

# Moerlina Code of Conduct



Reviewed and updated December 2018

Under review September 2019

## 1. Our School

At the heart of Moerlina School is a culture of collaboration, support and mutual respect. A sense of security and belonging allows students to take risks in their learning, to challenge themselves and to aim high in what they achieve.

Moerlina School offers families the opportunity to make the primary years significant and valuable. The school provides an innovative environment to stimulate the love of learning in children. We encourage students to achieve their potential through quality educational and social opportunities in an inclusive learning community led by highly skilled teachers.

With a warm and friendly family atmosphere and grounds that allow for the natural play of children, the journey of learning at Moerlina goes well beyond the classroom to expand knowledge and understanding of the world and ourselves.

Parents and families are recognised as integral members of the school community and partners in their children's education. The partnerships between staff, students and families reflect the heart of the Moerlina school community. The School actively seeks ways to enhance student learning and wellbeing by partnering with parents and families, other education and training institutions, local businesses and community organisations and volunteers.

The Moerlina School Strategic Plan 2017 – 2019 recognises as one of its goals the need to maintain the strong partnerships between our students, staff and families. This will be evident in:

- A culture of collegial cooperation, collaboration and support among staff.
- A culture of respect and support between staff and parents.
- Strong teacher – student relationships based on mutual care and respect.
- Children's spirit of care and respect for each other in their relationships regardless of their age, gender or ethnicity.
- Families as active participants in our school community.

Moerlina School is committed 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. Moerlina School expects all school community members including staff, students, families and volunteers to share this commitment. Visitors to the school, including contractors, will be expected to demonstrate behaviours fitting to the Code of Conduct as described.

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 in particular are of primary importance when it comes to detecting abuse and preventing abuse from occurring.

## 2. Rights and Responsibilities

Everyone at our school has a right to feel welcome and secure in our space, both emotionally and physically. They have a right to be treated with respect, courtesy and honesty.

With rights comes responsibility. At Moerlina everyone has a responsibility to care for themselves and for others, for people's belongings, school equipment and the school environment. We are accountable for our choices and our actions.

The following table does not provide a rigid, detailed and exhaustive list of the rights and responsibilities of people within our school, but highlights the general behaviours and considerations that are valued and expected and will promote an harmonious environment in which all members can feel welcome and safe.

These rights and responsibilities extend beyond our school grounds, reflecting the expectations of each of us in any recognized school setting. It is reasonable to expect in the Moerlina School context that between members of our school community, these rights and responsibilities extend beyond school hours.

In accepting a place at Moerlina, parents/carers acknowledge that they have read and understood the Moerlina Code of Conduct, including the rights and responsibilities as they pertain to them, and agree to be bound by them. This acknowledgement is re-visited annually in recognition of the contribution we each make.

Where there is a behaviour in breach of these rights or the responsibilities, it is the responsibility of the School, through the principal or the School Council, to take action. The procedure for managing a breach will be in accordance with the School's Complaints Management Policy and Procedures.

<b>RIGHTS AND RESPONSIBILITIES</b>	
<p>Students have the <b>RIGHT</b> to:</p> <ul style="list-style-type: none"><li>○ learn and play in a friendly, supportive and nurturing environment</li><li>○ learn and play in a safe environment</li><li>○ work in a classroom environment conducive to performing at one's best</li><li>○ privacy and confidentiality</li><li>○ support and cooperation from peers, staff, principal and parents</li><li>○ be treated with courtesy, honesty and respect by peers and adults</li></ul>	<p>Students have the <b>RESPONSIBILITY</b> to:</p> <ul style="list-style-type: none"><li>○ cooperate in the classroom so that everyone can learn</li><li>○ work to the best of their ability</li><li>○ act in a manner that is safe for themselves and others</li><li>○ be punctual, polite and well prepared</li><li>○ respect property and the school environment</li><li>○ respect and support others at all times</li><li>○ maintain positive relationships with peers, staff and relevant adults</li></ul>

