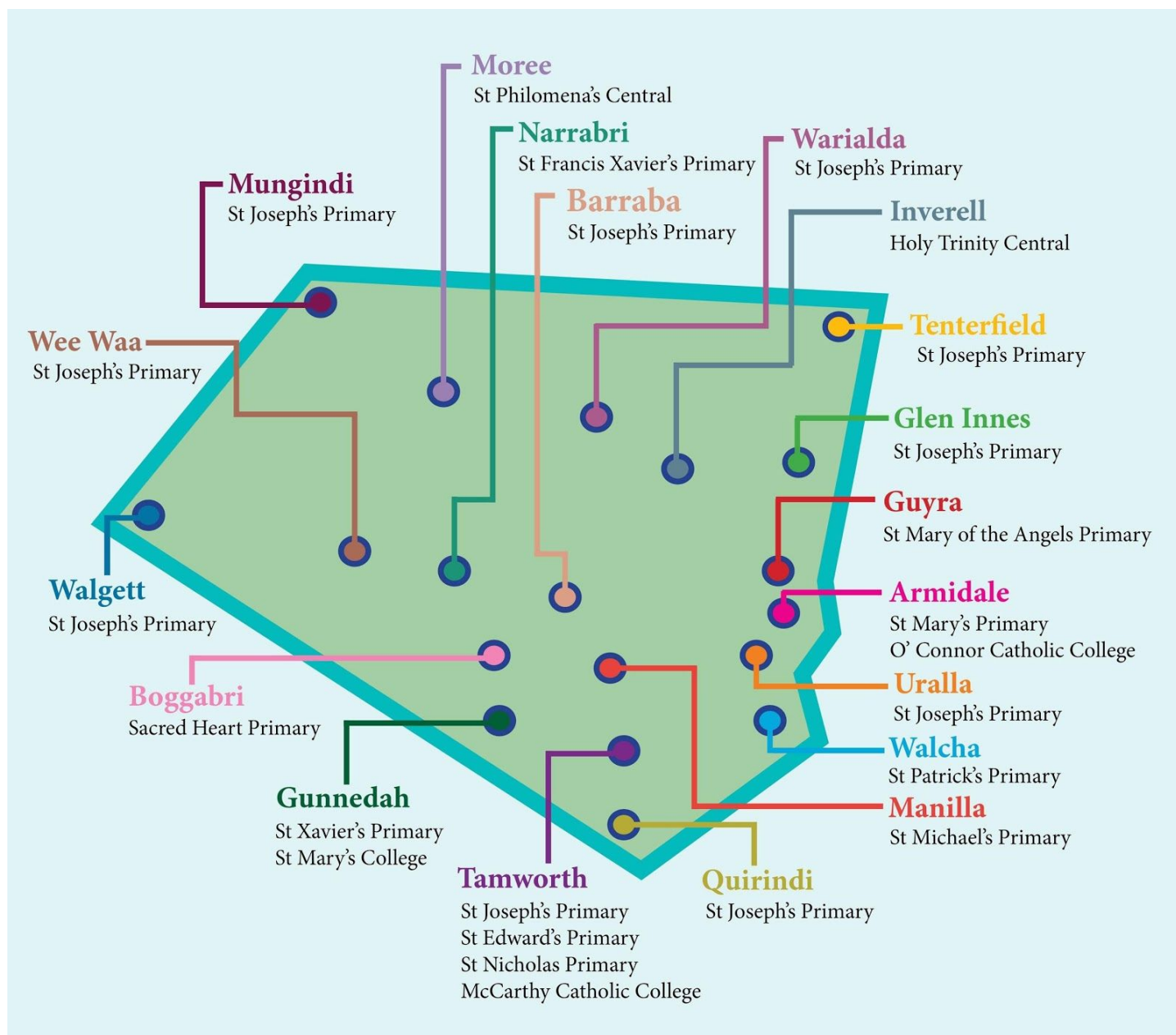


Code of Conduct



Armidale Catholic Diocese System of Schools

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Introduction

The Code of Conduct continues to draw on the same Catholic Values and Ethics which guide our work in Catholic education.

It seeks to apply Catholic Social Teaching to the challenges of work in regional and rural settings and expresses the principles and values inherent in *Integrity in Ministry* and *Integrity in the Service of the Church*.

It is informed by the *NSW Child Safe Standards* and underpinned by relevant legislation and industrial instruments.

The document is intended to be a living document and clarifications and additions may occur as a result of experience and review.

1. Purpose

The purpose of the Code is to provide guidance and promote a common understanding and consistency in expected standards of behaviour for workers, religious and all those working and/or volunteering within Diocesan System Schools, and the Catholic Schools Office (CSOA).

