



# THE KING'S SCHOOL STAFF CODE OF CONDUCT

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### 1. Mission Statement

1.1 The King's School is a Christian Community that seeks to make an outstanding impact for the good of society through its students and by the quality of its teaching and leadership in education.

### 2. Preamble

2.1 This Staff Code of Conduct is made available to the School's staff (employees, contractors and volunteers) at the commencement of their employment or engagement and is referred to during their employment or engagement in induction and training.

2.2 The Code consists of comprehensive directions to employees or other workers about the expected standard of

behaviour.

2.3 This Code is intended to apply to all employees, contractors and volunteers in their work with the School.

2.4 The Code places an obligation on all staff to take responsibility for their own conduct and to work with colleagues co-operatively to achieve a consultative and collaborative workplace where people are happy and proud to work.

### **3. Definitions**

3.1 **Bullying** - Bullying is repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Cyberbullying refers to bullying through information and communication technologies. Bullying can involve humiliation, domination, intimidation, victimisation and all forms of harassment including that based on sex, race, disability, sexual preference or transgender. Bullying of any form or for any reason can have long-term effects on those involved including bystanders.

3.2 **Supervisor** – a staff member's Supervisor is the person they report to directly on a day-to-day basis such as their Head of Department or a Senior Manager.

3.3 **Intellectual property** - Intellectual Property (IP) is a term that describes the application of the mind to develop something new or original. IP can exist in various forms; a new invention, brand, design or artistic creation.

3.4 **Senior Manager** – is either the Head of Tudor House, Head of Preparatory School, Deputy Headmaster/Head of Senior School, Deputy Head (Academics) (Senior, Prep or Tudor House), Deputy Head (Students & Community) ((Senior, Prep or Tudor House)), Deputy Head (Co-Curricular) ((Senior, Prep or Tudor House)), Director of Boarding, Property Manager, Director of Finance and Business Operations, General Counsel and Company Secretary, Head of Admissions, Director of Knowledge Services or Director of Strategy and Development.

### **4. Policy**

4.1 You should be aware of the School's policies and procedures, particularly those that apply to your work. These are available online on the Policy Portal on KingsNet.

4.2 If you are uncertain about the scope or content of a policy with which you must comply, you should seek clarification, in the first instance, from your Supervisor or Head of Department.

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

### **5. Expectations**

5.1 You are expected to:

- perform your duties to the best of your ability and be accountable for your performance;
- follow reasonable instructions given by your Supervisor or their delegate;
- comply with lawful directions;
- carry out your duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve your knowledge and skills, including through attentive participation in relevant professional development;
- be well-presented and professionally attired at all times when representing the School;
- act honestly and in good faith in fulfilling your duties;
- be courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- work collaboratively with your colleagues; and
- ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the School and does not damage the reputation of the School.

### **6. What Happens If I Breach the Code of Conduct?**

6.1 You hold a position of trust and you are accountable for your actions.

6.2 The consequences of inappropriate behaviour and any breaches of this Code will depend on the nature of the breach.

6.3 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 staff member has committed the breach more than once;  
(d) the risk the breach poses to staff, students or any others; and  
(e) whether the breach would be serious enough to warrant formal disciplinary action.

6.4 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 or engagement. The School reserves the right to determine in its entirety the response to any breach of this Code. These actions will be administered by the Headmaster or his nominee.

## 7. Required Reporting

7.1 The School requires the highest levels of professional conduct by all staff and is committed to providing the highest levels of safety and care for students and staff. As a consequence, all staff have an obligation to report:

- (a) certain personal matters;
- (b) concerns regarding the welfare and wellbeing of a student;
- (c) concerns regarding the conduct of staff.

### Personal Matters

7.2 You should notify the Headmaster if:

- (a) you are charged with or convicted of a criminal offence;
- (b) you become the subject of an Apprehended Violence Order (Apprehended Domestic Violence Order or Apprehended Personal Violence Order).

7.3 You should notify the Head of Campus or the Headmaster if you:

- (a) become the subject of allegations you have engaged in conduct that may be reportable conduct;
- (b) are the subject of a reportable conviction;

whether the allegation or conviction relates to your employment with the School or elsewhere.