<p>Parents/carers have the <b>RIGHT</b> to:</p> <ul style="list-style-type: none"> <li>○ know their child is in a safe and nurturing learning environment.</li> <li>○ be involved in a friendly, safe and harmonious school</li> <li>○ be treated with courtesy, honesty and respect</li> <li>○ a meaningful, challenging and rewarding education for their children</li> <li>○ be informed of their children's learning progress</li> <li>○ be informed of issues or decisions affecting their child's health and wellbeing</li> <li>○ be heard in an appropriate forum on matters relating to their child</li> <li>○ privacy and confidentiality about their child's needs from other parents, visitors and volunteers</li> <li>○ not be confronted by unsolicited advice from other parents, regardless of intention</li> </ul>	<p>Parents/carers have the <b>RESPONSIBILITY</b> to:</p> <ul style="list-style-type: none"> <li>○ ensure that their child attends school and is punctual</li> <li>○ ensure that the physical and emotional well-being of their child is at an optimum for effective learning</li> <li>○ provide their child with necessary support and resources to optimise participation in all school activities;</li> <li>○ support the school in developing and providing meaningful experiences for their child</li> <li>○ inform staff of any factors that may impact on their child's progress, behaviour or wellbeing</li> <li>○ demonstrate respectful, courteous and friendly behaviour</li> <li>○ maintain positive relationships with students, staff and parents</li> <li>○ communicate with staff sensitively, respectfully and professionally</li> <li>○ be considerate of time in communications with staff</li> <li>○ maintain confidentiality</li> <li>○ respect the privacy of other families, including their child/ren's needs</li> <li>○ not engage in conversations/actions to the detriment of students, staff, parents or the school, including social media and online forums</li> <li>○ inform staff of any factors that may impact negatively on students, staff, parents or the school</li> </ul>
<p>Volunteers &amp; Visitors have the <b>RIGHT</b> to:</p> <ul style="list-style-type: none"> <li>○ work in a friendly, safe and harmonious school with the support of the appropriate members of the school community</li> <li>○ be treated with courtesy, honesty and respect</li> <li>○ work in a professionally respectful environment</li> <li>○ fair and reasonable expectations by parents, council, principal and other staff</li> </ul>	<p>Volunteers &amp; Visitors have the <b>RESPONSIBILITY</b> to:</p> <ul style="list-style-type: none"> <li>○ demonstrate respectful, courteous and friendly behaviour</li> <li>○ inform the principal of any factors that may impact on the children's safety or wellbeing</li> <li>○ ensure that the classroom and school environments are kept safe</li> <li>○ be professional in their dealings with the school</li> <li>○ maintain confidentiality</li> <li>○ not engage in conversations/actions to the detriment of students, staff, parents or the school, including social media and online forums</li> <li>○ inform staff of any factors that may impact negatively on students, staff, parents or the school</li> </ul>

<p>Staff have the <b>RIGHT</b> to:</p> <ul style="list-style-type: none"> <li>○ be treated with courtesy, honesty and respect</li> <li>○ work in a friendly, safe and harmonious school with the support of the school community</li> <li>○ work in a classroom environment conducive to performing at one's best</li> <li>○ work in a professionally respectful environment</li> <li>○ have their professional judgement honoured</li> <li>○ fair and reasonable expectations by parents, council, principal and other staff</li> <li>○ have work performance matters raised in a fair and honest forum and be given genuine support in seeking to improve</li> <li>○ support and cooperation from colleagues, parents, principal and council</li> <li>○ privacy and confidentiality</li> </ul>	<p>Staff have the <b>RESPONSIBILITY</b> to:</p> <ul style="list-style-type: none"> <li>○ provide a supportive and nurturing environment for all children</li> <li>○ ensure that the classroom and school environments are kept safe and secure</li> <li>○ provide a well organised, stimulating learning environment</li> <li>○ consider each child's needs to support success</li> <li>○ model respectful, courteous and friendly behaviour</li> <li>○ establish and maintain positive relationships with students, parents and colleagues</li> <li>○ liaise with parents in reporting student progress, behaviour and wellbeing</li> <li>○ maintain confidentiality</li> <li>○ communicate with parents promptly and sensitively, especially if they have concerns</li> <li>○ their ongoing professional learning</li> <li>○ their commitment to their duty</li> <li>○ their knowledge of and commitment to their legal responsibilities</li> <li>○ maintain support and a positive voice for colleagues, and all other aspects of the school, in the public arena, including social media and online forums</li> <li>○ inform the principal or Chair of Council of any factors that may impact negatively on students, staff, parents or the school</li> </ul>
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## 2. Staff Code of Conduct

