

1.6 Code of Conduct

CODE OF CONDUCT

For all staff at Cedars Christian College

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1. Part One - Introduction

Background

It is an employment requirement that staff are committed Christians who agree with the College's statement of faith and live, work and conduct themselves in a manner which is consistent with and upholds the College's statement of faith, mission, vision beliefs and values.

All staff are considered to have a ministerial (pastoral) role in the school community and are expected to provide a specifically Christian role model and example.

Separate to these requirements, the 2004 amendments to the child protection legislation require agencies, such as schools, to develop a Code of Conduct which will apply to its employees. Such a Code should help establish parameters for employees who work in child related employment.

Staff can be deemed legally liable if they have been negligent in relation to their responsibilities under the legislation as it pertains to the care and protection of children.

Other legislation also imposes obligations and expectations on staff with respect to their conduct including legislation with respect to occupational health and safety, discrimination and harassment and privacy

At Cedars Christian College we expect that each member of the school community should be:

- able to feel physically and emotionally safe
- shown respect
- able to grow and learn in an environment free from bullying and harassment and unlawful discrimination

Simultaneously, each member of the school community has a responsibility to:

- take reasonable care for the health and safety of other persons at the school or other place where school activities are occurring
- respect all members of the school community
- ensure that they don't hinder anyone's learning
- comply with relevant laws as they apply to their employment.

Purpose of policy

This Code of Conduct has been formulated from advice from CSA and the AIS and in consultation with Cedars Christian College staff to identify the type of conduct that is required of staff generally and in the way they deal with children, fellow staff members and others in the performance of their duties. It is also intended to provide practical assistance for staff members if they encounter ethical problems. It will be regularly reviewed to ensure currency and to reinforce with staff their obligations under the Code and current child protection legislation.

Other policies have been developed that deal with specific areas such as computer, digital communications and internet use, harassment and bullying, occupational health and safety and privacy and student welfare and discipline.

Applicability

This Code of Conduct applies to all members of staff, including casual employees. A separate Code is being developed for volunteers including parent helpers.

This Code will continue to apply until it is withdrawn or replaced.

Everyone who is concerned in a professional capacity with the care and protection of children needs to have a clear understanding of the essential elements of the laws as it applies to the care and protection of children.

Definitions

Mandatory Reporter

A person who as part of their professional or paid work or as the supervisor/manager of a person who as part of their professional or paid work, delivers health care, welfare, education, children's services, residential services or law enforcement to children or young persons. Mandatory reporters are required to make a report to Community Services when they have current concerns about the safety, welfare and wellbeing of a child. Section 23 of the Children and Young person (Care and Protection) Act 1998 gives more details.

Risk of Significant Harm

A child is at risk of significant harm if there are current concerns for the safety, welfare or well being of the child or young person - whether physical, sexual, psychological and/or emotional - as a result of what is being done or not done by another person and the circumstances causing the concern are present to a significant extent. That is, they are sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

Reportable Conduct

Section 25A(1) of the Ombudsman Act defines 'reportable conduct' as:

- any sexual offence or sexual misconduct committed against, with or in the presence of a child - including a child pornography offence
- any assault, ill-treatment or neglect of a child
- any behaviour that causes psychological harm to a child – even if the child consented to the behaviour.

Section 25A(1) of the Act also states that reportable conduct does not extend to:

(a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards

(b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures

(c) conduct of a class or kind exempted from being reportable conduct by the Ombudsman under section 25CA.

Some examples of conduct that would not constitute reportable conduct include touching a child to attract their attention, guide them or comfort them, a school teacher raising their voice to attract attention or restore order in the classroom, or conduct that is established to be accidental.

From <https://www.ombo.nsw.gov.au/what-we-do/our-work/employment-related-child-protection/reportable-allegations-and-convictions>

2. Part Two - Policy Content

2.1. Conduct Generally

Cedars Christian College is committed to the achievement of the highest standards of education in which the security and protection of students is a high priority. The following directives and guidelines apply for the benefit, care and protection of students, staff and the wider school community.

It is an inherent genuine occupational requirement that all staff members of the school must not act in a way that they know, or ought reasonably to know, is contrary to the religious beliefs of the school. Nothing in their deliberate conduct shall be incompatible with the intrinsic character of their position.

As role models members of the College staff have a ministerial role in the school community. To provide greater detail in lifestyle matters the school refers to the Ministerial Code of Conduct for Credentialed Ministers in the Australian Christian Churches. As part of this Code ministers are required to abide by the following. It is an expectation of employment that Cedars staff will also abide by these lifestyle directives.

