- Staff Handbook
- Staff Grievances Policy
- Concerns and Complaints Management Policy
- Critical Incident and Emergency Management Procedure
- Excursions, Camps and Incursions Policy
- Anti-Racism & Discrimination Policy
- Communication Policy
- Social Media Policy
- Code of Conduct and Confidentiality (Board of Governors nomination documents)
- Photos, Videos & Digital Images of Students Policy

## Purpose

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The Code of Conduct for Staff details the standards of behaviour expected of all employees of the School, including Members of the School Governing Board, and practicum students. The School extends this Code to volunteers, contractors, and others involved with the School. All paid and unpaid staff, including volunteers, or trainees are responsible for the safety and wellbeing of children and young people who engage with Silver Tree Steiner School. All paid and unpaid staff are expected to act in accordance with this Code of Conduct in their physical and online interactions with children and young people under the age of 18 years.

The Code of Conduct for Staff (the Code) 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.

The Code places an obligation on all employees to take responsibility for their own conduct and to work with colleagues co-operatively to achieve a consultative and collaborative workplace where children are safe and people are happy and proud to work. 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 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 of Conduct for Staff should be read in conjunction with Silver Tree Steiner School's *Child Protection Policy*, which can be found on the School website, [www.silvertree.wa.edu.au](http://www.silvertree.wa.edu.au), staff intranet and at Reception.

### Who Has to Comply With the Code of Conduct?

All staff of the School and members of the School Governing Board must comply with this *Code*. Volunteers, visitors, practicum students and contractors are also expected to comply with this *Code* and will be held accountable for breaches of the *Code*.

By accepting employment with the School, you must be aware of and comply with this Code. Therefore, you must;

- conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the School
- comply with the School's policies and procedures
- behave respectfully, ethically and responsibly
- be accountable for your actions and decisions
- report objectively observable behaviour which breaches or is suspected of breaching the Code to the Head of School or the Chair of the school's governing body
- participate in learning opportunities annually about the law with respect to mandatory reporting of child sexual abuse

If you are responsible for engaging or managing external consultants, contractors or volunteers, it is your responsibility to make them aware of the School's expectations of conduct consistent with the School's Code of Conduct for Staff during the period of their engagement. They should be told that any conduct that is not consistent with the Code may result in the engagement of a contractor, consultant or volunteer being terminated.

## Principles of the Code of Behaviour

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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.

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.

As a School employee, you hold a position of trust towards students, parents and colleagues. 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?

## **What Happens if I Breach the Code of Conduct for Staff?**

As a School employee, you hold a position of trust and are accountable for your actions. All alleged breaches of the Code will be subject to scrutiny and if substantiated, staff may be warned, suspended or have employment terminated.

The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach. Factors the School may consider when deciding what action to take may include:

- the seriousness of the breach
- the likelihood of the breach occurring again
- whether the employee has committed the breach more than once
- the risk the breach poses to employees, students or any others and whether the breach would be serious enough to warrant formal disciplinary action

Actions that may be taken by the School in respect of a breach of the Code include:

- management or remedial action
- further training
- disciplinary action ranging from a warning to termination of employment
- reporting of the matter to the relevant authority

The school reserves the right to determine in its entirety the response to any breach of this Code

## **Reporting Requirements**

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### **Reportable Incidents**

If the Code breach is considered to involve grooming behaviour (see Appendix A: Understanding

Grooming Behaviour), the School is required to report this to the Teachers' Registration Board of WA (where a teacher is involved), as well as the Director General of Education as a reportable incident. The Head of School will report all 'reportable incidents', as soon as possible within 48 hours, to the Director General using the reportable incident report form available from the Department of Education's website. The Chair of the Board of Governors will also be notified.

The School's records of complaints, allegations and findings related to grooming and child abuse, whether involving former or current staff or students, will;

- contain as much detail as possible
- be stored securely
- not destroyed without the approval of the Director General or, where their retention becomes impracticable or unduly onerous, be forwarded to the Director General with her permission for retention in accordance with the State Records Act 2000

### **Reportable Conduct Scheme**

A Reportable Conduct Scheme commenced in Western Australia on 1 January 2023 requiring schools to notify the Ombudsman of reportable conduct pertaining to sexual and physical abuse, in addition to submitting a reportable incident notification to the Director General. The Ombudsman will monitor, oversee and review investigations into such reports. The Head of School must notify the Ombudsman within seven working days after they become aware of a reportable allegation or reportable conviction.