The staff at Moerlina are required to acknowledge that they understand the Code of Conduct that details the standards of behaviour expected of all employees of the school. Parents, volunteers, visitors and contractors are also expected to comply with this Code.

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

This Code does not attempt to provide a rigid, detailed and exhaustive list of what to do in every aspect of an employee's work. Instead, it sets out general expectations of the standards of behaviour required and gives some examples of the types of behaviour that are or are not acceptable.

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

This Code of Conduct will not only help in making our school a safer environment for children, it will also reduce the risk that staff will be unjustly accused of unprofessional or abusive conduct.

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

This *Code* should be read in conjunction with the school's Child Protection Policy.

#### **How to Comply**

1. You must:
  - a. conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the school;
  - b. comply with the school's policies and procedures; and
  - c. act ethically and responsibly.
2. 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 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.

### **3. Principles of the Code of Behaviour**

As the school has a duty of care to its students, the expectation and understanding is that all staff and students will act in the best interests of the students and that the welfare and safety of students will be of paramount concern. All interactions therefore should be transparent and meet the principles of the Code of Conduct.

This Code of Conduct is intended to provide staff and community members with guidance as to the expected behaviours of all staff, visitors, volunteers and contractors engaged by Moerlina School.

Staff are expected to behave in a manner which promotes the safeguarding role of the school, in a manner which is in accord with professional expectations and best practice of the teaching profession, as well as the expected norms of our community. They must be fully aware that their actions will be subject to appropriate scrutiny by other staff and by the community and they must be prepared to give an account of their 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 the principal to discuss the possible breaches. If a breach inadvertently occurs the staff member must bring it to the attention of the principal immediately.

Staff are responsible for their own actions and should avoid any conduct which might be construed by a reasonable person as inappropriate. When considering their actions, staff (or parents, volunteers, visitors) could consider the following:

- (a) How might this interaction be perceived by others?
- (b) Am I treating this student/adult differently to 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?

#### **4. Breach of the Code of Conduct**

All School employees hold a position of trust and are accountable for their actions.

All alleged breaches of the Staff Code of Conduct will be subject to scrutiny and if substantiated staff may be warned, suspended or have employment terminated. If the breach is considered to be grooming, the school is obliged to report this to the Teachers' Registration Board (where a teacher is involved) and the Department of Education Services as a critical incident. Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by the senior management.

- The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.
- Employees should report possible breaches by colleagues to the Principal. If the possible breach is by the Principal then it should be reported to the chair of the school council.
- Factors the school may consider when deciding what action to take may include:
  - a) the seriousness of the breach;
  - b) the likelihood of the breach occurring again;
  - c) whether the employee has committed the breach more than once;
  - d) the risk the breach poses to employees, students or any others; and whether the breach would be serious enough to warrant formal disciplinary action.
- Actions that may be taken by the school in respect of a breach of the Code include management or remedial action, training or disciplinary action ranging from a warning to termination of employment and reporting of the matter (in the case of a teacher) to the Teacher Registration Board WA. The school reserves the right to determine in its entirety the response to any breach of this Code.

A flow chart for the reporting of breaches of the code of conduct is at Appendix 2.

