

CODE OF CONDUCT POLICY

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CODE OF CONDUCT POLICY

CATEGORY

Operational

BACKGROUND

The aim of this Code is to outline the standards of behaviour required of all employees of Penrhos College. 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. The policy aims to ensure the highest possible professional standards from all employees and ensures that employees know the legal and ethical obligations that arise from working within a school.

Penrhos College 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 and young people. As a school, we are in a unique position of responsibility and authority and must make every effort to make sure that our school does provide a child safe environment. Teachers in particular are of primary importance when it comes to detecting abuse and preventing abuse from occurring.

The College expects all school community members including staff, volunteers, students, visitors and contractors to share this commitment. This Code of Conduct is a major component in the College's provision of a child-safe environment.

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 people are happy and proud to work and where actions and interactions are guided by the College Values.

This code contains links to many of detailed policies and procedures. Where you are unsure of detail or want more information, click on the appropriate links.

In Section 7, *Professional Relationships between Employees and Students*, there are links to our Child Protection Program. It is important that you do read these policies in detail to refresh your knowledge on the key aspects of our Child protection program, including Child Abuse, Reporting Requirements and Professional Boundaries.

POLICY SCOPE

Who must comply with the Code of Conduct?

- Employees
- Volunteers
- Contractors

By accepting employment with the College, you must be aware of, and comply with this Code.

Therefore, you must:

- conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the College;
- comply with the College's policies and procedures;
- act ethically and responsibly; and
- be accountable for your actions and decisions

Contractors and Volunteers

Contractors, consultants and volunteers working with the College must be aware of the Volunteer Code of Conduct 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.

If you are engaging or managing external consultants, contractors or volunteers, you must know the College's Volunteer Management Program. This program requires you to ensure that they know of the College's expectations of conduct during the period of their engagement.

Refer to

- [Volunteer Management Policy](#).

POLICY STATEMENT

The College reserves the right, at its sole discretion, to update this Code at any time.

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

The College recognises that Counselling and Nursing staff are subject to professional Codes of Practice which may at times, override parts of this code.

Breaches of this Code of Conduct may result in disciplinary action.

I. What is expected of you as an employee?

- 1.1 As an employee, you must be familiar with the College's policies and procedures and must ensure that you know those that apply to your work. Many of these are available on our Policy Portal, CompliSpace; others may be made available to you through induction, training and development programs.
- 1.2 If you are uncertain about the scope or content of a policy with which you must comply, you should seek clarification from the Principal or your Line Manager.

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

Refer to the relevant [Modern Awards, National Employment Standards and Enterprise Agreements](#)

- 1.4 Participate in professional learning on the Code of Conduct, mandatory reporting and all other related policies and procedures at least biennially.
- 1.5 Participate in professional learning on the recognition of grooming and child abuse and appropriate prevention practices and strategies annually.

As a College employee, you are expected to:

- a) perform your duties in accordance with your position statement to the best of your ability and be accountable for your performance;
- b) follow reasonable instructions given by your Line Manager 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) demonstrate College Values in dealing with your colleagues, students, parents and members of the public;
- g) work collaboratively and collegially with your colleagues; and
- h) ensure that your conduct, whether during or outside working hours, is consistent with the Values of the College and does not damage the reputation of the College.

2. What happens if you breach the conditions within the Code of Conduct?

As a College employee, you hold a position of trust and are accountable for your 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 as a critical incident. Any potentially illegal activity will be reported to the Police and appropriate actions will be taken by the senior management.

- 2.1 The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.
- 2.2 **You have an obligation to report objectively observable behaviour which is not permitted by the Code** to the Principal, a designated senior staff member or the chair of College Council. You must report possible breaches by colleagues to their Line Manager or the Principal. If the possible breach is by their Line Manager, then it must be reported to the Principal. If the breach is by the Principal, then it must be reported to the Chair of Council.

Refer to

- [Whistle Blower Policy.](#)

2.3 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.

2.4 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 and reporting of the matter, if suspected to be grooming, to the Director General of the Department of Education, as a critical incident. In the case of a teacher, the matter would also be reported to the Teacher Registration Board WA. The College reserves the right to determine in its entirety the response to any breach of this Code.

Refer to the College's [Staff Misconduct \(Consequences Policy\)](#) for further information.

3. Required reporting

Employees are required to report certain information to the College.