Reportable Conduct covered by the Scheme includes:

- Sexual offences
- Sexual misconduct
- Physical assault
- Other prescribed offences
- Significant neglect of a child
- Any behaviour that causes significant emotional or psychological harm to a child

If you have any queries about a reportable incident please contact the Non-Government School Regulation team at [ngsregulation.criticalincidents@education.wa.edu.au](mailto:ngsregulation.criticalincidents@education.wa.edu.au) or on 9441 1900.

Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by the senior management. The School reserves the right to determine in its entirety the response to any breach of this Code.

### **What Do I Do If I See Someone Breach the Code Of Conduct For Staff?**

Employees are required to promptly 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. Please note, that if the prohibited behaviour is by the Head of School, then it should be reported to the Chair of the School Board of Governors.

- Act to prioritise the best interests of children and 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 Complaints Management 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. A report is made in good faith when it is

relevant to the School's standard of conduct and made in the honest belief that the matter should be raised.

## How to Comply with The Code

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### **As a school employee, 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 complaints management 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

## Principle 1. Employee expectations

As an employee, you should be familiar with the school's policies and procedures, know where you can access them and be able and willing to comply with them. The policies and procedures are available on the Staff Intranet, the School website [www.silvertree.wa.edu.au](http://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 lawfully comply.

- All staff are expected to hold a valid Working with Children Check (WWCC) registration at all times. It is an offence to engage in child-related work without a current WWCC
- Teaching staff must always hold a valid registration with the Teachers Registration Board of WA (TRBWA).

### How to Comply

1. Inform the Head of School if you become the subject of allegations of conduct not permitted by the Code, whether or not they relate to your employment in the School, or if you are charged with or convicted of a serious offence. You must also inform the Head of School if you become the subject of a Violence Restraining Order.
2. If you become aware of a serious crime committed by another staff member, you are required to report it to the Head of School, who may be required to inform the Police and/or the Department of Child Protection and/or the Teacher Registration Board WA.
3. Report any concerns that you may have about the safety, welfare and wellbeing of a child or young person.
4. Report any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people.
5. Report any concerns you may have about any other employee, contractor or volunteer engaging in objectively observed conduct that is not permitted by the Code.
6. You should refer to the School's Child Protection Policy for further information about these obligations.
7. Staff should make themselves familiar with the procedure for handling allegations against staff and students. It is expected that staff who form a belief that the boundaries or Code of Conduct for Staff has been breached will inform the Head of School in writing or by organising a confidential meeting to discuss concerns.
  - A written response will be provided to the reporting staff member that their report has been dealt with according to established policy
  - If the allegations relate to suspected sexual abuse, the Mandatory Notification Procedure must be followed (refer to *Child Protection Policy*)
  - If the allegations relate to suspected physical, emotional, psychological abuse and neglect, the Non-Mandatory Reporting Procedure must be followed (refer to *Child Protection Policy*)

- Records of complaints, allegations and findings related to grooming and child abuse, whether involving former or current staff or students should contain as much detail as possible, be securely stored and not destroyed without the approval of the Director-General in accordance with Non-Government Schools Registration Standards
8. From January 2009, teachers are required by law to make a mandatory report of child sexual abuse when a belief, based on reasonable grounds, is formed that sexual abuse is occurring or has occurred. This applies if you are working in a paid or unpaid capacity as a teacher. Staff members who are not teachers must report all forms of abuse to the Head of School. Reports of abuse involving the Head of School must be reported to the Chair of the Board of Governors.
  9. In cases where a former student (who is under the age of 18), or the parent or guardian of a former student, makes an allegation about child sexual abuse at the school occurring before 2009, the Department of Communities, Child Protection and Family Support is to be informed immediately. A matter involving a former student who is 18 or over is reportable to the Police. In either case, and in line with the relevant Critical and Emergency Incidents definition, the Head of School must submit a Critical Incident Report to the Director General of the Department of Education as soon as possible within 48 hours, using the critical and emergency incident report form available from the Department of Education's website.
  10. Ensure your registration requirements WWCC and TRBWA are up to date at all times. Should these lapse, your employment status will be determined by the School and you may be stood down immediately without pay.