#### **5. Principles**

##### **Principle 1: Employee Expectations**

All employees should be aware of the school's policies and procedures, particularly those that apply to their work, seeking clarification from the principal where required.

All school employees are expected to:

- (a) perform their duties to the best of their ability and be accountable for their performance;
- (b) follow reasonable instructions;

- (c) comply with lawful directions;
- (d) carry out duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve their knowledge and skills, including through participation in relevant professional development;
- (e) act honestly and in good faith in fulfilling their duties;
- (f) be courteous and responsive in dealing with their colleagues, students, parents and members of the public;
- (g) work collaboratively with their colleagues;
- (h) ensure that their conduct, whether during or outside working hours, is consistent with the ethos of the school and does not damage the reputation of the school;
- (i) dress in a professional manner that is appropriate for their role.

### **How to Comply**

- 1 Inform the Principal if you are charged with or convicted of a serious offence. You must also inform the Principal 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 Principal, 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.
4. Report any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves children;
5. Report any concerns you may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to you; and
  - (a) if you become aware that an employee, contractor or volunteer has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving 'reportable conduct'; and
  - (b) if you become the subject of allegations of 'reportable conduct' whether or not they relate to your employment in the school.

You should refer to the school's (Child Protection Policy) for further information about these obligations.

6. 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 has been breached will inform the principal, following which the process shown in the Reporting a Breach of the Code of Conduct Flow Chart at Appendix 2 will be followed.
7. Teachers, and some other employees, have mandatory reporting obligations under the Children and Community Services Act 2004 (WA) where they have reasonable grounds to suspect a child is at risk of sexual harm and have current concerns about the wellbeing of the child. You should refer to the school's (Child Protection Policy) for further information about these obligations.

### **Principle 2: Good Teaching Practice**

Professional teachers are expected to provide quality teaching appropriate for their students, recognising the diversity of learners in their care and making every effort to help all students equally so they have every chance of succeeding.

Good teaching also means they will work closely with their colleagues and the carers of their students and respond appropriately and promptly to any concerns they have.

#### **How to Comply**

1. You differentiate your lessons to cater for all learners and show no favoritism, bias or prejudice in your dealing with your students.
2. You maintain a safe classroom environment.
3. As a professional you will look for and take advantage of every learning opportunity that is appropriate to your role.
4. As part of your treating all students with respect you will have high expectations of all of your students.
5. It is expected you will regularly review school policies and make every effort to comply with them.
6. You maintain regular communication with your students' parents.
7. As a professional teacher who understands that things change and improvement is always possible you will work cooperatively with your colleagues and share ideas and experiences in a collegiate manner.

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

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

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

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

#### **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 of conduct.
3. 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. 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. 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 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.
5. 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 principal in the first

- instance to seek guidance on how to do this; and/or
- (b) raise the issue as a grievance in accordance with the school's Complaints Policy and Procedures as soon as possible after the incident(s) have occurred.
6. Do not lie about or exaggerate a complaint.

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

All school employees have a duty of care to students in their charge to take all reasonable steps to protect them from risks of harm that can be reasonably predicted.

The duty encompasses a wide range of matters, including (but not limited to):

- the provision of adequate supervision;
- ensuring grounds, premises and equipment are safe for students' use;
- implementing strategies to prevent bullying from occurring in the school;
- 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**

All employees of the school have a duty of care to students in their charge. That duty is to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. For example, preventative measures should be taken against risks from known hazards and from foreseeable risk situations. The standard of care that is required, such as the degree of supervision, needs to be commensurate with the students' maturity and ability.

Duty of care to students applies during all activities and functions conducted or arranged by the school. The risks associated with any activity need to be assessed and managed before the activity is undertaken.

Employees need to ensure they are familiar with the relevant school policies and procedures.