### Concerns Regarding the Welfare and Wellbeing of a Student

7.4 You must report to the Head of Campus or Headmaster:

- (a) any suspicions or concerns that you may have about the safety, welfare and well-being of a student as a result of:
  - physical abuse;
  - sexual abuse;
  - emotional abuse;
  - neglect;
  - exposure to family violence.
- (b) any suspicions or concerns you may have about problematic sexual behaviour by a student toward another student.

7.5 When you report a suspicion or concern in 7.4(a) and 7.5(b) and you believe a report should be made to the Department of Communities and Justice or NSW Police you should:

Either:

- (a) ensure an appropriate report has been made by the Campus Head or the Headmaster (or their delegate)

Or

- (b) make a report to the Department of Communities and Justice or NSW Police directly yourself.

It is a criminal offence in NSW to fail to ensure that the Department of Communities and Justice or NSW Police are notified of alleged or suspected child abuse.

## **Concerns regarding the Conduct of an Employee, Contractor or Volunteer**

7.6 You must report to the Head of Campus or the Headmaster any concerns you may have regarding the conduct of any other employee, contractor or volunteer that breaches this Code, and especially if it relates to their treatment or interaction with students.

7.7 You must report to the Head of Campus or the Headmaster:

- (a) any concerns or allegations about the conduct of any other employee, contractor or volunteer
  - engaging in reportable conduct; or
  - being convicted of a reportable conduct offence.
- (b) any concern or allegation made to you by another employee, a student, an ex-student, a parent or community member regarding an employee, contractor or volunteer engaging in, or having engaged in, 'reportable conduct'.

7.8 The following conduct must always be reported:

- (a) any **sexual offence** such as:
  - sexual touching of a child;
  - a child grooming offence;
  - production, dissemination or possession of child abuse material.
- (b) any **sexual misconduct** such as:
  - descriptions of sexual acts without a legitimate reason to provide the descriptions;
  - sexual comments, conversations or communications;
  - comments to a student that express a desire to act in a sexual manner towards the child, or another child;
  - crossing professional boundaries with conduct with, towards or in the presence of a student that is sexual in nature (but is not a sexual offence).
- (c) any **assault** such as:
  - applying physical force against a student without lawful justification or excuse - such as hitting, striking, kicking, punching or dragging a student;
  - causing a student to apprehend the immediate and unlawful use of physical force against them- such as threatening to physically harm a student through words and/or gestures and regardless of whether the person actually intended to apply any force.
- (d) any **III-treatment** such as:
  - making excessive or degrading demands of a student;
  - a pattern of hostile or degrading comments or behaviour towards a student;
  - using inappropriate forms of behaviour management towards a student.
- (e) any **neglect** such as:
  - ongoing or a single significant event where a caregiver fails to fulfil a duty or obligation resulting in actual harm or the potential for significant harm
- (f) any behaviour that causes **emotional or psychological harm** to a student:
  - is an unreasonable act or series of acts that is unreasonable and unacceptable
  - causes student emotional or psychological harm that is more than transient, including displaying patterns of 'out of character behaviour', regression in behaviour, distress, anxiety, physical symptoms or self-harm.
- (g) any **grooming** behaviour designed to:
  - establish a special relationship, such as:
    - giving gifts;
    - giving special attention;
    - personal comments and flattery;

- favouring or treating individuals differently;
- seeking time with a student outside your professional obligations or responsibilities;
- being alone with a student when there is no professional reason for doing so.
- test boundaries such as:
  - 'innocent' touching;
  - 'accidental' touching or exposure to material of a sexual nature;
  - engaging in conversations of a personal nature that are outside the parameters of your professional obligations.

7.9 You must report to the Headmaster if, through your work with the School, you become aware of possible **criminal conduct** by another staff member.

7.10 You should report concerns regarding the conduct of certain School leaders:

- School Governors – to Headmaster or General Counsel;
- Headmaster – to General Counsel or Chairman of Council;
- Head of Campus – to Headmaster or General Counsel.