## **Principle 2. Good teaching practice**

As a professional teacher it is expected that you will provide quality teaching appropriate for your students and cater to the diversity of learners in your care and make 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.

### **How to Comply**

1. Demonstrate the equivalent of at least graduate or proficient stage of the AITSL National Professional Standards for Teachers.
2. Fulfil the role and responsibilities of a teacher outlined in your position description.

## **Principle 3: Respect for People**

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

The School expects staff 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.

### **How to Comply**

1. Model effective leadership and respect in your interactions with students.
2. Continually monitor and reflect on your own practice, so as to model appropriate behaviour and to follow the guidance in this Code.

3. You have a right to respectful communication from parents, in both written and oral formats, and should report breaches of acceptable communication to the Head of School
4. Do not use rude or insulting behaviour, including verbal and non-verbal aggression. Abusive, threatening, intimidating or derogatory language and physical abuse or intimidation towards other employees, contractors, students and parents is unacceptable.
5. You must not engage in unlawful discrimination against, harassment of, or bullying towards a fellow employee, contractor, volunteer, student or parent/guardian. Your responsibilities in this regard are set out in the School's *Discrimination and Harassment Policy*. Unlawful harassment or discrimination may constitute an offence under the Equal Opportunity Act 1984 or federal industrial or discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.
6. If you believe you are being unlawfully harassed or discriminated against or bullied:
  - where you feel comfortable ask the person to stop or make it clear that you find the behaviour offensive or unwelcome. It may be useful to speak with the Head of School in the first instance to seek guidance on how to do this; and/or
  - raise the issue as a grievance in accordance with the School's *Staff Grievances Policy* as soon as possible after the incident(s) have occurred
7. Do not lie about or exaggerate a complaint.

## **Principle 4: Duty of Care and Work Health and Safety**

### **Duty of Care and Student Welfare**

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 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 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
- 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 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. For example, preventative measures should be taken against risks from known hazards and from foreseeable risk situations. You should read and comply with the School's *Risk Management Policy*, *Excursions, Incursions and Camps Policy* and *Duty of Care Policy*.

Students are provided with information about student welfare and safety, and their rights and responsibilities in the School's *Code of Conduct for Students*.

### **Work Health and Safety**

You also have a responsibility under work health and safety 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 come into contact with at work. Consideration 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 policies and procedures related to

*Work Health and Safety.*

**How to Comply**

1. Do not intentionally or carelessly expose students or anyone else at your workplace to any risk or hazard.
2. Read the School's evacuation and lock down procedures in the *Critical Incident and Emergency Management Plan*.
3. Do not leave students unsupervised either within or outside of class. You should be punctual to class and allocated supervision.
4. Remain with students at after school activities until all students have been collected. If a student is not collected, you should remain with the student until collected or seek advice from the Head of School.
5. Do not be late to playground duty. Actively supervise your designated area, being vigilant and moving around in such a manner that promotes harmony in the playground.
6. Look out for bullying or any other form of discriminatory behaviour, and report incidents to the appropriate staff member. Additional detail about student bullying is set out in the *Bullying Prevention Policy*.
7. Actively promote the School's *Code of Conduct for Students* to the students in your care and help them to understand the processes available to them for making a complaint or expressing a concern.
8. Attend to ill or injured students. Should additional assistance be required, contact Reception.
9. Understand and comply with the School's directions in regard to the storage and administration of prescribed medication to students as set out in the School's *Administration of Medication*.
10. Wear clothing and footwear appropriate to your role and activity in accordance with Work Health and Safety requirements and meets dress expectations set down in the *Staff Handbook*.
11. You understand and acknowledge that the health and well-being of yourself and all staff members are of high importance.
12. You advise the Head of School if your ability to work to your full capacity is diminished.

**Principle 5: Maintain Professional Relationships between Employees and Students**

Staff need to treat students with courtesy and respect and provide an environment that encourages 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.