#### **Occupational Health and Safety**

Employees also have a responsibility under occupational safety and health legislation to take care of their own health and safety at work. It is also their responsibility to ensure that their activities do not place their own safety at risk and that of co-workers, students or other persons that they may come into contact with at work.

Considerations of safety relates to both physical and psychological well-being of individuals.

Employees need to ensure they are aware of and comply with the School's safety and health policies.

#### **How to Comply**

1. Do not expose students or anyone else at your workplace to any risk or hazard.
2. Read the school's evacuation and lock down procedures.
3. You should be punctual to class and allocated supervision.
4. Remain with students at 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. Do not be late to playground duty. Actively supervise your designated area, being vigilant and aware.
6. Look out for bullying or any other form of discriminatory behaviour, and provide a written incident

report to the principal in line with policy.

7. Attend to ill or injured students. Should additional assistance be required you should send for another staff member.
8. Do not store or administer medication to students unless their use complies with the Administration of Medication procedures and the appropriate written consent has been provided.

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

Teachers need to treat their students with courtesy and respect and provide an environment that encourages their students to do the same.

All school employees are expected to always behave in ways that promote the safety, welfare and well-being of children. They must actively seek to prevent harm to children, and to support those who have been harmed.

While not all employees are required to manage and supervise students, it is important for all school employees to understand and observe the school's child protection policies.

The detection and prevention of grooming behaviour is a vital consequence of complying with this principle. A guide to understanding grooming behaviours is at Appendix 3.

#### **How to Comply**

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

1. 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 if circumstances permit. This is not always possible in our school context where working one-on-one with a closed door may be driven by student need (eg. sensory issues, focus). Exemplar situations will be discussed with staff.
2. Do not drive a student in your car unless you have specific permission from the Principal and written permission from the parent to do so. In the event of an emergency you should exercise discretion but then report the matter to the principal.
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 Collaborative Action Plan.
4. 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.
5. 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.
6. 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**

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 (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 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 Principal 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:
  - (a) invite students to your home;
  - (b) visit students at their home; or
  - (c) attend parties or socialise with students, unless you have the express permission of the Principal and the child's parents or care giver.
7. You must not engage in tutoring or coaching students from the school without the express permission of the Principal.
8. You must not invite students to join your personal electronic social networking site or accept students' invitations to join their social networking site.
9. 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
10. 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**

You must be aware of and comply with the school's Child Protection Policy.

### **Principle 6: 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.

#### **How to Comply**

1. You must comply with the school's relevant communications policies and procedures. This includes:
  - (a) exercising good judgment when using electronic mail, following the principles of ethical behaviour;
  - (b) using appropriate and professional language in electronic mail messages;
  - (c) 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;
  - (d) not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
  - (e) not inviting students into your personal social networking site or accepting an invitation to theirs;
  - (f) not using social networking sites to email or contact students;
  - (g) remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and
  - (h) 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 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, libelous or slanderous messages or material; or
  - (e) subversive or other messages or material related to illegal activities.

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

Occupational Safety and Health is of fundamental importance to the school. Maintaining a safe work environment requires everyone's continuous cooperation.

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

### **How to Comply**

#### **General**

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 and/or restricted substances while at work.
3. You must notify your principal 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 principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

#### **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 and referral to the Police and/or 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 or administer prescription or non-prescription drugs to students unless authorised to do so.

#### **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 Principal.
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. You must not encourage or condone the use of alcohol by students of any age during educational activities.

#### **Tobacco**

1. 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.
2. You must not smoke whilst at any school function even if it is not on school grounds. This includes, amongst all other activities, camps, tours and excursions.
3. You must not purchase tobacco or tobacco products for any school student, or give them tobacco 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.

Conflicts of interest also include:

- (a) the interests of members of employee's immediate family or relatives (where these interests are known);
- (b) the interests of employee's own business partners or associates, or those of their workplace; or
- (c) the interests of employee's 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 Principal.
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**

Employees 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. Employees 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 their position by creating a sense of obligation and undermining their impartiality. It may also affect the reputation of the school and its staff. Employees must not create the impression that any person or organisation is influencing the school or the decisions or actions of any 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 Principal
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.
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 Principal who will determine how the prize should be treated and recorded.