Staff must:

- Avoid offensive language
- Avoid drunkenness, gambling and use of illegal drugs
- Avoid pastoral relationships that promote dependency
- Be accountable when using ministry gifts
- Show respect and godly care
- Practice chastity outside of and faithfulness (sexual fidelity) in marriage
- Follow the child protection policy
- Exercise caution in physical contact including gestures of comfort
- Refrain from sexual innuendo or compliments of a sexual nature
- Avoid places real or in cyber space which are of a sexual nature
- Have integrity in financial dealings
- Exercise confidentiality

Staff must not:

- Misuse authority
- Engage in homosexual or transgender activity and related behaviours
- Engage in an extra marital sexual relationship(s)

Failure to comply with these directives would be a serious breach of College values and depending on the circumstances and severity of the non-compliance, the consequences of a breach may involve disciplinary action or termination of the employment.

2.2. Supervision of Students

1. Staff must take all reasonable care to ensure that no student is exposed to any unnecessary risk of injury. Staff are to remember that the standard of care required is that of a skilled professional.
2. Staff should be familiar with and adhere strictly to the school's evacuation procedures.

3. Ill or injured students should be attended to by the supervising staff member. Should additional assistance be required contact should be made with the central office.
4. Students should not be left unsupervised either within or outside of class. Senior classes – Years 11 and 12 – may from time to time be expected to work with less direct supervision. Staff are reminded of their duty of care obligations in this regard. Staff should be punctual to class and allocated supervision.
5. It is recognised that individual music tutors, counsellors or the Chaplain will work with students alone in enclosed offices/studios. External monitoring is made possible with windows in each space or door.
6. Staff should remain with students at after school activities until all students have been collected. In the event that a student is not collected staff should remain with the student until collected or return to school with student. In the case of senior students teachers must confer with parents if alternative arrangements are to be made.
7. Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. Staff should actively supervise their designated area, being vigilant and constantly moving around.
8. Staff should be alert to bullying or any other form of discriminatory behaviour, intervene as appropriate and report incidences to the relevant staff member.

2.3. Relating with Students

1. Staff should avoid situations where they are alone in an enclosed space with a student. Where staff are left with the responsibility of a single student they 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 the immediate supervisor.
2. Staff may as part of their pastoral care role engage in discussion with students. This is entirely appropriate. However staff must be cautious of making personal comments about a student or asking questions that probe their own or a student's sexuality or relationships.
3. When staff wish to conduct a private conversation with a student they should consider the time and venue carefully to avoid placing themselves in a vulnerable situation. It is preferable to leave the door open. The staff member should not locate themselves between the student and the door.
4. Staff should never drive a student in their car unless they have specific permission from their supervisor and written permission from the parent to do so. Verbal permission from a parent should be confirmed by another staff member. In the event of an emergency staff should exercise discretion but then report the matter to the appropriate supervisor. Staff should never drive a student alone in their car, they should have another student or adult present at all times. Exceptions to this must be approved by supervisor and parent.
5. Staff should notify the Principal or the Deputy Principal immediately should they suspect a situation involving any form of reportable conduct (formerly referred to as child abuse). It is not staff responsibility to investigate. Similarly staff should report to the Deputy Principal any suspected neglect of care.

6. Social relations between staff and students outside the school can be problematic. Staff should refrain from visiting students at their home exceptions to this should be discussed in advance with the Principal and/or parents. Staff must be alert to the risk involved in social relations with students and be conscious that their position places extra obligations on them.
7. Staff should not engage in tutoring or coaching students from the school for monetary return unless specifically approved by the Principal.
8. When physical contact with a student is a necessary part of the teaching/learning experience staff must exercise caution to ensure that the contact is appropriate and acceptable. Staff should seek reassurance from the student by asking for a volunteer to demonstrate a particular activity.
9. Attention to the toileting needs of young children should be done with caution. It may be appropriate to have the door open. In respect to students with a disability the management of toileting needs should be included in the student's individual management plan.
10. Staff should not supply or condone the use of alcohol, tobacco or other drugs for any student in their care. Staff should not supply or condone the use of prohibited substances or drugs for themselves or any student in their care.
11. When congratulating a student, a handshake, pat on the shoulder or brief hug are acceptable as long as the student is comfortable with this action. Kissing of students is not acceptable.
12. Assessing a student who is injured or ill may necessitate touching. Always advise the student of what you intend doing and seek their concurrence.
13. Staff must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.
14. Staff who communicate with students electronically must abide by the terms of the school's Electronic Communication and Social Media Policy. Transmission of messages or files which are sexually explicit or offensive are totally inappropriate. Staff need to be aware that records of their electronic communication and activities can be accessed and monitored.
15. Staff must be aware that communication via electronic networking sites should be consistent with the guiding principles of the Electronic Communication and Social Media Policy and not compromise their position as a staff member or breach the requirements of this code of conduct.
16. Sometimes during the course of your work staff may be in receipt of a gift from a student. In such circumstances where the receipt of a gift could be considered outside of usual custom staff are to inform your immediate supervisor.
17. Staff should ensure that they are familiar with and adhere to the school's policy in regard to the storage and administration of medical products to students.
18. Sometimes in ensuring duty of care staff 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.

