



# Lake Joondalup Baptist College

## **Code of Conduct**

### **Policy #: 120**

**Policy reviewed date: August 2023**

Lake Joondalup Baptist College is committed to the National Child Safe Organisation Principles, and to providing a child-safe environment which safeguards all students and promotes practices which provide for the safety, wellbeing and welfare of our children and young people. Lake Joondalup Baptist College expects all College community members including Board members, staff, volunteers, students, visitors and contractors to share this commitment.

## **Purpose**

The College Purpose is to nurture young people to discover and confidently express their unique God-given gifts in service of their community.

This Code of Conduct is intended to provide guidance relating to expected standards of behaviour of those to whom the policy applies.

## **Policy statement**

This Code should be read in conjunction with the Child Protection Policy, available on the College website [www.ljbc.wa.edu.au](http://www.ljbc.wa.edu.au).

In all situations, and in particular regarding managing student behaviour, the College forbids any form of child abuse, corporal and degrading punishment.

Nothing in this Code should be taken to limit the circumstances in which the College may take disciplinary action.

When considering their actions, College community members could consider the following:

- how might this interaction be perceived by others?
- am I treating this student differently from others?
- can I achieve the same outcome through a different interaction?
- would I do this or say this if a colleague were present?
- would I condone my conduct if I observed it in another adult?
- what guidance would my employer give me in this situation?

## **Principles**

### **Principle 1: Employee expectations**

Employees must be familiar with the College's policies and procedures, knowing where to access them for reference purposes, and be able and willing to comply with the College's policies and procedures. Policies and procedures are available on the College website.

If you are uncertain about the scope or content of a policy with which you must comply, or any legal obligations to which you are subject, you should seek clarification from your direct supervisor, line manager or the Principal.

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

As a college employee, you are expected to:

- (a) perform your duties to the best of your ability and be accountable for your performance.
- (b) follow reasonable instructions given by your supervisor or his/her delegate.
- (c) comply with lawful directions.
- (d) carry out your duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve your knowledge and skills, including through participation in relevant professional development.
- (e) act honestly and in good faith in fulfilling your duties.
- (f) be respectful, courteous and responsive in dealing with your colleagues, students, parents and members of the public.
- (g) work collaboratively with your colleagues.
- (h) ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the college and does not damage the reputation of the college; and
- (i) dress in a professional manner that is appropriate for your role.

### **Principle 2: Good teaching practice**

As a professional teacher it is expected that you will provide quality teaching appropriate for your students, cater to the diversity of learners in your care and make every effort to help all students equally so they have every chance of succeeding.

Good teaching also means you will work closely with your colleagues, and other carers of your students, and respond appropriately and promptly to any concerns they have.

### **Principle 3: Respect for people**

Staff have a responsibility to safeguard and promote the welfare of students and other staff.

The college expects employees to treat each other with respect and courtesy. Daily interaction with others reflects on the college's reputation. Therefore, all employees are expected to be approachable, respectful, courteous, and prompt when dealing with 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 courtesy and respect in your interactions with students can have a profoundly positive influence on a student's personal and social development.

### **Principle 4: Duty of care and Work Health and Safety**

As an employee of the college, you have a duty of care to students in your charge to take all reasonable steps to protect them from risks of harm that can be reasonably predicted.

The duty of care 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 college, and

providing medical assistance (if competent to do so) or seeking assistance from a medically trained person to aid a student who is injured or becomes sick at college.

#### ***Duty of care examples***

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 college. The risks associated with any activity need to be assessed and managed before the activity is undertaken.

You should ensure that you are aware of all the college's health, safety and student welfare policies, including Duty of Care, Excursions, Inter School Sport and Exchange Programs.

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

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

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

You should ensure that you are aware of and comply with the College's Workplace Health and Safety Policy.

### **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.

As an employee of the college, you are expected always to model behaviour which promotes the safety, welfare and well-being of children and young people. You must actively seek to prevent harm to children and young people, and to support those who have been harmed.

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

The detection and prevention of grooming behaviour is a vital consequence of complying with this principle.

### **Principle 6: Appropriate use of electronic communication and social networking sites**

The college provides electronic communication facilities for its students and employees for educational or administrative purposes. Transmitted or stored data may be monitored and viewed. All staff and students must abide by staff and student use of technology policies. The fast and permanent nature of

electronic communication requires staff to be particularly vigilant with their own communications as well as their students’.