The Code is not intended to be exhaustive and does not identify every potential scenario of concern in the workplace.

The Code assists to:

- clarify the parameters of appropriate and inappropriate conduct for workers who work in child related employment,
- create a safe and supportive environments for students, workers and the school's broader community,
- promote the mission of CSOA in accordance with Catholic values and ethics.

The Code is aimed at modelling and building a contemporary Catholic workplace that is faith-filled, collaborative, consultative and lawfully compliant.

2. Interpretation

This Code is to be interpreted in a manner that is consistent with and supplementary to obligations imposed by legislation, industrial instruments and employment contracts. Any examples provided in this Code are not intended to be exhaustive.

3. Application

This Code applies to all those working and/or volunteering within Diocesan System Schools, and the Catholic Schools Office (CSOA). These people are referred to as 'workers'. All workers are required to be aware of and comply with the Code.

a. Workers include:

- i. all **paid employees**, whether employed on a permanent, temporary or casual basis,
- ii. all **religious, volunteers, contractors** (including but not limited to independent and subcontractors), **consultants** (internal and external), **work experience students** (including but not limited to students undertaking research &/or practical experience), **members of School Advisory Councils**, and **members of Parents and Friends groups**, irrespective of the basis of their engagement, who may be working either within schools and/or the Catholic Schools Office.

b. Workers are required to:

- i. To take responsibility for their own conduct towards students, staff and members of the wider community.
- ii. To conduct themselves in a manner that is professional, cooperative and consistent with the Code.
- iii. Where a worker is a principal/supervisor/manager/leader, to provide other workers with guidance, training, and supervisory support.

c. Students include:

- i. All **current students** of Armidale Diocesan Catholic Schools,
- ii. All **former students** of Armidale Diocesan Catholic Schools who are under the age of 18 years,
- iii. Former students of Armidale Diocesan Catholic Schools who are **18 years of age or over** and who are still owed a duty by workers because of the **special position of trust and influence** held to them by the worker.

d. Special Position of Trust and Influence

A worker can continue to hold a special position of trust and influence in respect of a student which can continue to exist after the student has left the school, and even after the student has turned 18 years of age.

The duration of this special relationship depends on a range of factors, including but not limited to: the role of the worker, the age and maturity of the former student, and the time that has elapsed since the student has left the school (see **7. Obligation to seek supervision**).

4. General expectations of behaviour

a. Workers are expected to:

- i. Act consistently with the policies and procedures that apply to their work and workplace.
- ii. Remain fully compliant with the legislation under which they are employed at all times.
- iii. Undertake their duties in a professional, competent and conscientious manner.
- iv. Participate in ongoing professional development as required for professional registration, professional practice, or otherwise as directed.
- v. Avoid conduct in their private capacity that could result in damage to the employer's reputation.
- vi. Avoid making unfounded, malicious or vexatious complaints towards fellow workers, students or members of the school community.
- vii. Act with courtesy and respect in all interactions with students, workers and members of the school community, avoiding rude, insulting, abusive, physically threatening, intimidating and/or derogatory behaviours.

b. Supervisors & managers are expected to:

- i.** Act in a manner which promotes collaborative and collegial workplaces.
- ii.** Exercise leadership by working with workers to implement performance and development processes that are consistent with the worker's conditions of engagement.
- iii.** Provide ongoing support and feedback to workers.
- iv.** Establish and monitor systems within their area of responsibility to effectively support communication.
- v.** Take appropriate and prompt action where a report is made regarding the conduct of a worker that may be contrary to the requirements of the Code or broader community expectations of behaviour.

5. Responsibility of workers to report

All workers hold positions of trust and authority and are responsible for taking positive and transparent actions that demonstrate the priority they place on maintaining safe work environments, free from incidents of abuse, harm or injury.

In addition to statutory obligations regarding the reporting of certain categories of misconduct, and the mandatory reporting of risk of significant harm, workers must report to their principal, supervisor or line-manager as soon as practical if they observe an instance, become aware of, or have reason to suspect that a worker or visitor, including themselves:

- i. Has acted in a manner that may be harmful, unprofessional, inappropriate, or otherwise in breach of the Code.
- ii. Has been charged or convicted of any criminal offence which has a maximum sentence exceeding 12 months' imprisonment.
- iii. Has become the subject of an Apprehended Violence Order involving the safety and welfare of a child.
- iv. Has engaged in any conduct that may require mandatory reporting under any legislation.

Where a concern relates to the behaviours of a worker's immediate supervisor, manager or Principal, the worker's obligation to report their concern as soon as practical requires them to report their concern to the Senior Manager Employee Services, Catholic Schools Office.

6. Record keeping

Records include but are not limited to risk assessments, class rolls, student assessment records, emails, electronic documents, digital images and audio recordings, correspondence, statements, records of interviews, files, forms, plans, drawings, notes, photographs and films.