7.11 When you report a suspicion or concern of reportable conduct in 7.7-7.10 and you believe a report should be made to the Office of the Children's Guardian or NSW Police you should:

Either

- (a) ensure an appropriate report has been made by the Campus Head or the Headmaster (or their delegate)
- or
- (b) make a report to the Office of the Children's Guardian or NSW Police directly yourself.

It is a criminal offence in NSW to fail to ensure the Office of the Children's Guardian or NSW Police are notified of alleged or suspected reportable conduct.

7.12 You are required to be familiar with, and to comply with, the School's *Child Protection Responding and Reporting Policy*

## 8. Respect for People

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

8.2 Staff members 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.

8.3 Similarly, it is important for you to treat your colleagues, other employees, contractors, students and parents with respect. Rude or insulting behaviour, including sexual harassment 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 or apps to engage in this type of behaviour.

You must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent. Your obligations in this regard, including the list of unlawful reasons, are set out in the School's **Discrimination, Harassment and Bullying Policy**. Unlawful harassment or discrimination may constitute an offence under the **Anti-Discrimination Act 1977** or Federal Discrimination Legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.

8.4 The School is committed to take all reasonable and proportionate measures to eliminate, as far as possible:

- a) sexual harassment;
- b) harassment on the ground of sex;
- c) discrimination on the ground of a person's sex;
- d) conduct that subjects a person to a hostile workplace environment on the ground of sex; and

e) acts of victimisation that relate to complaints, proceedings, assertions or allegations in relation to conduct in points a) to d above

8.5 Staff are reminded of their obligations under the Sex Discrimination Act 1984 (Cth), including but not limited to section 28M, which states that it is unlawful for a person to subject another person to a workplace environment that is hostile on the ground of sex.

A person (the first person) subjects another person (the second person) to a workplace environment that is hostile on the ground of sex if:

- (a) the first person engages in conduct in a workplace where the first person or the second person, or both, work; and
- (b) the second person is in the workplace at the same time as or after the conduct occurs; and
- (c) a reasonable person, having regard to all the circumstances, would have anticipated the possibility of the conduct resulting in the workplace environment being offensive, intimidating or humiliating to a person of the sex of the second person by reason of:
- (i) the sex of the person; or
- (ii) a characteristic that appertains generally to persons of the sex of the person; or
- (iii) a characteristic that is generally imputed to persons of the sex of the person

8.6 For the sake of clarity, the following are examples of sexual harassment in the workplace:

- a) Inappropriate physical contact
- b) Intrusive questions about a person's private life or physical appearance
- c) Sharing or threatening to share intimate images or videos without consent
- d) Showing or sharing images or videos that are sexually suggestive or that constitute a sexual advance
- e) Unwelcome touching, hugging, cornering or kissing
- f) Repeated or inappropriate invitations to go out on dates
- g) Sexually suggestive comments or jokes that offend or intimidate
- h) Requests or pressure for sex or other sexual acts
- i) Sexually explicit gifts, images, videos, cartoons, drawings, photographs or jokes
- j) Actual or attempted rape or sexual assault
- k) Being followed or watched inappropriately, or someone loitering inappropriately, either in person or via technology
- l) Sexually explicit comments made in person or in writing, or indecent messages (SMS, social media), phone calls or emails—including the use of emojis with sexual connotations
- m) Sexual gestures, indecent exposure or inappropriate display of the body
- n) Technology-facilitated unwelcome conduct of a sexual nature—including on virtual meetings
- o) inappropriate staring or leering
- p) Repeated or inappropriate advances on email or other online social technologies.

8.7 You should ensure that you are aware of the School's **Discrimination, Harassment and Bullying Policy**. If you believe you are being unlawfully harassed or discriminated against or bullied:

- (a) where you feel comfortable, ask the person to stop, or make it clear that you find the behaviour offensive or unwelcome. It may be useful to speak with your Supervisor or Head of Department 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 **Discrimination, Harassment and Bullying Policy**, as soon as possible after the incident(s) have occurred.

8.8 The School takes reports of harassment, discrimination, conduct that subjects a person to a hostile workplace environment on the ground of sex, and acts of victimisation seriously and will take appropriate action if such conduct is found to have occurred, including disciplining or dismissing offenders. Many incidents can be addressed effectively if reported early.