### **Principle 7: Use of alcohol drugs or tobacco**

Work Health and Safety is of fundamental importance to the college. Maintaining a safe work environment requires everyone’s continuous cooperation.

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.

The use of illegal substances on the college property is strictly forbidden.

### **Principle 8: Identifying and managing conflicts of interest**

Personal interests can, or have the potential to, influence a person’s capacity to perform their duties impartially and in turn compromise their integrity and that of the college.

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.

Conflict of interest also 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.

### **Principle 9: Declaring gifts, benefits or bribes**

As an employee, you may be offered a gift or benefit as an act of gratitude. There are some circumstances when to refuse a gift would be perceived as rude, insulting or hurtful. You are expected to exercise sound judgement when deciding whether to accept a gift or benefit.

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

### **Principle 10 Communication and protecting confidential information**

College employees must maintain the confidentiality of college information and should be mindful of confidentiality when in discussions with parents, staff, family members and others.

It is not always appropriate to give a guarantee of confidentiality, especially if the matter under discussion is related to mandatory reporting.

College employees should be aware that there are strong legal requirements around the collection, release and protection of 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, staff should discuss the matter with their line manager.

### **Principle 11 Record keeping**

All employees have a responsibility to:

- (a) create and securely maintain full, accurate and honest records of their activities, decisions, appropriate college-based interactions and other relevant transactions.
- (b) upload or store records in the college’s record systems, as required; and
- (c) not deliberately access college information to which they are not authorised to do so.

### **Principle 12 Copyright and intellectual property**

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.

If you develop material that relates to your employment with the college, the copyright in that material will belong to the college. This may apply even if the material was developed in your own time or at home.

## How to comply with the Code of Conduct

### I will:

1. accept the College's Statement of Faith and agree to carry out all duties in accordance with, and to actively uphold and to contribute to, the Christian practice of the College
2. declare to the Principal any foreseeable breaches of the Code of Conduct. This should be done by emailing: [codeofconduct@ljbc.wa.edu.au](mailto:codeofconduct@ljbc.wa.edu.au)
3. act in accordance with Lake Joondalup Baptist College's child safety and wellbeing policies and procedures at all times.
4. behave respectfully, courteously and ethically towards children and their families and towards other staff.
5. listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
6. promote the human rights, safety and wellbeing of all children attending Lake Joondalup Baptist College.
7. demonstrate appropriate personal and professional boundaries.
8. consider and respect the diverse backgrounds and needs of children.
9. create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families.
10. report objectively observable behaviour which breaches or is suspected of breaching this Code, (other than those subject to mandatory reporting obligations) to:

#### **Respondent**

Non-teaching staff  
Teaching staff  
Board members  
External roles e.g. tutors

#### **Contact Person**

Executive Business Manager  
Principal  
Principal  
email [codeofconduct@ljbc.wa.edu.au](mailto:codeofconduct@ljbc.wa.edu.au)

If the report concerns the Principal, please contact the Board Chair at [Chair@ljbc.wa.edu.au](mailto:Chair@ljbc.wa.edu.au) or via post (PO Box 95, Joondalup WA 6191).

11. Involve children in making decisions about activities, policies and processes that concern them wherever possible.
12. Contribute, where appropriate, to Lake Joondalup Baptist College's policies, discussions, learning and reviews about child safety and wellbeing.
13. Identify and mitigate risks to children's safety and wellbeing as required by Lake Joondalup Baptist College risk assessment and management policy or process.
14. Respond to any concerns or complaints of child harm or abuse promptly and in line with Lake Joondalup Baptist College and procedure for receiving and responding to complaints.
15. Report all suspected or disclosed child harm or abuse as required by The Children and Community Services Act 2004, and by Lake Joondalup Baptist College's policy and procedure on internal and external reporting.
16. Comply with Lake Joondalup Baptist College's protocols on communicating with children.
17. Comply with
  - o The Privacy Act (1988) and Amendments
  - o *Records Retention Schedule for Non-Government Schools*;
  - o Australian Society of Archivists Inc, 2<sup>nd</sup> Editionand
  - o Lake Joondalup Baptist College's policies and procedures on record keeping and information sharing.