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

Employees should be mindful of confidentiality when in discussions with parents. They cannot always give a guarantee of confidentiality especially if the matter under discussion requires mandatory reporting.

School employees should be aware that there are strong legal requirements around the collection, release and privacy of information.

Before asking for information or disclosing information staff need to assure themselves that they are acting in a legal manner. If unsure they should discuss the matter with the principal.

## **How to Comply**

### **Communication**

1. 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.
2. 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.
3. 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 without the express permission of the Principal.

### **Confidential Information**

1. As a school employee, 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 Principal.
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 who are 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.

## **Principle 11: Record Keeping**

All employees have a responsibility:

- (a) to create and securely maintain full, accurate and honest records of their activities, decisions and other business transactions;
- (b) to capture or store records in the school's record systems.

## **How to Comply**

1. You must not destroy or remove records without appropriate authority.
2. Supervisors 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.

**Principle 12: Copyright and Intellectual Property**

When creating material employees 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 they develop material that relates to their employment with the school, the copyright in that material will belong to the school. This may apply even if the material was developed in their 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 Principal.
2. Do not give away or assign the school's intellectual property without the approval of the Principal.
3. You should not use the school's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal.

## **Appendix 1: School Rules and Behaviour Management Practices**

### **1. School Rules**

The rules of Moerlina were developed with the students and are based on respect – Respect for self, respect for others and respect for our environment.

It is expected that all adults and children, while in our school, will be responsive to supporting these rules.

#### **Treatment of Others Rule**

We treat people with care, respect and honesty when we speak to them, meet them, listen to them or pass them by. We don't bump, push, ignore, lie or answer back. No sexism, no racism, no put-downs, no exclusions and no hurting other people's feelings.

#### **Learning Rule**

We are fair in the way we learn and play both in class and outside. We get attention in the proper ways and at the proper times. We co-operate and behave as we should on camps and excursions.

#### **Safety Rule**

We watch out for our own safety and wellbeing and the safety and wellbeing of others in what we do and how we use equipment and technology. It makes no difference if we are at school, on an excursion or a camp or using technology outside of school hours.

#### **Equipment and Environment Rule**

We take care of all property belonging to the whole school or individuals including the furniture, books and the bus. We take care of the plants and gardens and are thoughtful with our rubbish. We are careful to share and not waste the things that get used up.

### **2. Behaviour Management Practices**

Children are encouraged to take responsibility for the choices they make in all aspects of their school day. Making good choices is part of their learning. They will need support in developing the skills to make good choices in different situations, and we employ common, research-based approaches across the school.

Our practices are aimed at educating students towards managing self-regulation and positive behaviours and being accountable for the consequences of the choices they make.

