



# Code of Conduct

Seventh-day Adventist Schools (WA) Ltd

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2021

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*For Employees and child related workers in **Adventist Christian Schools**  
**Western Australia***

*Carmel Adventist College Primary  
Carmel Adventist College Secondary  
Esperance Christian School  
Landsdale Christian School  
Victoria Park Christian School*

## PREFACE

### ***Code of Conduct***

This code of conduct applies to all child related workers in Seventh-day Adventist Schools (WA) Ltd, trading as Adventist Christian Schools Western Australia (hereafter referred to as ACSWA).

The aim of this Code of Conduct (hereafter referred to as the *Code*) is to outline the standards of behaviour expected of all ***child related workers*** of ACSWA.

A ***child related worker*** for the purposes of this code is defined as any employee of ACSWA including all full time, part time and casual employees, any director of ACSWA, any ***Entrusted Person Volunteer*** or contractor who work directly with children or young people at or off site. An ***Entrusted Person Volunteer*** includes persons engaged in the following:

- Any overnight camps/school sleep-overs/billeting
- Working one to one with other people's children
- Acting as a coach or manager of teams or groups of children or young people
- Working in resource centres, offices, managing canteens etc.
- Accepting a position on governing/school councils, boards or committees.

This *Code* does not attempt to provide a detailed and exhaustive list of what to do in every

This *Code* applies to all *child related workers* of ACSWA whether employed on a permanent, temporary or casual basis, and all volunteers and contractors who directly supervise children or young people.

aspect of your work. Instead, it sets out general expectations of the standards of behaviour required. More detail may be found in your local school policies and guidelines.

The *Code* places an obligation on all ***child related workers*** to take responsibility for their own conduct and to work with colleagues cooperatively to achieve a consultative and collaborative workplace where people are happy and proud to work.

### ***Who has to comply with the Code of Conduct?***

By accepting employment or volunteering with ACSWA, you must be aware of and comply with this *Code*.

Therefore, you must:

- (a) conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the School;
- (b) comply with ACSWA's policies and procedures;
- (c) act ethically and responsibly; and
- (d) be accountable for your actions and decisions.

### ***Contractors and Volunteers***

Contractors, consultants and volunteers working with ACSWA schools must be aware of this *Code* and conduct themselves in a manner consistent with the conduct described in it. Conduct that is not consistent with the conduct set out in this *Code* may result in the engagement of a contractor, consultant or volunteer being terminated.

If you are engaging or managing external consultants, contractors or volunteers, it is your responsibility to make them aware of ACSWA's expectations of conduct during the period of their engagement.

## **General**

As a *child related worker*, you should be aware of ACSWA and School's policies and procedures, particularly those that apply to your work. Many of these will be made available to you through your local school induction program.

If you are uncertain about the scope or content of a policy with which you must comply, you should seek clarification from your Principal or Director of Education.

You should also be familiar with the legislation and award under which you are employed as this may specify requirements with which you need to comply.

All staff are required to report objectively observable behaviour which is not permitted by the Code of Conduct.

This *Code* is not intended to be contractual in nature and does not impose any contractual obligations on ACSWA. ACSWA reserves the right at its sole discretion to vary or cancel this *Code* at any time.

Nothing in this *Code* should be taken to limit the circumstances in respect of which ACSWA may take disciplinary action in respect of an employee.

## **1. What is expected of you as a child related worker?**

1.1 As an ACSWA *child related worker*, 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 Principal, supervisor or their 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 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 ACSWA and does not damage the reputation of ACSWA; and
- (i) adhere to the local school student behaviour management policy which explicitly forbids the use of any form of child abuse, corporal punishment or other degrading punishment.

## 2. What happens if I breach the Code of Conduct?

As an ACSWA *Child related worker*, you hold a position of trust and are accountable for your actions.

- 2.1 The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.
- 2.2 ***Child related workers*** should report possible breaches by colleagues to their supervisor or the Principal. If the possible breach is by their supervisor then it should be reported to the Principal or Director of Education.
- 2.3 Factors ACSWA 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 ***child related worker*** has committed the breach more than once;
  - (d) the risk the breach poses to other ***child related workers***, students or any others; and
  - (e) whether the breach would be serious enough to warrant formal disciplinary action.
- 2.4 Actions that may be taken by ACSWA 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 or engagement. ACSWA will reserve the right to determine in its entirety the response to any breach of this *Code*.

## 3. Required reporting

*Child related workers* are required to report certain information to the School/ACSWA.