- i. Workers are required to create and maintain appropriate records of their professional activities and decisions as required by legislation and policy.
- ii. All workers are responsible to maintain and secure records and data relating to their professional practice and the execution of their duty of care to workers and students.
- iii. Workers are required to seek appropriate advice from their principal/supervisor/manager, as well as review policy, prior to undertaking any decision regarding the retention/destruction of records (see **7. Obligation to seek supervision**).

7. Obligation to seek supervision

A worker's conduct and their interactions with other workers, students and their families are subject to greater scrutiny and must meet a higher standard when those interactions occur online, on excursion, or in an informal social setting outside the workplace.

Seeking and acting consistently with ongoing supervisory direction is a significant but not conclusive consideration in the determination of whether a worker has taken adequate steps in any situation to meet their obligations under the Code. It is especially significant in circumstances surrounding the maintenance of appropriate professional distance in interactions with students participating in any online or community setting or activity where the worker will interact with any student or their family outside the school environment.

A worker must seek the direction of their principal/supervisor or School Counsellor (where available) to request an appropriate referral for a student whose behaviour indicates that they would benefit from professional support or intervention.

8. Appropriate professional distance from students

All workers are required to interact with students in a manner consistent with their special position of trust and influence and in a manner that prioritizes the promotion of a safe, physical and emotional environment for students.

Workers must always consider what steps are necessary to enable them to maintain an appropriately professional distance in their interests and interactions with students, both inside and outside the workplace.

- i. Workers must not meet with or observe students in a private or unsupervised setting without an appropriate reason and the student's parent's/carer's consent (see **7. Obligation to seek supervision**).
- ii. Workers should not transport students in a private vehicle for non-emergency or other non-school purposes without the parent's/carer's consent. (see **7. Obligation to seek supervision**)
- iii. Workers must not give inappropriate gifts to students or their parents.
- iv. A worker must not solicit or accept inappropriate gifts or benefits from students or their parents.

9. Appropriate physical distance & contact

Workers remain responsible at all times for avoiding unreasonable, reckless, uninvited or unwarranted physical contact, or actual or apprehended applications of physical force to students, workers and visitors. Specifically:

- i. A worker must not encourage a student, worker or visitor to engage in unreasonable, reckless, uninvited or unwarranted physical contact with themselves or others.
- ii. A worker must actively disengage from unwarranted physical contact initiated by a student.
- iii. A worker must not act in a manner that communicates a threat of physical force to a student, worker or visitor.

10. Appropriate instruction, discipline and correction of students

Instruction, discipline and correction need to be constructive and serve a purpose that is able to be understood by both the worker and the student.

Professionalism requires the consideration of what is a proportionate, appropriate approach to a student in the light of factors including the student's age, physical ability and developmental level, as well as a consideration of the presence of other students.

- i. A worker must not use any form of physical contact/corporal punishment to discipline or correct a student.
- ii. A worker must not instruct, correct, discipline or punish a student in an unprofessional manner.
- iii. A worker must not use verbal correction that is overly personal, including ridicule, sarcasm or name calling.
- iv. A worker must not use behavioural management strategies that make an example of a single individual's conduct by imposing a collective sanction.
- v. A worker must not physically restrain a student or attempt to confine them in a restrictive space.

11. Appropriate communication with students

Appropriate professional distance in communication by a worker with a student is reinforced when workers **limit their communication to matters directly related to educational/school purposes.**

However, this is not always reasonable in a rural community setting, and a reduced professional distance may be inevitable outside the school setting. In such circumstances, a worker has a higher obligation to actively take steps to ensure they achieve and maintain strong professional boundaries.

- i. A worker must take active steps to ensure that the appropriate professional distance is maintained in any communication with a student.
- ii. A worker must not communicate with a student in a manner that is overly familiar, inappropriately personal, or involves the use of comments that are unconstructive or overly personal.
- iii. A worker must not participate in any activity where a student is involved in the discussion, exploration or expression of personal, intimate or sexual feelings, behaviours, facts, concepts or experiences.
- iv. A worker must not communicate with a student using profanity, derogatory remarks or offensive comments.
- v. A worker must not request or agree to keep any aspect of their communication with a student private or secret. (see **8. Appropriate professional distance from students**)
- vi. A worker must take active steps to ensure that they maintain an appropriate professional distance when interacting with students online in non-educational contexts (see **7. Obligation to seek supervision**).

- vii. A worker must not act online in a manner that solicits, invites or accepts a student to establish an online connection (such as through “friending”, “linking”, “following”) without a valid reason and appropriate parental consent (see **7. Obligation to seek supervision**).