8.9 If you lie about or exaggerate a complaint, the School will view this as a very serious matter and you may be disciplined or dismissed.

## **9. Duty of Care and Work Health and Safety**

9.1 As a School staff member, you have a duty of care to students in your charge to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. The duty encompasses a wide range of matters, including (but not limited to):

- (a) the provision of adequate supervision;
- (b) ensuring grounds, premises and equipment are safe for students' use;
- (c) implementing strategies to prevent bullying from occurring in School; and
- (d) 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**

9.2 As a School staff member, you have a duty of care to students in your charge. That duty is to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. For example, risks from known hazards and from foreseeable risk situations against which preventative measures can be taken. The standard of care that is required, for example the degree of supervision, needs to be commensurate with the students' maturity and ability.

9.3 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.

9.4 You should ensure that you are aware of the School's Policies and Procedures relating to Duty of Care, Excursions, Inter School Sport and Exchange Programs.

### **Work health and safety**

9.5 You also have a responsibility under work health and safety legislation to take care of your own health and safety at work. It is also your responsibility to ensure that your activities do not place at risk the health and safety of your co-workers, students or other persons with whom you may come into contact at work.

9.6 Considerations of safety relate to both physical and psychological wellbeing of individuals.

9.7 You should ensure that you are aware of the School's Work Health & Safety Policy.

### **Supervision of students**

9.8 You should take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury.

9.9 You should be familiar with and comply with the School's evacuation and lockdown procedures.

9.10 Students should generally not be left unsupervised either within the classroom or outside of class time in accordance with the Supervision of Day Students Policy as well as Boarding House Rules. You should be punctual to class and your allocated supervision.

9.11 You should also observe the requirements of the Supervision of Day Students Policy in regard to the participation of students at out-of-school-hours activities until all students have been collected. In the event that a student is not collected you should remain with the student and phone the parents and wait until the student is collected, or seek advice from your Supervisor or your Senior Manager.

9.12 Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. You should actively supervise your designated area, remain vigilant, constantly moving around.

9.13 You should be alert to bullying or any other form of discriminatory or problematic behaviour between students, and report incidents to the Head of Campus. You should be familiar with the School's Anti-Bullying Policy that appears on the Policy Platform.

9.14 Sick or injured students should be attended to by the supervising staff member. Should additional assistance be required, contact the School's Health Centre, Prep Sick Bay, Tudor House Health Centre or Ambulance service (if required). Students should not be sent to the Health Centre unaccompanied.

9.15 Ensure that you understand and comply with the School's Policy in regard to the storage and administration of prescribed medication to students. You should refer to the Policy for Collecting Maintaining and Utilising Student Medical Information as well as the Students Medical Information Form or stored electronically that has been completed for every student, through the online parent portal.

## **10. Professional Relationships between Staff and Students**

10.1 You are expected to contribute to the child safe culture of the School by ensuring all your interactions with students reflect the School's commitment to the comprehensive implementation of the Child Safe Standards

### **Positive Behaviours to keep Students safe**

10.2 You are expected to display the following behaviours and attitudes:

- (a) taking all reasonable steps to protect students from abuse (such as completing all induction and compulsory training and working in an open and transparent manner);
- (b) respecting the privacy of students and their families by keeping all information regarding Child Protection concerns confidential and only discussing information with the relevant people to follow the School's reporting procedures;
- (c) treating all students with respect, regardless of race, colour, sex, gender identity, sexual orientation, language, religion, political or other opinion, health status, national, ethnic or social origin, culture, property, ability or other status;
- (d) reporting to the Head of Campus or Headmaster any conflicts of interest (such as an outside relationship with a student, babysitting arrangements or any other formal or informal relationships with a student that exist outside your organisational setting);
- (e) listening to and valuing students' ideas and opinions;
- (f) welcoming all students and their families and carers by being inclusive;
- (g) actively promoting cultural safety and inclusion;
- (h) listening to students and responding to them appropriately;
- (i) working with students in an open and transparent way (so that other adults always know what work you are doing with students);
- (j) dressing in clean, appropriate clothing and following the *King's School Dress Code Policy* (including avoiding clothing that is revealing or that includes offensive language or pictures);
- (k) working within a team, despite any differences, to ensure that the needs of the student (and their family) remain the paramount focus.