- 3.1 All employees are required to inform the Principal if they 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.
- 3.2 If, through your employment with the College, you become aware of a serious crime committed by another employee, you are required to report it to the Principal, who is required to inform the police and/or the Department of Child Protection and/or the Teacher Registration Board WA.
- 3.3 As a College employee, you **must** report to your Line Manager, Head of Department, Counsellors or the Principal:
 - a) any concerns that you may have about the safety, welfare and well-being of students at the College; **Note that this MUST be in accordance with the Mandatory Reporting process.**
 - b) any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves students of the College;
 - c) any concerns you may have about any other employee, contractor or volunteer engaging in 'conduct not permitted by the Code' or any allegation of 'conduct not permitted by the Code' that has been made to you (see 3.4 below);
 - d) 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 'conduct not permitted by the Code'; and
 - e) If you become the subject of allegations of 'conduct not permitted by the Code' whether or not they relate to your employment in the College.
- 3.4 From January 2009, teachers and boarding supervisors are required by law to make a mandatory report of child sexual abuse when a belief, based on reasonable grounds, is formed that sexual abuse is occurring or has occurred. This applies to staff working in a paid or unpaid capacity as a teacher, school nurse and/or boarding supervisor.

Staff who are not teachers, school nurses or boarding supervisors must report all forms of abuse to the school's Principal or, if the Principal is named in the allegation, to the Chair of the school's governing body. NB: Sexual abuse that occurred before 1 January 2009 is not considered a mandatory report but must be reported to the Principal.

In cases where a former student (still under the age of 18), or the parent or guardian of a former student, makes an allegation about child sexual abuse at the school occurring before 2009, the Department of Communities – Child Protection Service is to be informed immediately. An allegation involving a former student who is now aged 18 or over is reportable to the Police. In either case, the Principal must submit a critical incident report to the Director General, Department of Education and may also be required to notify the Teacher Registration Board of Western Australia.

Refer to:

- [Child Protection – Mandatory Reporting of Sexual Abuse.](#)
- [Child Protection Program: Detecting and Reporting Child Protection Incidents](#) (Note: Multiple policies)
- [Sexual Misconduct \(For Staff\)](#)
- [Staff Misconduct \(Consequences\) Policy](#)

4. Good Teaching Practice (Teachers only)

- 4.1 As a professional teacher it is expected you will provide quality teaching appropriate for your students, recognising the diversity of learners in your care and making 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 the carers of your students and respond appropriately and promptly to any concerns they have.

- 4.2 As a professional teacher it is expected that you will:
- a) Demonstrate at least the graduate or proficient career stage of the [AITSL National Professional Standards for Teachers](#)
 - b) Adhere to the [Pastoral Care](#) and [Teaching and Learning](#) Frameworks
 - c) Fulfil the role and responsibilities of a teacher as outlined by:
[Position Statement: Secondary School Teacher](#)
[Position Statement: Junior School Teacher](#)
- 4.3 All teaching staff are expected to be on campus, ready for class no later than fifteen (15) minutes before the scheduled starting time for your classes to commence and remain for no less than fifteen (15) minutes after the scheduled finishing time for classes including pupil-free days (where attendance is required for the specified Professional Development Days prior to Term).

5. Respect for people

The College expects employees to treat each other with respect and courtesy. Our daily interaction with others reflects on the College'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.

- 5.1 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.
- 5.2 It is important for you to treat your colleagues, other employees, contractors, students and parents with respect. 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.
- 5.3 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 College's [Equal Employment Opportunity and Anti-Discrimination Policy](#), [Harassment Policy](#) and [Bullying \(Staff\) Policy](#). 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.
- 5.4 You must ensure that you are aware of the College's [Equal Employment Opportunity and Anti-Discrimination](#) , [Harassment](#) and [Bullying \(Staff\)](#) policies. If you believe you are being unlawfully harassed or discriminated against or bullied refer to the College's [What To Do If You Feel You Have Been Discriminated Against, Harassed, or Bullied guidelines](#). The Principal, Head of Junior School, Dean of Pastoral Care, Dean of Teaching & Learning, the School Counsellors or the Human Resources Manager are all designated Contact Officers.
- 5.5 The College takes reports of unlawful discrimination and harassment or bullying seriously and will determine action it considers appropriate if such conduct is found to have occurred, including disciplining or dismissing offenders. Many incidents can be addressed effectively if reported early.
- 5.6 If you lie about or exaggerate a complaint, the College will view this as a very serious matter, and you may be disciplined or dismissed.