For teachers, this document must be read in conjunction with the TRBWA's Teacher-Student Professional Boundaries – A Resource for WA Teachers. <https://www.trb.wa.gov.au/Professional-Conduct/Teacher-Student-Professional-Boundaries>. This document provides information about professional boundaries in teacher-student relationships and raises awareness of issues and situations that may arise.

While not all employees are required to manage and supervise students, it is important for all school staff to understand and observe the School's *Child Protection Policy*. This policy is located in Reception in the Policies and Procedures file and on the School's website.

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

**How to Comply**

### **Interaction with Students**

1. Where practical, avoid being alone in an enclosed space with a student. Where you are left with the responsibility of a single student you should try to ensure that this is in an open space in view of others. Where this is not possible or practical it should be discussed with the Head of School.
2. No member of the School Staff, Board Member, practicum student, contractor or volunteer should transport a student or students in their private vehicle unless in case of emergency or if approval and permission has been obtained for camps or excursions as per the School policy.
3. If you wish to conduct a private conversation with a student, you should consider the time and venue carefully to avoid placing yourselves in a vulnerable situation. It is preferable to leave the door open. You should not locate yourself between the student and the door.

### **Physical Contact with Students**

1. You must not impose any form of corporal or demeaning punishment on a student in the course of your professional duties. Refer to the School's Behaviour Management Policy.
2. When physical contact with a student is a necessary part of the teaching/learning experience you must exercise caution to ensure that the contact is appropriate and acceptable. You should seek reassurance from the student before making contact or asking for a volunteer if necessary to demonstrate a particular activity.
3. 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 education plan.
4. Assessing a student who is injured or ill may necessitate touching the student. Always advise the student of what you intend doing and, if they are conscious, seek their consent.
5. Sometimes in ensuring duty of care you may be required to restrain a student from harming him or herself or others using reasonable force. Any such strategy must be in keeping with the School's behaviour management practices or individual student plans. You should report and document any such incidents.

### **Relationships with Students**

1. You must not have a romantic or sexual relationship with a student. It is irrelevant whether the relationship is homosexual or heterosexual, consensual or non-consensual or condoned by parents or caregivers. You are reminded of:
  - a. the law prohibiting sexual relations with a person under the age of consent (16 years); and
  - b. the law prohibiting sexual relations between a teacher and his or her student under the age of 18 years.
2. You must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student. An overly familiar relationship with any student that you are responsible for teaching, tutoring, advising, assessing, or for whom you provide pastoral or welfare support raises serious questions of potential grooming behaviour, 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.
3. If you consider that a student is being overly familiar, seeking to establish a personal relationship with you or has developed a 'crush' on you, you should report your concerns to the Head of School as soon as possible, so that a plan can be developed to manage the situation effectively and sensitively.

4. At all times when speaking with students, care must be taken to use appropriate language. You must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity, or offensive comments.
5. You may, as part of your pastoral care role, engage in discussion with students. This is entirely appropriate. However, you must be cautious about making personal comments about a student or asking questions that probe your own or a student's sexuality or relationships. You must not hold conversations with a student of an intimately personal nature where you disclose information about yourself.
6. You must not engage in private tutoring or coaching students from the School without the express permission of the Head of School.
7. Wherever practical, you 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 member of staff should make any significant decisions relating to the student's assessments and have those endorsed by your line manager.
8. You should be aware of, and sensitive to, children with culturally diverse or indigenous backgrounds and cultural practices that may influence the interpretation of your behaviour.

## **Principle 6: Appropriate Use of Electronic Communication and Social Networking**

The School provides electronic communication facilities for its employees for educational or administrative purposes. It monitors and views data stored or transmitted using the School's facilities. By its nature, electronic communication is a fast and informal way of communicating. However, once a document or image has been sent there is no way to recall it and it exists forever.