12. Appropriate supervision of intimate and personal behaviours

- i. Workers must not supervise or observe students who are partially or fully undressed or engaged in intimate or personal behaviours (such as toileting) where such supervision or observation is not required, or is clearly inappropriate, taking into account the ages and/or genders of the students, the need to provide physical assistance and the genders and suitability of available workers.
- ii. Workers must immediately cease observing any student who is partially or fully undressed or engaged in intimate or personal behaviours where the student objects (see **8. Appropriate professional distance from students**).

13. Worker's sexual and intimate personal behaviour & language

Workers need to be aware that **single instances** of behaviour in this category can constitute **serious professional misconduct**.

- i. Workers must refrain from any action that would expose a student, parent/carer, co-worker or member of the school community to aspects of the worker's sexual, intimate and personal history, behaviours and language.
- ii. Workers must not make sexually explicit, or personally intimate comments online or in the presence of workers, students or members of the school community.
- iii. Workers must not engage in sexualised or exhibitionist behaviour in the presence of a worker, student or member of the school community.
- iv. Workers must not engage in conversations about sexual conduct in the presence of a worker, student or member of the school community.
- v. Workers must not communicate their romantic, intimately personal or sexual feelings or experiences in the presence of a worker, student or member of the school community.
- vi. Workers must not engage in an overly personal, intimate or sexual relationship with a student.
- vii. Workers who are not employed as professionally qualified counsellors must refrain from undertaking the personal counselling of students (see **7. *Obligation to seek supervision***).

14. Medication, alcohol and non-prescription drugs

The possession, consumption or supply of alcohol, tobacco, prescription and non-prescription drugs, or natural remedies in a school setting, event, or excursion is subject to the requirements of our non-delegable Duty of Care and is associated with a potential for an increased risk to safety due to the associated reduction in the capacity of workers to safely perform their duties.

In addition, their possession, use or supply at informal social gatherings, or in the presence of students or their families has the potential to impact upon the capacity of the worker to maintain appropriate professional distance and may lead to damage to the reputation and perception of the professionalism of the worker.

Workers need to be aware that single instances of behaviour in this category can constitute serious professional misconduct.

- i. Workers must not use alcohol, tobacco or illegal non-prescription drugs during school hours on school premises.
- ii. Workers must not attend work while under the observable influence of alcohol, drugs or other substances.
- iii. Workers are responsible for ensuring their capacity to perform their duties is not impaired by the use of any substance or that the use of any substance does not put them or any other person's health and safety at risk (see **7. Obligation to seek supervision**).
- iv. Workers who are undertaking any treatment (including prescription medication and natural therapies) which may impair their work performance, conduct, or ability to exercise their duty of care, must notify their principal/supervisor/manager prior to attending work (see **7. Obligation to seek supervision**).
- v. Workers must not engage in any conduct with students involving the supply, use or consumption of alcohol, tobacco, illegal drugs,

prescription or non-prescription medication or natural remedies (except for the documented administration of a medication occurring in accordance with relevant policy).

- vi. Workers must not encourage or condone the use of alcohol, tobacco or illegal drugs by students.
- vii. Workers must not have alcohol or illegal drugs in their possession while undertaking their professional duties (including while on school premises, at school events or while on excursions).

15. Appropriate dress and hygiene for workers

A worker must present for work dressed in footwear and apparel that is appropriate for a person who is required to undertake their duties and which does not diminish their credibility as a professional. The dress standard for workers engaged in classroom or office activities is business casual.

- i. Workers must ensure that any clothing they wear while undertaking school activities is modest, appropriate, clean, presentable and in good condition.
- ii. Workers must ensure their clothing must not interfere with the operation of equipment.
- iii. Workers must wear professional attire for formal school events.
- iv. Workers engaged in sport or organised physical activities involving students must dress modestly and appropriately for their role in leading these activities.
- v. Workers must maintain their personal cleanliness and use deodorant/antiperspirant to minimize body odours.
- vi. Workers are to avoid the use of heavily scented perfumes, colognes or lotions.

Reference Materials

Guide to the Child Safe Standards, Office of the Children's Guardian, 2020.

Implementing the Child Safe Standards: A Guide for Faith-Based Organisation, Office of the Children's Guardian, 2020

Integrity in Ministry, National Committee for Professional Standards, 2004 (A Committee of the Australian Catholic Bishops Conference and the Australian Conference of Leaders of Religious Institutes)

Integrity in the Service of the Church, National Committee for Professional Standards, 2011 (A Committee of the Australian Catholic Bishops Conference and the Australian Conference of Leaders of Religious Institutes)

Version Control (final page)

This document is the approved version of the Code of Conduct for use by workers within all Armidale Catholic Schools and the Armidale Catholic Schools Office.

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