- 3.1 Staff are required to report all objectively observable breaches of this Code of Conduct to the Principal or, where the breach observed was committed by the Principal, to the Director of Education who will report it to the Chair of Adventist Christian Schools Board of Directors.
- 3.2 From January 2009, teachers and boarding supervisors 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 to staff working in a paid or unpaid capacity as a teacher, school nurse and/or boarding supervisor.
- 3.3 Staff who are not teachers, school nurses or boarding supervisors must report all forms of abuse to the school's Principal or, if the Principal is named in the allegation, to the Director of Education who will report it to the Chair of Adventist Christian Schools Board of Directors.

NB: Sexual abuse that occurred before 1 January 2009 is not considered a mandatory report but must be reported to the Principal.

- 3.4 In cases where a former student (still 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 Service is to be informed immediately. An allegation involving a former student who is now aged 18 or over is reportable to the Police. In either case, the Principal must submit a Reportable Incident Notification Form to the Director General, Department of Education and may also be required to notify the Teacher Registration Board of Western Australia.
- 3.5 As a *Child Related Worker*, you must report to the Principal/Director of Education:
- (a) any concerns that you may have about the safety, welfare and well-being of a child or young person;
  - (b) any concerns you may have about the inappropriate behaviour of any other *Child Related Worker* that involves children or young people;
  - (c) any concerns you may have about the inappropriate behaviour of a sexual nature engaged in by a child or young person at the school;
  - (c) any concerns you may have about any *Child Related Worker* engaging in 'Sexual Misconduct' or any allegation of 'Sexual Misconduct' that has been made to you; and
  - (d) if you become aware that a *Child Related Worker* has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving 'Sexual Misconduct'; and
  - (e) if you become the subject of allegations of 'Sexual Misconduct' whether or not they relate to your engagement in the School.
  - (f) immediately if you have had a change in your criminal history which may affect a future criminal history assessment.
- 3.6 You should refer to ACSWA's ***Child Protection Policy*** for further information about these obligations.

## 4. Respect for people

ACSWA expects *Child related workers* to treat each other with respect and courtesy. Our daily interaction with others reflects on ACSWA's reputation. Therefore, all *Child related workers* are expected to be approachable, courteous and prompt in dealing with other people, including students, parents, other employees and members of the community.

The victimisation of staff, students, parents and guardians for making an allegation in accordance with the school's policy is forbidden, including where the allegation is unfounded.

- 4.1 ***Child related workers*** who work with students have a special responsibility in presenting themselves as appropriate role models for those students. Modelling effective leadership and respect in your interactions with students can have a profoundly positive influence on a student's personal and social development.

- 4.2 Similarly, it is important for you to treat your colleagues, other employees, contractors, students and parents with respect. Rude or insulting behaviour, including verbal and non-verbal aggression, shouting, abusive, threatening, intimidating or derogatory language and physical abuse or intimidation towards other employees, contractors, students and parents is unacceptable. You must not use information and communication technologies, such as email, mobile phones, text or instant messaging, blogs, social media sites and other websites to engage in this type of behaviour.
- 4.3 You must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent. Unlawful harassment or discrimination may constitute an offence under the ***Equal Opportunity Act 1984 (WA)*** or federal discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.
- 4.4 If you believe you are being unlawfully harassed or discriminated against or bullied:
- (a) 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 your supervisor or Department Head in the first instance to seek guidance on how to do this; and/or
  - (b) raise the issue as a complaint to the Principal or Director of Education as soon as possible after the incident(s) have occurred.
- 4.5 ACSWA takes reports of unlawful discrimination and harassment or bullying seriously and will consider action it considers appropriate if such conduct is found to have occurred including disciplining or dismissing offenders. Many incidents can be addressed effectively if reported early.
- 4.6 If you lie about or exaggerate a complaint, ACSWA will view this as a very serious matter, and you may be disciplined or dismissed.

## 5. Duty of Care and Work Health and Safety

As an ACSWA employee, you have a duty of care to students in your charge to take all reasonable steps to protect students 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 School, and
- providing medical assistance (if competent to do so), or seeking assistance from a medically trained person to aid a student who is injured or becomes sick at School.

### ***Duty of Care***

- 5.1 As an ACSWA employee, 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, risks from known hazards and from foreseeable risk situations against which preventative measures can be taken. The standard of care that is required, for example the degree of supervision, needs to be commensurate with the students' maturity and ability.

- 5.2 Duty of care to students applies during all activities and functions conducted or arranged by the School. The risks associated with any activity need to be assessed and managed before the activity is undertaken.
- 5.3 You should ensure that you are aware of the School's guidelines for duty of care.