6. Duty of Care and Work Health and Safety (OSH)

As a College employee, 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):

- the provision of adequate supervision (before, during and after school)
- ensuring grounds, premises and equipment are safe for student use
- implementing strategies to prevent bullying from occurring in 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 and Student Welfare

- 6.1 As a College employee, 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.
- 6.2 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.
- 6.3 You must ensure that you know and comply with the [College's Duty of Care policies](#)
- 6.4 You must ensure that you know and comply with the [College's Pastoral Care policies](#)

Occupational Health and Safety

- 6.5 You must ensure that you know and comply with the College's [Occupational Health & Safety Policy](#) and [Health and Welfare Safety Policies](#).
- 6.6 You also have a responsibility under occupational 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 that you may come into contact with at work.
- 6.7 Considerations of safety relate to both physical and psychological well-being of individuals.
- 6.8 It is your responsibility to know the Penrhos College policies and procedures, as this is a condition of your employment at the College. You must know and comply with the College's [Work Safe Policies & Treatment Plans](#) for individual risks. You will be provided with regular updates of policy changes, and annual request to review the College's policies and procedures that guide your work life.
- 6.9 You must take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury.
- 6.10 You must know, and comply with, the College's evacuation and/or lock-in procedures.
- 6.11 Students must not be left unsupervised either within or outside of class unless there is an emergency. Note: For some curriculum areas where the age of the students and the activity undertaken require students to be separated from the teacher e.g. group work around the College grounds, there may be times when groups are unsupervised for short periods of time. You must be punctual to class and allocated supervision.
- 6.12 You must remain with students at after-school activities in accordance with the [Duty of Care \(After School Supervision\) Policy](#) and the [After School Supervision Procedure](#).
- 6.13 Playground supervision is an integral part of the responsibility of teaching staff. It must take precedence over other activities. It is unacceptable to be late. You must actively supervise your designated area, being vigilant and constantly moving around.

- 6.14 You must be alert to bullying or any other form of discriminatory behaviour, and report incidents to the appropriate staff member. Additional detail about student bullying is set out in the Student [Bullying Prevention and Intervention](#) policy.
- 6.15 Injured or unwell students must be attended to by the supervising staff member. Should additional assistance be required you must contact the Health Centre. See [Staff Response to an Emergency Event](#)
- 6.16 You must ensure that you understand and comply with the College's policy in regard to the storage and administration of prescribed medication to students. See [Medication Administration Policy](#)

7. Professional Relationships between Employees and Students

As a College employee, you are expected to always behave in ways that promote 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.

Refer to the Penrhos [College Child Protection Program](#)

Key Documents that all staff are required to read and acknowledge as part of their ongoing employment.

- [Our Child Safety Code of Conduct](#): Expectations of behaviours and boundaries for all individuals interacting with children and young people within our College community.
- [Staff and Student Professional Boundaries](#): This policy is designed to raise awareness of situations where professional boundary violations may occur and some strategies to minimise the risk of boundary violations. It includes expectations related to:
 - Intimate relationships
 - Personal Relationships
 - Relationships with Former Students
 - Fair Learning Opportunities
 - Electronic Communications between staff and students
 - Physical Contact with Students
 - Managing Conflicts of Interest
 - Disclosure of Staff/Student Interactions
 - Staff Responsibilities

Supervision of students

- 7.1 You must avoid situations where you are alone in an enclosed space with a student. Where you are left with the responsibility of a single student you must ensure that this is in view of others. Where this is not possible or practical it must be discussed with your Line Manager, Head of Department and/or the Principal prior to the situation. If this occurs as a result of an unexpected situation arising it must be discussed with your Line Manager, Head of Department and/or the Principal after the event.

Note: It is acknowledged that certain Senior Staff, Executive Staff, Nursing Staff for example, in the interest of privacy and confidentiality of students, may be required to attend a student out of sight of others.

- 7.2 You must never 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 must exercise discretion but then report the matter to the Principal.