### **Relationships with Students and Ex-Students**

10.3 You must not initiate or develop a relationship with any student that has or can be interpreted as having a romantic or sexual, rather than professional, basis regardless of whether the relationship is consensual, non-consensual, or condoned by parents/carers.

10.4 You must not initiate or develop a relationship with any student that is or can be perceived or misinterpreted as having a personal rather than professional basis, regardless of whether the relationship is consensual, non-consensual, or condoned by parents/carers.

10.5 You must not engage in a romantic/sexual relationship with a person who has in the past two years been a student at the School. (Such a relationship could give rise to a concern you may have crossed professional boundaries and in particular, concerns may arise that you engaged in grooming behaviour while the person was still a student.)

10.6 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 parents or care giver or are family friends of the student and have the express permission of your Senior Manager or the Headmaster.

10.7 Exceptions of 10.6(b) include students attending staff homes as a group:

- (a) for clubs (Headmaster, Deputy);
- (b) for bible studies (Chaplains);
- (c) for meals or suppers (Housemasters);

(d) for other School endorsed activities approved by the Head of Campus.

### **Physical Contact with Students**

10.8 The following types of physical contact are permitted:

- (a) treating an injury;
- (b) preventing an injury;
- (c) contact for sport, drama and dance instruction is acceptable in a class situation but not in a 1:1 situation. If physical contact is required for specific technical instructions, it must be brief and only with the consent of the student;
- (d) minimal, non-lingering, non-gratuitous physical contact in the context of the situation is acceptable (e.g. congratulatory pat on the back or handshake).

10.9 The following types of physical contact are not permitted:

- (a) corporal punishment, such as smacking or other forms of physical discipline;
- (b) any unwarranted or unwanted touching with hands, other body parts or objects;
- (c) initiating, permitting or requesting unacceptable physical contact with a student, such as massages or kisses;
- (d) facilitating situations which unnecessarily result in close physical contact with a student, such as wrestling or tickling;
- (e) undertaking a task of a personal nature for a student if they can do it for themselves, such as changing clothes, feeding, personal grooming or toileting;
- (f) pressuring a student to have unnecessary physical contact.

### **Out of Hours Work and Secondary Employment**

10.10 You must not engage in tutoring or coaching students from the School, for financial gain, without the express permission of the Headmaster.

10.11 Tutoring or coaching students from the School, outside normal school hours or scheduled class or training times, can only be undertaken with:

- (a) parental (or for boarders, Housemaster's) consent; and
- (b) permission from your Supervisor or Senior Manager or Head of Campus.

### **Travelling Alone with a Student**

10.12 You should never drive a student in your car unless you have specific permission from both the parent and either your Supervisor or Senior Manager to do so. In the event of an emergency, you should exercise discretion but then immediately report the matter to your Supervisor.

10.13 A student or students being driven by you in a car must sit in the back seat.

10.14 You should never smoke in a vehicle in which you are travelling with a student or students.

### **Interacting With Students**

10.15 The language and manners you use when interacting with students should reflect the School's core value of respect by:

- (a) using positive, non-offensive language;
- (b) remaining calm;
- (c) listening carefully and addressing issues with a positive and helpful attitude.

10.16 The following behaviours are not acceptable:

- (a) using offensive language – swearing, using racial, cultural, homophobic or sexist slurs;
- (b) being abusive or intimidating – yelling, moving into another person's personal space, finger pointing, talking over the top of others;
- (c) passive aggression – purposely ignoring, isolating or dismissing others;

- (d) making physical or psychological threats to harm another person.

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

- 11.1 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.
- 11.2 You must comply with the Use of Electronic Facilities Policy. 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 personal social networking sites for anything other than specific educational purposes during work hours;
  - (g) remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden;
  - (h) reporting any situations where you become aware of the inappropriate use of electronic communication and social networking sites; and
  - (i) only using your School email account for contacting students, rather than any personal email accounts.
- 11.3 You must never use the School's networks to view, upload, download or circulate any of the following materials:
  - (a) sexually related or pornographic messages or material;
  - (b) violent or hate-related messages or material;
  - (c) racist or other offensive messages aimed at a particular group or individual;
  - (d) malicious, libellous or slanderous messages or material; or
  - (e) subversive or other messages or material related to illegal activities.