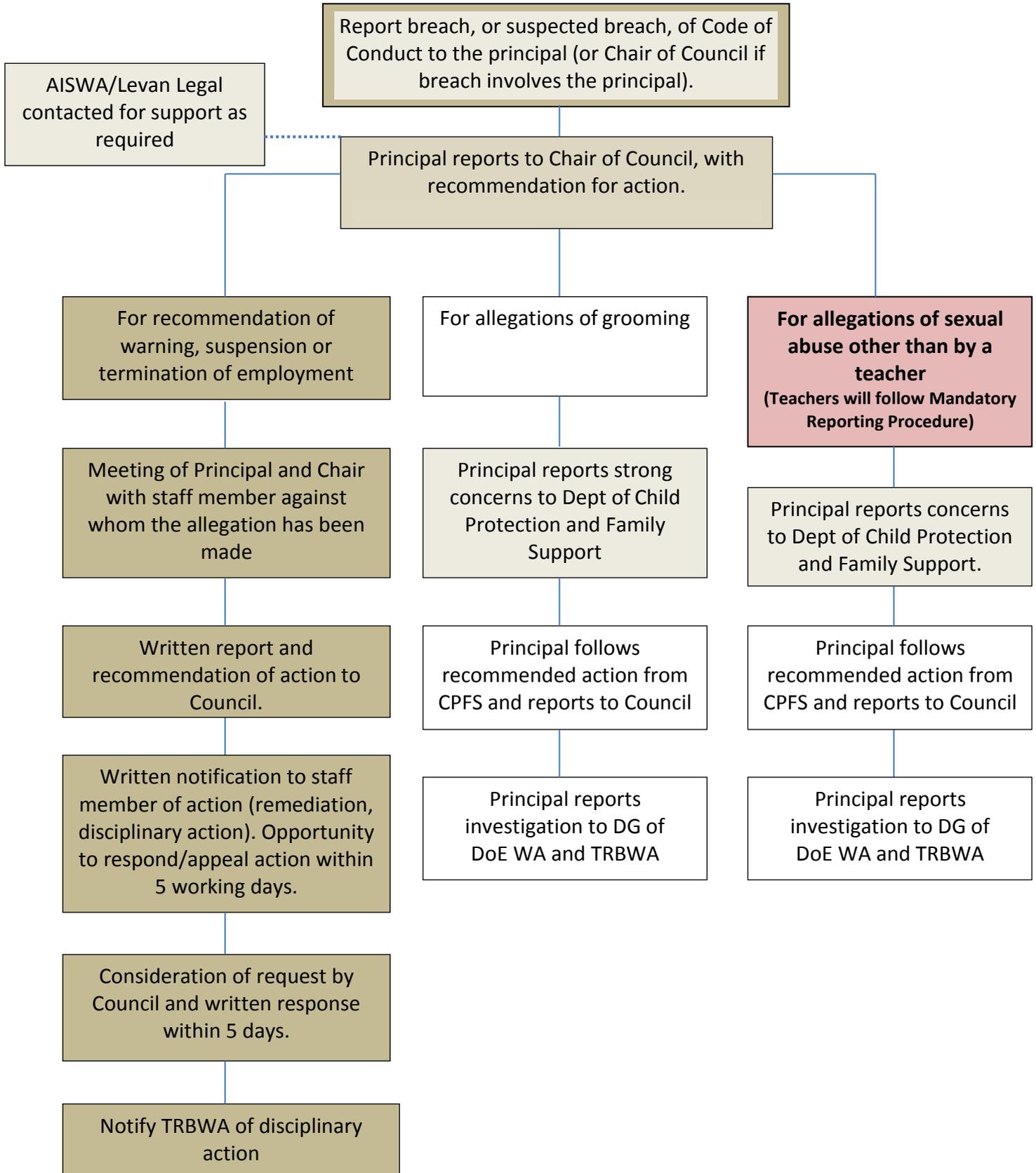
1-2-3 Magic is a method that underpins part of our approach. This method promotes a gentle, firm, decisive and calm approach to behaviour management. It enables opportunity for children to modify their behaviour while having little impact to others around them. It is applied with consideration of the cognitive and personal development of each child, allowing for variations in approach for individual students. This allows flexibility while maintaining consistency.

Restorative practice is another key to our approach. We work with individual students, and pairs or groups of students, to reflect on the choices that were made in different situations, conferencing or modelling suggested alternative responses that would result in a positive outcome for the future.

Consequences are a part of learning to make responsible choices. Consequences at Moerlina are consistent, known, appropriate to the incident and fair.

**Appendix 2: Reporting a Breach of the Code of Conduct**

**REPORTING A BREACH OF THE CODE OF CONDUCT FLOW CHART**



Note: Any breach of the Code of Conduct that is a criminal act, other than cases of child abuse, will be reported immediately to the Police.

### **Appendix 3: 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 focused employment primarily to get access to a particular cohort of children.

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