Note: It is noted that situations will arise where the College's Bus Driver or Head of Boarding, will be required to travel alone in College Vehicles in order to transport a student to/from the airport/ bus station for school breaks or to/from medical appointments for example. These situations are generally considered necessary and are not deemed to be a breach of the Code of Conduct. If the situation is of any concern, prior approval from the Principal would be appropriate.

- 7.3 If you wish to conduct a private conversation with a student, you must consider the time and venue carefully to avoid placing yourself in a vulnerable situation. It is preferable to leave the door open. You must not locate yourself between the student and the door.
- 7.4 When confiscating personal items, such as mobile phones, jewellery, ask students to hand them to you- this must ONLY be done in line with the College policies that allow for the confiscation of student property.
- 7.5 Staff should not use their own personal phones for taking pictures of students unless for education purposes and these must not be retained.

Refer to:

- [Student Mobile Phone Policy - Secondary](#)
- [Student Dress Code - Secondary](#)
- [Student Mobile Phone Policy - Junior](#)

Physical contact with students

You must not impose any form of corporal or degrading punishment on a student in the course of your professional duties.

Corporal punishment, as defined in the *Guide to the Registration Standards and Other Requirements for Non-Government Schools* is '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.

Degrading punishment, as defined in the 'Guide' is '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.

- 7.6 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 must seek reassurance from the student by asking for a volunteer if necessary to demonstrate a particular activity.

- 7.7 Attention to the toileting needs of young children must be done with caution. It may be appropriate to have the door open. For students with a disability, the management of toileting needs must be included in the student's individual management plan.
- 7.8 When congratulating a student, a handshake, pat on the shoulder or brief hug are acceptable as long as the student is comfortable with this action. Kissing of students is not acceptable.
- 7.9 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.
- 7.10 Sometimes in ensuring duty of care, you may be required to restrain a student from harming herself or others using reasonable force. Any such strategy must be in keeping with the College's behaviour management practices or individual student management plans. You should report to your Line Manager and document any such incidents.

Refer to:

- [Managing Student Behaviour – Secondary](#)
- [Managing Student Behaviour – Junior](#)

Relationships with Students

- 7.11 Staff should be aware of what constitutes 'grooming' and the significance of this in relation to child protection.

Refer to:

- [Child Abuse – Definition and Key Risk Indicators](#)

- 7.12 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.

- 7.13 In your capacity as an employee of Penrhos College 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 their parents or care giver.

Note: Staff members who are related to student or are friends with the student's parents or family may well come into contact with students in a social environment. These Staff are required to complete the [Declaration of Student Interaction Outside of School Hours](#).

- 7.14 You must not engage in paid tutoring or coaching students from the College without the express permission of the Principal.

- 7.15 You must not invite students, or students who have graduated within the previous 2 years, to join your personal electronic social networking site or accept students' invitations to join their social networking site (see *Section 8 - **Appropriate use of electronic communication and social networking sites***).
- 7.16 You must be aware of, and sensitive to, children with culturally diverse or indigenous backgrounds and cultural practices that may influence the interpretation of your behaviour.

8. **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. It monitors and views data stored or transmitted using the College'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.

- 8.1 You must comply with the College's Information and Communications Technology policies. These include:
- 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 to your Line Manager any situations where you become aware of the inappropriate use of electronic communication and social networking sites.
- 8.2 You must never use the College's networks or technology 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
 - f) materials which would violate copyright laws.
- 8.3 It is recognised that some confronting texts are examined in senior classes. In these circumstances' permission should be sought from the parents via the Head of Department prior to the use of the text.

- 8.4 You must not make or take private calls on mobile phones while teaching or when on grounds duty.

Note: Mobile phone use during lessons for Peripatetic Staff only

Please minimise personal mobile phone use during lessons. If a call comes in during a lesson, where possible please arrange to call back at a non-teaching time. If on occasion, there is an urgent call you are expecting and need to take, please advise the student that you may need to take a call that may come in.

Refer to:

- [Phone Usage - Personal Phone Calls Policy.](#)
- [Employee ICT Acceptable Use Policy](#)
- [Digital Privacy and Safety Policy](#)

9. 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.