### **Technology and Social Media**

- 11.4 The following is required of all staff:
  - (a) using appropriate and professional language in electronic mail messages;
  - (b) only communicating with students and parents using your School provided email account or School controlled social media platforms;
  - (c) using a student's School provided email.
- 11.5 The following behaviours are unacceptable:
  - (a) using a computer, mobile phone, camera or other device in a way that is inconsistent with the School's Child Safe Policy, ICT Staff Acceptable Use Policy or other policies;
  - (b) communicating (including online) with a student other than for specific educational purposes related to your role and professional obligations;
  - (c) using a computer, mobile phone, camera or other device to exploit or harass a student;
  - (d) using a camera or other device to record a student without their express permission and especially while they are dressing, bathing or using the bathroom;
  - (e) using private text messages or emails to communicate with a student;
  - (f) sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
  - (g) inviting students into your personal social networking site or accepting an invitation to theirs;
  - (h) using personal social networking sites for anything other than specific educational purposes during work hours;

- (i) transmission, storage, promotion or display of offensive, defamatory, or harassing material;
- (j) you must never use the School's networks to view, upload, download or circulate any of the following materials:
  - sexually related or pornographic messages or material;
  - violent or hate-related messages or material;
  - racist or other offensive messages aimed at a particular group or individual;
  - malicious, libellous or slanderous messages or material; or
  - subversive or other messages or material related to illegal activities.

## **12. Use of Alcohol, Drugs and Tobacco**

- 12.1 Work health and safety is of fundamental importance to the School. Maintaining a safe work environment requires everyone's continuous co-operation.
- 12.2 You are responsible for ensuring your capacity to perform your duties is not impaired by the use of alcohol or drugs and that the use of such substances does not put at risk you or any other person's health and safety.
- 12.3 You must:
  - (a) not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
  - (b) not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work including during camps, excursions and school tours (interstate or international);
  - (c) notify your Supervisor if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
  - (d) take action to resolve any alcohol or other drug-related problems that you have; and
  - (e) consult with your Supervisor Senior Manager or Headmaster if you are concerned about working with other staff who may be affected by drugs or alcohol.

### **Drugs**

- 12.4 You must not:
  - (a) have illegal drugs in your possession while at work. Any illegal drugs found on School property or in the possession of any person on School property may result in disciplinary action including the termination of your employment and referral to the Police;
  - (b) give students or other staff illegal drugs or restricted substances, or encourage or condone their use; and
  - (c) supply or administer prescription or non-prescription drugs to students unless authorised to do so.

### **Alcohol**

- 12.5 You must not consume alcohol during School hours or at any School function where School students are present, including those events conducted outside School premises, unless expressly permitted to do so by a Senior Manager or the Headmaster. If such permission is given, you must only consume low levels of alcohol in a responsible manner. A School function is any occasion organised by the School and/or in the School's name, including dances, farewells, meetings, sporting fixtures and fund raising events. In addition to this Code, you must comply with the School's Alcohol Consumption Policy. To the extent that there is any inconsistency between the Alcohol Consumption Policy and this Code, the Alcohol Consumption Policy is to take precedence.
- 12.6 You must not:
  - (a) purchase alcohol for, or give alcohol to, any School student (or to any other person under the age of 18 years); and
  - (b) encourage or condone the use of alcohol by students of any age during educational activities.

### **Tobacco**

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

## **Students and Alcohol, Recreational Drugs and Child Abuse Materials**

12.9 The following behaviours are not permitted:

- (a) providing students with alcohol, drugs, tobacco or sexually suggestive or explicit material;
- (b) drinking alcohol, taking illicit drugs, possessing or distributing pornography while working with students (including on field trips, excursions or any other offsite work);
- (c) taking explicit photographs of students;
- (d) showing students pictures, animations, images or websites of an inappropriate or adult nature;
- (e) discussing with students topics of an adult or sexualised nature, unless directly related to your professional obligations and role, such as delivering curriculum content, provision of pastoral care or counselling. Such discussions should be recorded in School documentation such as programs and registers and file notes;
- (f) telling jokes of a sexual nature.