### ***Work Health and Safety***

- 5.4 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 at risk the health and safety of your co-workers, students or other persons that you may come into contact with at work.
- 5.5 Considerations of safety relate to both physical and psychological wellbeing of individuals.
- 5.6 You should ensure that you are aware of the ACSWA and School's Work, Health and Safety Management System and its associated policies and guidelines.
- 5.7 You should ensure that you are aware of the School's Work, Health and Safety procedures.

### ***Supervision of Students***

- 5.8 You should take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury.
- 5.9 You should be familiar with and comply with the School's evacuation procedures.
- 5.10 Students should not be left unsupervised either within or outside of class. You should be punctual to class and allocated supervision.
- 5.11 You should remain with students after School activities until all students have been collected. In the event that a student is not collected you should remain with the student until collected, or seek advice from your supervisor.
- 5.12 Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. You should actively supervise your designated area, being vigilant and constantly moving around.
- 5.13 You should be alert to bullying or any other form of discriminatory behaviour, intervene where appropriate and report incidents to the appropriate staff member.
- 5.14 Ill or injured students should be attended to by the supervising staff member. Should additional assistance be required you should contact the Principal.
- 5.15 You should ensure that you understand and comply with the School's policy in regard to the storage and administration of prescribed medication to students.

## 6. Professional Relationships between Employees and Students

As an ACSWA *Child Related Worker*, 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 *Child related workers* to understand and observe the School's child protection policies.

This *Code* explicitly forbids the use of any form of child abuse, corporal punishment or other degrading punishment.

See *Appendix p.16* for definitions of child abuse, corporal punishment and degrading punishment.

### ***Supervision of Students***

- 6.1 You should avoid situations where you are alone in an enclosed space with a student. Where you are left with the responsibility of a single student you should ensure that this is in an open space in view of others. Where this is not possible or practical, it should be discussed with your supervisor and/or the Principal.
- 6.2 You should never drive a student in your car unless you have specific permission from your supervisor and/or the Principal to do so. In the event of an emergency you should exercise discretion but then report the matter to your supervisor.
- 6.3 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.
- 6.4 When confiscating personal items, such as mobile phones or hats, ask students to hand them to you. Only take items directly from students in circumstances where concern exists for the safety of the student or others and your own safety is not jeopardised by this action

### ***Physical Contact with Students***

- 6.5 You must not exert physical force on a student in the process of managing that student nor routinely plan to use physical force in your student management techniques. Exceptions would include the following:
  - (a) disarming a child or young person seeking to harm themselves or others.
  - (b) separating children or young people who are fighting.
  - (c) moving a child or young person out of harm's way.
  - (d) restraining a child or young person from causing intentional damage to property.
  - (e) self-defence or the defence of others.
- 6.6 You must not impose physical punishment on a student in the course of your professional duties. This *Code* explicitly forbids the use of any form of child abuse, corporal punishment or other degrading punishment.



- 6.7 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 by asking for a volunteer if necessary to demonstrate a particular activity.
- 6.8 Attention to the toileting needs of young children should be done with caution. It may be appropriate to have the door open. For students with a disability the management of toileting needs should be included in the student's individual management plan.
- 6.9 Assessing a student who is injured or ill may necessitate touching the student. Always advise the student of what you intend doing and seek their consent.
- 6.10 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 management plans. You should report and document any such incidents.

### ***Relationships with students***

- 6.12 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 their student.
- 6.13 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 (including any adult student) that you are responsible for teaching, tutoring, advising, assessing, or for whom you provide pastoral or welfare support raises serious questions of conflict of interest, trust, confidence, dependency, and of equality of treatment. Such relationships may also have a negative impact on the teaching and learning environment for other students and colleagues, and may carry a serious reputational risk for ACSWA.
- 6.14 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 your supervisor and/or the Principal as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.
- 6.15 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.
- 6.16 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.
- 6.17 You must not:
- (a) invite students to your home;
  - (b) visit students at their home; or
  - (c) attend parties or socialise with students; or
  - (d) plan to meet students outside of school
- unless you have the express permission of the Principal and their parents or care giver or it is an authorised School or Church activity.