### **How to Comply**

1. You must comply with the School's Internet and Email Usage Policy, Social Media Policy, Photographing, Videos and Digital Images of Students Policy and Communication Policy. This includes;
  - exercising good judgment when using electronic mail, following the principles of ethical behaviour
  - using appropriate and professional language in electronic mail messages
  - 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
  - not sending messages that are harassing, discriminatory, defamatory, threatening, abusive
  - not inviting current students into your personal social networking site or accepting an invitation to theirs
  - not using social networking sites to email or contact current students
  - declining friendship requests from parents of current students, unless they are relatives or close personal friends
  - exercising professional judgement when considering social media friend requests from ex-students
  - remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden
  - reporting any situations where you become aware of the inappropriate use of electronic

communication and social networking sites

2. You must never use the School's networks to view, upload, download or circulate any of the following;
  - sexually related or pornographic messages or material
  - violent or hate-related messages or material
  - racist or other offensive messages aimed at a particular group or individual
  - malicious, libellous or slanderous messages or material
  - subversive or other messages or material related to illegal activities

Most staff feel confident about their ability to do this in the workplace and in the general community. However, you also need to consider the electronic social environments in which you operate. It is important to consider what information, or images, of yourself could be accessed by others and whether your role in working with children and young people is compromised by it.

Would you be happy for that material to be accessed by students, young people, other staff and parents of the community within which you work? How does the material reflect on your professional suitability for being responsible for children? Could the material be misused?

## **Principle 7: Use of Alcohol, Drugs or Tobacco**

Work Health and Safety is of fundamental importance to the School. Maintaining a safe work environment requires everyone's continuous co-operation. Silver Tree Steiner School is a smoke free environment and the use of illegal substances on the school property is strictly forbidden.

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

### **How to Comply**

1. You must not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances.
2. Do not consume alcohol, illegal drugs or non-prescribed/restricted substances while at work.
3. You must notify your line manager if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug.
4. Take action to resolve any alcohol or other drug-related problems that you have.
5. Consult with your line manager or Head of School if you are concerned about working with other employees who may be affected by drugs or alcohol.

### **Alcohol**

1. You must not take alcohol to school or consume it during school hours or at any school function at any time school students are present, including those events conducted outside school premises unless expressly permitted to do so by the Head of School. A school function is any occasion organised by the School and/or in the school's name, including camps, dances, farewells, excursions, sporting fixtures and fund-raising events.
2. You must not purchase alcohol for, or give alcohol to, any school student (or to any other person under the age of 18 years).
3. Do not condone alcohol use by students of any age during educational activities.

### **Drugs**

1. You must not have illegal drugs in your possession while at work. Any illegal drugs found on school property or in the possession of any person on school property may result in disciplinary action

including the termination of your employment, referral to the Police and, in the case of a member of the teaching staff, report to the Teacher Registration Board WA.

2. You must not give students or other employees illegal drugs or restricted substances, or encourage or condone their use.
3. You must not supply/administer prescription or non-prescription drugs to students unless so authorised.

### **Tobacco and Vaping**

You must not smoke, vape or permit smoking/vaping in any school buildings, enclosed area or on school grounds. This includes all buildings, gardens, sports fields, cars and car parks.

You must not smoke or vape whilst at any school function, even if it is not on school campus. This includes, amongst all other activities, camps, tours and excursions.

You must not purchase tobacco, vaping or tobacco products for any school student or give them tobacco, vaping or tobacco products.

## **Principle 8: Identifying and Managing Conflicts of Interest**

Private interests can, or have the potential to, influence a person's capacity to perform their duties and in turn compromise their integrity and that of the school.

A conflict of interest can involve;

- a. pecuniary interests i.e. financial gain or loss or other material benefits
- b. non-pecuniary interests i.e. favours, personal relationships and associations
- c. the interests (where known) of members of your immediate family or relatives
- d. the interests of your own business partners or associates, or those of your workplace
- e. the interests of your friends.

### **How to Comply**

1. As a school employee, you must not act in conflict with the School's best interests.
2. When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to the Head of School.
3. You should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.

## **Principle 9: Declaring Gifts, Benefits or Bribes**

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

Accepting gifts and other benefits has the potential to compromise your position by creating a sense of obligation and undermining your impartiality. 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 its employees.

### **How to Comply**

1. If you are offered a bribe (i.e. anything given in order to persuade you to act improperly), you must refuse it, explain why it is not appropriate, and immediately report the matter to the Head of School.