## **13. Identifying and Managing Conflicts of Interest**

13.1 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.

13.2 The School has a Conflict of Interest Policy. All staff are required to be familiar with this Policy.

13.3 As a School staff member, you must not act in conflict with the School's best interests. Conflicts of interests can involve:

- (a) pecuniary interests i.e. financial gain or loss or other material benefits;
- (b) non-pecuniary interests i.e. favours, personal relationships and associations.

13.4 It may not only be about your own interests. It may include:

- (a) the interests of members of your immediate family or relatives (where these interests are known);
- (b) the interests of your own business partners or associates, or those of your workplace; or
- (c) the interests of your friends.

13.5 When faced with a situation in which conflict of interests may be present, you must report any potential or real conflict to your Senior Manager or the School's General Counsel and Company Secretary.

13.6 You must also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.

## **14. Declaring Gifts, Benefits and Bribes**

### **Receiving Gifts and benefits**

14.1 As a staff member, you may be offered a gift or benefit as an act of gratitude. In some circumstances, refusing a gift would be perceived as rude, insulting or hurtful.

14.2 You are expected to exercise sound judgment when deciding whether to accept a gift or benefit.

14.3 Accepting gifts and other benefits can compromise your position by creating a sense of obligation and undermining your impartiality. It may also affect the reputation of the School and its staff. You must not create the impression that any person or organisation is influencing the School or the decisions or actions of any of its staff.

14.4 It is vital that if any staff member receives a gift or hospitality from any person associated with the School (e.g., parent, student, other staff member), they consider whether the receipt of that gift or hospitality could potentially compromise their integrity and independence. If you have any concerns that this may be the case, please contact the General Counsel & Company Secretary to seek their advice.

14.5 If the gift or hospitality is valued over \$300, you **must** report this to the General Counsel & Company Secretary via email, who will need to consider whether you ought to be able to accept the gift or hospitality. Failure to report when the gift is valued over \$300 is a serious breach and may result in disciplinary action being taken.

14.6 Some examples of problematic gifts and hospitality include:

- A junior teacher is struggling with work demands, and their senior manager is performance managing them. The junior teacher provides the senior teacher with a \$500 watch for Christmas. The junior

teacher retains their job despite performing poorly. Other staff members find out about this and question whether the junior teacher only kept their job as a result of the gift.

- A Year 12 student is struggling with their maths. They need to pass to get into the university course of their choosing. The student knows that their teacher's birthday is coming up, and his parents offer the teacher a weekend at their holiday house in the Blue Mountains, valued at \$1000. The student receives 51% and is able to get into his chosen course. Another teacher finds out about this and wonders whether the student really earned a merit grade of 51%.
- The School is looking to hire an adviser for an upcoming project and will soon go to tender. One potential adviser offers staff members an all expenses paid day at the Cricket with drinks and meals. The tender goes ahead, and the advisers who provided the day at the Cricket are successful. An unsuccessful tenderer, who thought they should have been the preferred candidate, queries whether the other company only won the tender because of the hospitality provided to members of the School.

### **Giving Gifts and Benefits**

14.7 The following behaviours are acceptable:

- giving small tokens of appreciation or congratulations to **all** members of a team, class or group with your Supervisor or Senior Manager's awareness;
- giving appropriate gifts of appreciation to parents with your Supervisor or Senior Manager's awareness;
- giving gifts to students and parents should be done publicly.

Staff should not be purchasing gifts using the School's money unless they have the express written permission of the Director of Finance and Business Operations or the General Counsel & Company Secretary.

14.8 The following behaviours are not acceptable:

- giving a student gifts, food, money, attention or affection to establish a special relationship or in exchange for sexual activities or images;
- giving gifts to students or parents to prevent them from issuing a complaint against you or to resolve a dispute you have with them;
- giving gifts to students or parents in a private setting.