2.4. Discipline of Students

1. All staff should be familiar with and adhere to the school's Discipline Policy.
2. Smoking is not permitted on the school premises. Furthermore smoking is not permitted at any school function or activity whether these functions/activities are on the school premises or not.
3. Alcohol is not to be brought on the campus or consumed on the school premises or at school camps or excursions. The only exceptions will be those occasions deemed appropriate by the Principal. The use of small amounts of alcohol overseen by the staff involved in science or cooking is a permissible exception.
4. No student should be allowed to leave or be sent from a class other than for personal hygiene matters. In extreme cases, which will often be discussed in advance, students can be sent to the relevant supervisor or the Deputy Principal's office.
5. At all times when speaking with students care must be taken to use appropriate language.

2.5. Communication Issues

1. Staff are required to respect and adhere to the established lines of communication in the school. Staff should speak with their direct supervisors if any issues arise.
2. Staff should be mindful of confidentiality when in discussion with parents. Staff can never guarantee confidentiality if the matter under discussion requires mandatory reporting.
3. Staff should not speak about another staff member to students or parents.
4. Staff should present a courteous professional manner to students, parents, visitors and other staff members. Confrontation and criticism in public is to be avoided at all times.
5. All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with students.
6. The media should not be given access to students or allowed entry to the school without the expressed permission of the Principal.

2.6. Camps/Billets/Excursions

1. In the case of activities involving overnight accommodation of boys and girls, both genders should be represented in the group of supervisors.
2. Excursion information must be communicated to parents.
3. A mobile phone must be taken on all excursions and the number left on excursion form. The teacher in charge must always have a complete list of student contact numbers with them on the excursion.
4. A co-ordinator will be appointed to oversee billeting arrangements. The co-ordinator will ensure that lines of communication are known to all students, their

parents and host families. Information regarding relevant contact details, addresses and schedules will be distributed.

5. Students being billeted should have access to supervising staff. The overriding principle is 'to act in the best interests of the child'. If the child expresses discomfort, or unease the child should be removed from the situation immediately.
6. Parents of students to be billeted must complete consent forms and medical information forms. Host families will complete a Prohibited Employment Declaration form.

2.7. Duty to Disclose

1. Staff are required to report to the Principal any allegations of 'reportable conduct' (formally referred to as child abuse).
2. Staff who are the subject of an Apprehended Violence Order or a Reportable Conviction are required to inform the Principal immediately they are in receipt of such an Order of Conviction.

3. Part Three – Related Documents or Resources

Keep Them Safe: A Shared Approach to Child Wellbeing (KTS) at:
www.keepthemsafe.nsw.gov.au

The Working with Children Check Guidelines
<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/>

NSW Ombudsman – Child Protection
<https://www.ombo.nsw.gov.au/news-and-publications/publications/fact-sheets/child-protection>

Legislation in NSW relating to the care and protection of children is currently contained in the following Acts of Parliament:

Children and Young Persons (Care and Protection) Act 1998 – as amended in 2009 "Keep Them Safe"

Children and Young Persons (Care and Protection) Amendment Act 2005

Children and Young Persons (Care and Protection) Amendment Act 2006

Children and Young Persons (Care and Protection) Miscellaneous Amendments Act 2006

Children and Young Person (Care and Protection) Regulation 2000

Commission for Children and Young People Act 1998 as amended

Child Protection (Prohibited Employment) Act 1998 (repealed)

Ombudsman Act 1974 as amended - see (Part 3A)

Child Protection Legislation Amendment Act 2003



UNDERTAKING

I have read and understand the Cedars Christian College Code of Conduct and agree to abide by its terms.

I acknowledge that the Code of Conduct may be amended from time to time. I agree to read any amendment of the policy provided to me from time to time. I also agree to raise with my supervisor any concerns regarding any amendment, including if I do not understand the amendment.

Name:

Signed:

Date:

Policy	Code of Conduct	Version 5	May 2019
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