2. If you are offered a gift or benefit, you should always consider the value and purpose of a gift or benefit before making any decision about accepting it. A gift that is more than a nominal value of \$250 must not become personal property. You should either politely refuse it or advise the contributor that you will accept it on behalf of the School.
  - a. End of year gifts for Class 6 teachers are exempt from the \$250 nominal value restriction due to the unique nature of the gifts. It is recognised that such gifts do not influence their professional judgement. However, Class 6 teachers will disclose such gifts received to the Head of School for transparency.
  - b. Gifts to teachers given by the parents in a class should not exceed \$20 per family.
  - c. The Head of School can be contacted by parents for questions regarding the suitability of proposed gifts.
3. When a gift above \$250 is accepted, you must advise the Head of School, who will determine how it should be treated and make a record of its receipt. Depending on the nature and value of the gift, it may be appropriate to record the gift in the asset register as a donation or other such record established for that purpose.
4. Sometimes employees might, in the course of their work, win a prize of significant monetary value e.g. a computer, from another organisation. Prizes are usually considered the property of the School. If you win a prize you must advise the Head of School who will determine how the prize should be treated and recorded.

### **Principle 10: Communication and Protecting Confidential Information**

You should be mindful of confidentiality in discussions with parents. You cannot always give a guarantee of confidentiality, especially if the matter is related to mandatory reporting. There are legal requirements around the collection, release and privacy of information. Before asking for 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.

## How to Comply

### Communication

1. Follow the established line of communication with parents set out in the School's Communication Guidelines.
2. You should not disclose personal information about another staff member to students or parents or discuss their work performance, except if authorised by the Head of School in the context of grievance resolution.
3. 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.
4. The media should not be given access to students or allowed entry to the School without the express permission of the Head of School. You should not make any comments to the media about the School, students or parents without the express permission of the Head of School.

### Confidential Information

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

### Privacy

1. Sensitive and personal information should only be provided to people authorised to have access to it.
2. You should always exercise caution and sound judgment in discussing the personal information of students, parents, staff and other people with other school employees. Normally information should be limited to those who need to know in order to conduct their duties, or to those who can assist in carrying out the School's work because of their expertise.
3. From February 22 2018 the School is legally required to report the loss, unauthorised access to, or disclosure, of personal information resulting in serious harm, to the any individuals to whom the information relates and the Office of the Australian Information Commissioner. In accordance with this requirement you are required to notify Head of School in relation to any such loss, access or disclosure, including school information that may be contained on school or personal devices. For more information please refer to the 'Notification of data breaches' section of the School's Privacy Policy and the Data Breach Response Policy.

## Principle 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 upload or store records in the School's record systems, as required
- c. to not deliberately access school information to which they are not authorised to do so.

### How To Comply

1. You must not destroy or remove records without appropriate authority. Refer to the School's Records Management Policy.
2. Line Managers have a responsibility to ensure that the employees reporting to them comply with their records management obligations.

3. 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.
4. Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

### **Financial Accountability and Safeguarding School Assets**

Staff are required to follow the process detailed in the Staff Handbook when making purchases. This requires responsible expenditure within the guidelines of the budget, pre-approval of expenditure over \$100 by the Head of School or Business Manager, tax invoices/receipts of items and regular monitoring of the appropriate budget.

All staff have access to School assets, whether it be as part of their day-to-day duties or extension of their duties out of school hours. Examples of these of assets include computers, printers/copiers, vehicles and machinery, furniture and fittings, mobile phones, and keys. All staff are required to treat these assets with care and ensure their security. In cases of deliberate misuse or negligence, the School may request reimbursement of the replacement cost of lost or damaged items.

### **Principle 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**

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

## **Review and Dissemination**

The development and updating of this Code of Conduct is an ongoing process. Regular changes in legislation and changes in school circumstances and situations necessitate regular review and adjustment. As one of the most important policies in a school the Code of Conduct for Staff will be reviewed annually by the Head of School, as part of a consultative process with staff. The Code of Conduct is presented to all staff annually with the Mandatory Reporting Professional Learning provided by AISWA. Absent staff are required to complete the online training in this area and provide proof of completion to the Head of School.

New employees are required to read this Code of Conduct as part of their induction process and a copy is provided for them. It is discussed with the Head of School and any questions are answered. A record of induction is maintained, including the date of the induction and is signed off by both the inductor and the inductee.