## **15. Communication and Protection of Confidential Information**

### **Communication**

- 15.1 You are required to comply with all School conditions concerning confidentiality as set out below.
- 15.2 You should be mindful of confidentiality when in discussions with parents. You cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.
- 15.3 You should not disclose personal information about another staff member to students or parents or discuss their work performance, except if authorised by your Senior Manager or the Headmaster in the context of grievance resolution.
- 15.4 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.
- 15.5 The media should not be given access to students or allowed entry to the School without the express permission of the Head of Campus or the Headmaster. You should not make any comments to the media about the School, students or parents without the express permission of the Head of Campus or the Headmaster or his delegate. The media may gain independent access to students eg at sporting fixtures.

### **Confidential information**

- 15.6 As a School staff member, you must use confidential information only for the work-related purpose it was intended.
- 15.7 Unless authorised to do so by legislation, you must not disclose or use any confidential information without the express permission of the Headmaster.
- 15.8 You must make sure that confidential information, in any form, cannot be accessed by unauthorised people for

example in your office, your home, at parent and teacher meetings.

## **Privacy**

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

## **16. Record Keeping**

- 16.1 All staff have a responsibility:
  - (a) to create and maintain full, accurate and honest records of their activities, decisions and other business transactions (eg receipts and invoices), and
  - (b) to capture or store records in the School's record systems.
- 16.2 You must not destroy or remove records without appropriate authority.
- 16.3 Supervisors have a responsibility to ensure that the staff reporting to them comply with their records management obligations.
- 16.4 Staff members 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.
- 16.5 Staff members must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

## **17. Copyright and Intellectual Property**

- 17.1 When creating material you need to ensure the intellectual property rights of others are not infringed and information is recorded about any third party copyright/other rights included in materials.
- 17.2 Advice relating to sharing or licensing the School's intellectual property should be sought from your Senior Manager or the Headmaster.
- 17.3 The School cannot give away or assign its intellectual property without the approval of the School Council.
- 17.4 If the School directs a staff member to devise resources and provides support for this, then the School owns the copyright for this resource.
- 17.5 You should not use the School's intellectual property (including copyright) for private purposes without obtaining written permission from your Senior Manager or the Headmaster.
- 17.6 The intellectual property rights over resources, and the like, developed during your employment with the School technically belong to the School. However, the School may assign these rights in certain situations to the developer on an agreed basis that may include the School retaining unhindered/free access to these resources.

## **18. Responsibilities of Management and Staff**

- 18.1 You must be aware of and comply with this Code.
- 18.2 Therefore, you must:
  - (a) conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the School;
  - (b) comply with the School's policies and procedures;
  - (c) act ethically and responsibly; and
  - (d) be accountable for your actions and decisions.
- 18.3 Contractors, consultants and volunteers working with the School must be aware of this Code and conduct themselves in a manner consistent with the conduct described in it. Conduct that is not consistent with the conduct set out in this Code may result in the engagement of a contractor, consultant or volunteer being terminated.

## **19. Consequences**

19.1 Breaching the *Code* may result in disciplinary action, which could lead to termination of employment or engagement (Refer to Section 5 for more detail)

## **20. Where to go for help and advice**

20.1 Your Supervisor, Senior Manager, People & Culture, General Counsel and Company Secretary or Headmaster, IEU or AIS for independent advice.

## **21. Objectives**

21.1 To outline the standards of behaviour expected of all employees, contractors and volunteers of the School.

## **22. Limitations**

22.1 This *Code* does not attempt to provide a detailed and exhaustive list of what to do in every aspect of your work. Instead, it sets out general expectations of the standards of behaviour required.

22.2 This *Code* is not intended to be contractual in nature and does not impose any contractual obligations on the School. The School reserves the right at its sole discretion to vary or cancel this *Code* at any time and will inform staff with adequate notice.

22.3 This *Code* does not limit the circumstances in which the School may take disciplinary action in respect of an employee.

**This *Code* will be made available to all employees upon appointment and they will be required to acknowledge they have read, understood and agreed to comply with the *Code* in their letter of appointment. The *Code* will also be made known to Contractors and Volunteers by the Senior Manager having responsibility of those Volunteers and Contractors.**

<b>Category</b>	Operational
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<b>Reviewer</b>	Director of People and Culture
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