- 9.1 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.
- 9.2 As a College employee, 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;
 - c) notify your Line Manager or Head of Department 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 Line Manager or Head of Department or Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

Drugs

- 9.3 As a College employee, you must not:
- a) have illegal drugs in your possession while at work. Any illegal drugs found on College property or in the possession of any person on College property may result in disciplinary action including the termination of your employment and referral to the Police and/or the Teacher Registration Board WA;
 - b) give students or other employees 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

- 9.4 As an individual you must not bring alcohol to the College or consume it during College hours or at any College function at any time College students are present, including those events conducted outside College premises unless permitted to do so by the Principal. Approval from the Principal will be deemed to be where the College provides alcohol at the event. A College function is any occasion organised by the College and/or in the College's name, including dances, farewells, sporting fixtures and fundraising events.
- 9.5 If you attend 'sundowner' or similar function after hours at the College, and you consume alcohol, you must be aware of the risk to you of making an impaired decision that results in injury to a student, or another member of staff if you are called upon to exercise Duty of Care. Therefore, if you have consumed alcohol, you must refrain from making a decision and refer the situation on to another person in the College structure who is capable of making a decision.
- 9.6 You must not take alcohol to any College excursions, camps or tours or consume it during the length of the excursion, camp or tour on the understanding that staff are on duty 24/7 for the duration of the tour.
- 9.7 You must not:
- a) purchase alcohol for, or give alcohol to, any College 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 or College events (such as the Year 12 Ball).

Tobacco

- 9.8 You must not smoke or permit smoking in any College buildings, enclosed area or on College grounds. This includes all buildings, gardens, sports fields, cars and car parks.
- 9.9 You must not smoke whilst at any College function even if it is not on College campus. This includes, amongst all other activities, camps, tours and excursions.
- 9.10 You must not purchase tobacco or tobacco products for any College student or give them tobacco or tobacco products.

10. 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 College.

- 10.1 As a College employee, you must not act in conflict with the College's best interests. A conflict 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.

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.
- 10.2 When faced with a situation in which conflict of interests may be present, you must report any potential or real conflict to your Line Manager or Head of Department or the Principal.
- 10.3 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.

11. 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 judgment when deciding whether to accept a gift or benefit.

- 11.1 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.
- 11.2 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.

Refer to the College's [Gifts and Benefits Policy](#).
- 11.3 If you are offered a gift or benefit, you must always consider the value and purpose of a gift or benefit before making any decision about accepting it. A gift that is more than the nominal value indicated in the Gifts and Benefits Policy (i.e. \$100) must not become personal property. You must either politely refuse it or advise the contributor that you will accept it on behalf of the College. Note: The policy does not include declaration or acceptance of end of year gifts from students/class groups to teachers, or end of year gifts from suppliers or contractors which are below the nominal value.
- 11.4 When such a gift is accepted, you must advise the Principal. The Principal will determine how it must be treated and make a record of its receipt. Depending on the nature and value of the gift, it may be appropriate to record the gift in the asset register as a donation or other such record established for that purpose.
- 11.5 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 College. If you win a prize you must advise your Line Manager or Head of Department and the Principal who will determine how the prize must be treated and recorded.

12. Financial Accountability and Safeguarding College Assets

- 12.1 Budget holders are required to follow due process in the purchasing of materials against their departmental or capital budgets. This requires responsible expenditure within the guidelines of the budget, creation and approval of purchase orders prior to purchase, receipt of items on the purchase orders and regular monitoring of the appropriate GL Accounts.

All staff are required to provide receipts for any reimbursements incurred as part of professional development or other authorised expenses.

- 12.2 All staff have access to College assets, whether it be as part of their day to day duties or extension of their duties out of school hours. Examples of these of assets include computers, printers/copiers, vehicles and machinery, furniture and fittings, College network, notebook computers, mobile phones, and keys and fobs.

All staff are required to treat these assets with care and ensure their security.

In cases of deliberate misuse or negligence, the College may request reimbursement of the replacement cost of lost or damaged items.

13. Communication and Protecting Confidential Information

Communication

- 13.1 You are required to comply with the Penrhos College Communication Protocol relating to communication with parents in the College.
- 13.2 You must be mindful of confidentiality when in discussions with parents. You cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.
- 13.3 You must 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.
- 13.4 All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with students, members of the College community, or the public.
- 13.5 The media must not be given access to students or allowed entry to the College without the express permission of the Principal. You must not make any comments to the media about the College, students or parents without the express permission of the Principal.