The School may, at any time, make amendments to this Code to ensure continuous improvement and will advise staff of any amendments.

The Code of Conduct for Staff will be made available to the parents, the public and staff members on the School website, and is available to staff in the Policies and Procedures folder in Reception and on the staff intranet.

## Appendix A: Understanding Grooming Behaviour

Grooming in a child protection context refers to deliberate actions undertaken to engage in sexual activity with a child. It differs from sexual abuse in that it is primarily a preparatory activity occurring before abuse occurs, but is continued during and after the abuse to ensure the safety of the groomer.

Grooming is a subtle, gradual, and escalating process of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator, this generally involves engaging in sexual activity with the child. It is deliberate and purposeful and occurs both before and after the abuse. Abusers may groom children and supporting adults for weeks, months, or even years before any sexual abuse actually takes place. The grooming may occur in person, via cyber media and/or other forms of communication.

A committed offender will employ grooming behaviour from an early stage and because it is so subtle and gradual the child may not even be aware that the actual abuse, when it occurs, is wrong or harmful. The grooming occurs with the child but also with those supporting networks around the child which might normally act as a deterrent or protective element. The perpetrator will invest significant energy and patience to minimise the risk of detection and exposure.

The groomer will employ manipulation, guilt, shame, bribery, coercion or exploit low self-esteem to psychologically manipulate the child. As a result, the child becomes increasingly dependent on the groomer and increasingly alienated from protective elements including possible sources to disclose to. This is a deliberate strategy employed to maintain the secrecy of the abuse and to ensure the silence of the child.

The groomer will exploit any vulnerabilities of the protective elements around the child, including parent and family circumstances and school systemic weaknesses. Groomers are very adept at identifying anomalies, boundary ambiguities and any lack of systemic awareness, and then using them to deflect attention from their own actions and intentions.

While distinguishing between appropriate intent and inappropriate intent is often difficult, particularly for a child, it is essential that schools have very clear expectations and boundaries around employee behaviours so that there can be rigorous accountability when dealing with staff.

Schools must work to improve their knowledge and understanding in this area so they are able to challenge existing practice, recognise unprofessional behaviour and build a shared understanding of what a safe school is.

Grooming behaviour with children may include, but is not limited to:

- Selecting and befriending a child and gaining his or her trust and then exploiting the child's vulnerabilities
- Testing a child's boundaries through telling inappropriate jokes, roughhousing, backrubs, tickling, or sexual games
- Moving from non-sexual touching to "accidental" sexual touching. This typically happens during play so the child may not even identify it as purposeful, inappropriate touching. It is often done slowly so the child is gradually desensitised to the touch.
- Manipulating the child to not tell anyone about what is happening. The abuser may use a child's fear, embarrassment, or guilt about what has happened. Sometimes, the abuser uses bribery, threats, or coercion
- Causing the child to feel responsible for the abuse. Children may not notice or may become confused as the contact becomes increasingly intimate and sexual

Grooming behaviour with adolescents may include additional strategies, such as:

- Identifying with the adolescent. The abuser may appear to be the only one who understands him/her

- Displaying common interests in sports, music, movies, video games, television shows, etc.
- Recognising and filling the adolescent's need for affection and attention
- Giving gifts or special privileges to the adolescent
- Allowing or encouraging the adolescent to break rules (e.g., smoking, drinking, using drugs, viewing pornography)
- Communicating with the adolescent outside of the person's role (e.g., teacher, or coach). This could include, for example, texting or emailing the teen without the parents' knowledge

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

- Promotes self and creates a reputation as caring, child-loving, competent, available, trustworthy, truthful
- Raises doubts about the motives, mental health, reliability of the child or anyone else who might approach support services with allegations
- Fosters dependency as someone the family can rely on
- Positively represents child to others so as to be perceived as someone who would never harm the child

### **Preventing or Interrupting the Grooming Process**

Schools unfortunately provide a vast array of opportunities for groomers to enact the grooming process. Some abusers have a particular preference for children within particular age bands and some studies have shown that groomers will take child focussed employment primarily to get access to a particular cohort of children.

Within a school context, holding all staff members accountable to the Code of Conduct for Staff and challenging boundary crossings and violations is one of the most effective strategies to combating grooming behaviour.