## **I will not**

1. Engage in any unlawful activity with or in relation to a child.
2. Engage in any activity that is likely to physically, sexually or emotionally harm a child.
3. Unlawfully discriminate against any child or their family members.
4. Be alone with a child unnecessarily.
5. Arrange personal contact, including online contact, with children I am working with, for a purpose unrelated to Lake Joondalup Baptist College's activities.
6. Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or unless I am required to do so by Lake Joondalup Baptist College's policy and procedure on reporting.
7. Use inappropriate language in the presence of children or show or provide children with access to inappropriate images or material.
8. Work with children while under the influence of alcohol or prohibited drugs.
9. Ignore or disregard any suspected or disclosed child harm or abuse.

## **What happens if I breach the Code of Conduct?**

All alleged breaches of the Staff Code of Conduct will be subject to scrutiny and if substantiated the person may be warned, suspended or have their employment terminated. If the breach is suspected to have involved grooming behaviour, the college is obliged to report this to the Director General of the Department of Education as a reportable incident. Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by senior management.

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

Employees are required to report all objectively observable behaviour, that is not permitted by the Code, other than those subject to mandatory reporting obligations, to the Principal, a designated senior staff member - as tabled on page 5 of this policy or the chair of the school's governing body. NB: If the prohibited behaviour is by the Principal then it should be reported to the chair of the governing body.

Factors the college 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 college 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. The college reserves the right to determine in its entirety the response to any breach of this Code. However, please note that circumstances where a formal warning is issued to a staff member or their employment is ceased, as a result of a breach that is suspected to have involved grooming behaviour, the college is required to be notified to the Director General of the Department of Education, as a critical incident.

Section 42 of the *Teacher Registration Act 2012* outlines the circumstances under which registered teachers are to be reported to the Teacher Registration Board of WA (TRBWA). Circumstances where a formal warning is issued to a teacher or their employment is ceased, as a result of a breach of the Code of Conduct that is suspected to have involved grooming behaviour, fits within the requirements of s.42, as well as being a reportable incident to the Director General of the Department of Education.

## **What do I do if I see someone breach the Code of Conduct?**

Act to prioritise the best interests of children;

Take actions promptly to ensure that children are safe;

Promptly report any concerns to the school's designated person as tabled on page 5 of this policy

Follow Lake Joondalup Baptist College's policies and procedures for receiving and responding to complaints and concerns, reports and/or allegations;

Comply with legislative requirements on reporting if relevant, and with Lake Joondalup Baptist College's policy and procedure on internal and external reporting.

Lake Joondalup Baptist College will not tolerate victimisation or other adverse consequences that are directed towards any person who makes such reports in good faith.

## **Definitions**

### **Child abuse**

Four forms of child abuse are covered by WA law and are defined by the Department of Communities:

- (1) Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or caregiver.
- (2) Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level, and includes sexual behaviour in circumstances where:
  - (a) the child is the subject of bribery, coercion, a threat, exploitation or violence.
  - (b) the child has less power than another person involved in the behaviour; or
  - (c) there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
- (3) Emotional abuse includes:
  - (a) psychological abuse; and
  - (b) being exposed to an act of family and domestic violence.
- (4) Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged or they are injured. Neglect may be acute, episodic or chronic.

### **Corporal punishment**

Any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm. *[UN Committee on the Rights of the Child, General Comment No. 8 (2006)].*

### **Degrading punishment**

Any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child *[UN Committee on the Rights of the Child, General Comment No. 8 (2006)].*

### **Grooming**

The use of a variety of manipulative and controlling techniques with a vulnerable subject in order to establish trust or normalise sexually harmful behaviour with the overall aim of facilitating exploitation and/or avoiding exposure. Please refer to the College's Child Protection Policy for information on recognising grooming behaviour.

### **Related Policies**

- #40 Use of Electronic Facilities by Staff
- #41 Child Protection Policy
- #42 Learning Technologies Policy
- #056 Duty of Care to Students Policy
- #044 Responsible Behaviours Policy
- #140 Positive Community Relationships Policy
- #96 Privacy Policy
- #58 Equal Opportunity Discrimination and Harassment Policy
- #086 Bullying in the Workplace Policy
- #64 Interstate and Overseas Tours Policy and Procedure K-12
- #124 PK-12 Camps Policy
- #084 Co-curricular Policy
- #119 Staff Dress Code
- # 34 Social Media Policy
- #98 Workplace Health and Safety Policy