- 6.18 You must not engage in tutoring or coaching students from the School without the express permission of the Principal.
- 6.19 You must not invite students to join your personal electronic social networking site or accept students' invitations to join their social networking site (see Section 7 - Appropriate use of electronic communication and social networking sites).
- 6.20 Staff, volunteers and other individuals subject to this Code of Conduct must not take or store images of a child or children that a reasonable person would consider to be inappropriate, demeaning, suggestive or in any way explicit on any phone or device.
- 6.21 When taking photographs or videos of a child or children, staff members should use a school-supplied device whenever possible and upload images to a school shared drive or a school owned device (e.g. staff laptop, iPad, school phone, etc.) as soon as reasonably practicable. If a staff member's personally owned device (e.g. iPhone) is used to take photographs/videos of a child or children of whom that staff member does not have legal custody, these should be uploaded to a school shared drive or school owned device and deleted as soon as is practicable from the staff member's personal device.
- 6.22 Photographs and/or videos of students must only be used for the purpose for which they were collected, and as authorised in accordance with the school's Photo/Video Release Guidelines by the parent/guardian.
- 6.23 You must not give gifts to students. You should also carefully consider your position before accepting any gift from a student (see Section 10 - Declaring gifts, benefits and bribes)
- 6.24 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 a supervisor.
- 6.25 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.

### **Child Protection**

- 6.26 You must be aware of and comply with ACSWA's Child Protection Policy and guidelines.
- 6.27 As set out in Section 3 you must report any concerns you may have about any other employee, contractor or volunteer engaging in 'Sexual Misconduct' against a child or young person or any allegation of 'Sexual Misconduct' against a child or young person that has been made to you to the Principal. This includes self-disclosure if the allegation involves you.
- 6.28 Broadly, 'Sexual Misconduct' includes but is not limited to:
  - (a) sexual assaults ranging from indecent assault through a number of offences to rape and
  - (b) other forms of unlawful sexual behaviour including such offences as being in possession of child pornography and
  - (b) acts of gross indecency.
 whether or not the child consents.
- 6.29 The requirements outlined in Section 6 in relation Supervision, Physical Contact and Relationships with Students set professional boundaries in relation to your

behaviour. They make clear what behaviour is unacceptable and could amount to 'Sexual Misconduct'.

### ***Child Related Worker screening***

- 6.28 All Child Related Workers with ACSWA will need a valid WWC Card.
- 6.29 All Child Related Workers with ACSWA are to renew their WWC Card prior to the expiry date.
- 6.29 If you are Child Related Worker you are to inform the Principal if there is a change in your criminal history that may affect your WWC card status.

## **7. Appropriate Use of Electronic Communication and Social Networking Sites**

The School provides electronic communication facilities for its students and 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.

### 7.1 You must:

- (a) prepare all correspondence relating to any school activity following the authorised school communication process and send this communication using only school authorised communication channels;
- (b) exercise good judgment when using internet or telephony based communication channels using the principles of ethical behaviour. These channels include but are not limited to email, short messaging service (SMS), Skype, chat rooms, social networking sites such as Facebook, Twitter, Tumblr, Pinterest, Instagram and Reddit.
- (c) use appropriate and professional language in all electronic communication;
- (d) be aware that if an issue addressed in text based communication becomes the subject of a legal dispute, then those text based communications would be discoverable: that is, the court and all parties to the dispute would be entitled to see them;
- (e) not send messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
- (f) not invite students into your personal social networking sites or accept an invitation to theirs;
- (g) not use personal or non-school authorised internet, personal or non-school authorised social media accounts or telephony based communication channels to communicate with students. Where there is a wider community context for communication such as leadership in youth groups or other church activities this will need prior approval by the Principal and the student's parents and will be regularly monitored.
- (h) remember transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and

- (i) report any situations where you become aware of the inappropriate use of electronic communication and social networking sites.
- 7.2 You must never use the School's networks to view, upload, download or circulate any of the following materials:
- (a) sexually related or pornographic messages or material;
  - (b) violent or hate-related messages or material;
  - (c) racist or other offensive messages aimed at a particular group or individual;
  - (d) malicious, libellous or slanderous messages or material; or
  - (e) subversive or other messages or material related to illegal activities.

## 8. USE OF ALCOHOL, DRUGS AND TOBACCO

Work Health and Safety is of fundamental importance to ACSWA. Maintaining a safe work environment requires everyone's continuous cooperation. Further, membership of the Seventh-day Adventist Church prohibits the use of alcohol, illegal drugs and tobacco.

- 8.1 The use of alcohol, illegal drugs and tobacco are not to be a part of any ACSWA or School function.
- 8.2 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.
- 8.3 As a person engaged by the School, you must:
- (a) not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
  - (b) not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;
  - (c) notify your supervisor if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
  - (d) take action to resolve any alcohol or other drug-related problems that you have; and
  - (e) consult with your supervisor or Principal if you are concerned about working with other colleagues who may be affected by drugs or alcohol.