Confidential information

- 13.6 As a College employee, you must only use confidential information for the work-related purpose it was intended.
- 13.7 Unless authorised, or required to do so by legislation, you must not disclose or use any confidential information without the express permission of the Principal.
- 13.8 You must make sure that confidential information, in any form, cannot be accessed by unauthorised people.

- 13.9 Security access passes, keys or access codes issued to you are your responsibility. These items must not be transferred or loaned to others. If a person requests assistance with keys, you should open the area for them if it is appropriate to do so. Where a person temporarily undertakes the role of another person and will require access to additional areas of the College, the Security Manager must be advised. The Security Manager will decide whether to issue new keys or allow for the transfer of keys. The Security Manager will note the changes.
- 13.10 In a situation where a third-party requests personal employee information, the Human Resource department will need to be notified that the staff member has given permission for the information to be released. For example, application for rental property or credit cards.
- Initially, the HR department will request for an email to be sent outlining the information required and confirmation of written consent from the staff member.
- In the event that the third party does not have written permission, the HR department will contact the staff member to gain written permission to release the information before proceeding.

Privacy

- 13.11 Sensitive and personal information must only be provided to people, either within or outside the College, who are authorised to have access to it.
- 13.12 You must always exercise caution and sound judgment in discussing the personal information of students, parents, staff and other people with other College employees. Normally information must be limited to those who need to know in order to conduct their duties, or to those who can assist in carrying out the College's work because of their expertise.
- 13.13 You must not store personal or sensitive information about members of the Penrhos College community on any device or on in any location other than the College servers or services.
- 13.14 If you accidentally breach data privacy or security of any individual, you must contact the Principal or Director of ICT immediately. Since 2018, it is mandatory under the Privacy Amendment (Notifiable Data Breaches) Act 2016 for all data breaches to be reported to the individual(s) concerned and to the Office of the Australian Information Commissioner – OAIC, if the breach is deemed to cause significant harm.
- 13.15 You must be familiar with and comply with the Penrhos College Privacy Policy.

14. Record Keeping

- 14.1 All employees have a responsibility:
- a) to create and maintain full, accurate and honest records of their activities, decisions and other business transactions, and
 - b) to capture or store records in the College's record systems.

- 14.2 You must not create, destroy or remove records without appropriate authority.
- Refer to the College's [Records Management Policy](#) and the Retention Schedules for [Permanent](#) and [Non-permanent](#) Records.
- 14.3 Line Managers and Heads of Department have a responsibility to ensure that the employees reporting to them comply with their records management obligations.
- 14.4 Employees responsible for assessing and recording marks for students' work must do so accurately, fairly and in a manner, that is in accordance with relevant policy and the requirements of the College.
- 14.5 Employees must maintain the confidentiality of all official information and documents which are not publicly available, or which have not been published.

15. Copyright and Intellectual Property

- 15.1 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.
- 15.2 Sharing or licensing the College's intellectual property must be in accordance with the Penrhos College Intellectual Property Policy. Advice may be sought from the Principal.
- 15.3 The College cannot give away or assign its intellectual property without the approval of the Principal.
- 15.4 If you develop material that relates to your employment with the College, the copyright of that material will belong to the College. This will apply even if the material was developed in your own time or at home but whilst in the employ of Penrhos College.
- Refer to the College's [Intellectual Property Policy](#). Advice may be sought from the Principal.
- 15.5 You must not use the College's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal.

16. Acknowledgement and Further Training

- 16.1 A signed or electronic acknowledgment of the acceptance and understanding of this policy is required from each employee prior to commencement of employment at the College, and annually thereafter.
- 16.2 The College is required to provide annual training around the Code of Conduct.

OWNER

Principal

ADOPTION AND REVIEW

An electronic copy is made available to all Penrhos College employees, via the College Policy Portal Complispace, at the start of the Academic Year. Furthermore, new employees are required to read and sign off the policy as part of their online induction prior to commencement of employment at the College.

This policy and its accompanying procedures are evaluated and reviewed everyone (1) year or when changes to relevant legislation are enacted and is endorsed by the Risk Management Committee and the College Council.

CREATE DATE:

January 2015

LAST REVIEW DATE:

October 2019

NEXT REVIEW DATE:

October 2020

RATIFIED BY THE RISK MANAGEMENT COMMITTEE

Resolution No:	R77/2015	
	R97/2016	22/11/2016
	R126/2018	19/01/2018
	R149/2019	25/01/2019