### Drugs

- 8.4 As a person engaged by the School, you must not:
- (a) 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 and referral to the Police;
  - (b) give students or other colleagues illegal drugs or restricted substances, or encourage or condone their use; and
  - (c) supply or administer prescription or non-prescription drugs to students unless authorised to do so.

## Alcohol

- 8.6 You must not:
- (a) purchase alcohol for, or give alcohol to, any School student (or to any other person under the age of 18 years); and
  - (b) encourage or condone the use of alcohol by students of any age during educational activities.

## Tobacco

- 8.7 You must not smoke or permit smoking in any School buildings, enclosed area or on School grounds. This includes all buildings, gardens, sports fields, cars and car parks.
- 8.8 You must not purchase tobacco or tobacco products for any School student, or give them tobacco or tobacco products.

## 9. 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 ACSWA.

- 9.1 As a person engaged by the School, you must not act in conflict with the ACSWA's best interests. A conflict of interests 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.

**It may not only be about your own interests. It may 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.
- 9.2 When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to your supervisor or the Principal.
- 9.3 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.

## 10. DECLARING GIFTS, BENEFITS AND BRIBES

As a person engaged by the School, 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 judgment when deciding whether to accept a gift or benefit.

- 10.1 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 Principal or Director of Education.
- 10.2 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 ACSWA and its staff. You must not create the impression that any person or organisation is influencing ACSWA or the decisions or actions of any of its employees.
- 10.3 When such a gift is accepted that is more than nominal value (\$50) you must advise your Principal and record the gift in the School's Gift Registry.
- 10.4 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 your supervisor or the Principal who will determine how the prize should be treated and recorded.

## 11. COMMUNICATION AND PROTECTING CONFIDENTIAL INFORMATION

### ***Communication***

- 11.1 You should be mindful of confidentiality when in discussions with parents. You cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.
- 11.2 You should not disclose personal information about another staff member to students or parents or discuss their work performance, except if authorised by the Principal in the context of grievance resolution.
- 11.3 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.
- 11.4 The media should not be given access to students or allowed entry to the School without the express permission of the Principal. You should not make any comments to the media about the School, students or parents, and should immediately report all requests for comment from the media to the Principal and Director of Education.

### ***Confidential information***

- 11.5 As a person engaged by the School, you must only use confidential information for the work-related purpose it was intended.

- 11.6 Unless authorised to do so by legislation, you must not disclose or use any confidential information without the express permission of the Principal.
- 11.7 You must make sure that confidential information, in any form, cannot be accessed by unauthorised people.

### **Privacy**

- 11.8 Sensitive and personal information should only be provided to people, either within or outside the School, who are authorised to have access to it.
- 11.9 You should always exercise caution and sound judgment in discussing the personal information of students, parents, staff and other people with other *ACSWA child related workers*. 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.

## **12. RECORD KEEPING**

- 12.1 All persons engaged by the School have a responsibility:
  - (a) to create and maintain full, accurate and honest records of their activities, decisions and other business transactions, and
  - (b) to capture or store records in the School's record systems.
- 12.2 You must not destroy or remove records without appropriate authority.
- 12.3 Supervisors have a responsibility to ensure that persons engaged by the School reporting to them comply with their records management obligations.
- 12.4 Persons engaged by the School who are 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.
- 12.5 Persons engaged by the School must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

## **13. COPYRIGHT AND INTELLECTUAL PROPERTY**

- 13.1 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.
- 13.2 Advice relating to sharing or licensing the School and ACSWA's intellectual property should be sought from the Principal.
- 13.3 The School and ACSWA cannot give away or assign its intellectual property without the approval of the Principal and Director of Education.
- 13.4 If you develop material that relates to your employment with ACSWA, the copyright in that material will belong to ACSWA. This may apply even if the material was developed in your own time or at home.
- 13.5 You should not use the School and ACSWA's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal and Director of Education.

## **14. Professional Learning and Induction to the Code of Conduct**

- 14.1 Annual professional learning to be provided for all staff on the Staff Code of Conduct, including the guidelines on how to comply with it and related grooming and child abuse prevention practices and strategies.
- 14.2 A Register of Induction should be maintained by Schools detailing the date, facilitator/s, venue, presentation materials, and names of all participants.
- 14.3 Principals are responsible for ensuring that all employees and child related workers are inducted into the Code of Conduct, and the Register of Induction maintained.



## Appendix

### 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** is defined 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** is defined 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).