

## CODE OF CONDUCT POLICY AND PROCEDURES

### Attachment/s include:

This document should be read in conjunction with, but not limited to the following other related policies and procedures:

### Relevant government legislation impacting on policy content:

- the *Children and Young Persons (Care and Protection) Act 1998* (“**Care and Protection Act**”);
- the *Child Protection (Working With Children) Act 2012* (“**WWC Act**”);
- the *Children’s Guardian Act 2019* (“Children’s Guardian Act”)
- the *Crimes Act 1900* (“*Crimes Act*”)
- the *Work, Health and Safety Act 2011*
- the *Anti-Discrimination Act 1977*
- the *Privacy Act 1988*
- the *Education Act 1990*

**Endorsed:** February 2023

**Revised:** August 2022

## PREFACE

### Code of Conduct

The aim of this *Code of Conduct* is to outline the standards of behaviour expected of all employees of Blacktown Youth College (BYC).

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

The *Code of Conduct* 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.

This *Code of Conduct* applies to all employees of BYC whether employed on a permanent, temporary or casual basis.

### Procedures:

- All staff will be given, whenever revisions are made, a revised copy of the school's Code of Conduct Policy. They will have seven days upon receipt to return their signed acknowledgement;
- All staff will participate in discussion on any revisions of the policy at a staff meeting. This will be facilitated by the Head of School (HOS) and minutes recorded of the discussion;

- Staff who are absent from the meetings will be followed up and given a copy of the minutes of the meeting by the HOS and/or Administrator;
- New staff will sign as having read and understood this policy, prior to employment;
- The HOS will remind all staff of their legal responsibilities with regards to the school's Code of Conduct Policy at the Staff Development Day held on the first day of term every year. Absent staff will be briefed by the Administrator upon their return to work;
- The HOS and/or Administrator will follow up on staff that have not responded to the above and direct them to do so.

### **Who has to comply with the Code of Conduct?**

By accepting employment with BYC, all staff must be aware of and comply with this *Code of Conduct*.

Therefore, all employees must:

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

### **Contractors and Volunteers**

Outside tutors, external providers, consultants and volunteers working with BYC must be aware of this *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 of Conduct* may result in the engagement of a contractor, consultant or volunteer being terminated. BYC will make all external consultants, tutors, contractors and volunteers aware of the school's expectations of conduct during the period of their engagement.

## **GENERAL**

This *Code of Conduct* is not intended to be contractual in nature and does not impose any contractual obligations on the School. BYC reserves the right at its sole discretion to vary or cancel this *Code of Conduct* at any time.

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

## What is expected of an employee?

**All employees must be aware of BYC's policies, procedures and protocols, particularly those that apply to their work. These are available at each campus of the school and are kept in the HOS's office and administration office. They will also be made available to all employees through induction, training and development programs and is permanently on the BYC website.**

**If any employee is uncertain about the scope or content of a policy with which they must comply, they should seek clarification from HOS.**

**All employees should also be familiar with the legislation under which they are employed as this may specify requirements with which they need to comply.**

All employees are expected to:

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

## What happens if there is a breach of the Code of Conduct?

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

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

Employees must report possible breaches by colleagues to the HOS.

Factors the BYC may consider when deciding what action to take may include:

- the seriousness of the breach;
- the likelihood of the breach occurring again;

- whether the employee has committed the breach more than once;
- 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 BYC in respect of a breach of the *Code of Conduct* include management or remedial action, training or disciplinary action ranging from a warning to termination of employment. The school will reserve the right to determine in its entirety the response to any breach of this *Code of Conduct*.

**Procedures:**

- When a concern is raised regarding a colleague, the staff member will bring the matter to the attention of HOS;
- After investigation, the HOS will determine an appropriate course of action.

**REQUIRED REPORTING**

**Employees are required to report certain information to the School.**

All employees are required to inform the HOS if they are charged with or convicted of a serious offence (those punishable by 12 months or more in gaol). Employees must also inform the HOS if they become the subject of an Apprehended Violence Order.

If, through their employment with BYC, an employee becomes aware of a serious crime committed by another person, they are required to report it to the HOS, who may be required to inform the police.

School employees must report to the HOS:

- any concerns that they may have about the safety, welfare and wellbeing of a child or young person;
- any concerns they may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people;
- any concerns they may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to them;
- if any employee becomes aware that another employee, contractor or volunteer has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving 'reportable conduct';
- if an employee becomes the subject of allegations of 'reportable conduct' whether or not the allegations relate to their employment in the School; and

- if an employee's Working With Children Check Clearance is subject to an interim bar, bar on cancelled or if an employee becomes a disqualified <sup>1</sup> person from working or volunteering with children.

Broadly, 'reportable conduct' includes:

- any sexual offence, or sexual misconduct, committed against, with, or in the presence of, a child (including a child pornography offence); or
- any assault, ill-treatment or neglect of a child; or
- any behaviour that causes psychological harm to a child, whether or not the child consents.

Reportable conduct does not extend to:

- conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards, or
- the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures; or
- conduct that is exempted from notification by a Class or Kind Agreement<sup>2</sup>.

For further information about 'reportable conduct' see the School's ***Child Protection Policy***.

#### **Procedure:**

Any staff member who has concerns relating to any of the above must contact and notify the HOS.

Reference should be made to the School's ***Child Protection Policy*** for further information about these obligations.

Please note that teachers and some other employees have mandatory reporting obligations under the *Children and Young Persons (Care and Protection) Act 1998* (NSW) where they have reasonable grounds to suspect a child under the age of 16 years is at risk of significant harm and have current concerns about the safety, welfare and wellbeing of the child. Reference should be made to the School's ***Child Protection Policy*** for further information about these obligations.

## **RESPECT FOR PEOPLE**

**BYC expects employees to treat each other with respect and courtesy. Daily interaction with others reflects on the school's reputation. Therefore, all**

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<sup>1</sup> As defined in the NSW Child Protection (Working With Children) Act 2012 Section 18

<sup>2</sup> A Class or Kind Agreement is an agreement between the Ombudsman and an agency (eg the Association of Independent Schools of NSW on behalf of its member schools) that allows for certain kinds of less serious reportable conduct to be exempted from notification to the Ombudsman but the Head of Agency must still conduct a workplace investigation.

**employees are expected to be approachable, courteous and prompt in dealing with other people, including students, Caregiver, other employees and members of the community.**

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

Similarly, it is important for all employees to treat colleagues, other employees, contractors, volunteers, students and Caregivers 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, volunteers, students and Caregivers is unacceptable. Employees 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.

Employees must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, volunteer, student or Caregiver. Obligations in this regard, including the list of unlawful reasons, are set out in the School's **Anti-Bullying and Harassment 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 obligations under work health and safety legislation or duty of care at common law.

All employees will ensure that they are aware of the school's **Anti-Bullying and Harassment Policy**. If an employee believes that they are being unlawfully harassed or discriminated against or bullied:

- Where they feel comfortable, they should ask the person to stop, or make it clear that they find the behaviour offensive or unwelcome. It may be useful to speak with the Campus Coordinator and/or HOS, in the first instance to seek guidance on how to do this; and/or
- raise the issue as a grievance in accordance with the School's **Anti-Bullying and Harassment Policy** as soon as possible after the incident(s) have occurred.

BYC takes reports of unlawful discrimination and harassment or bullying seriously and will consider 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.

If an employee lies about or exaggerates a complaint, the school will view this as a very serious matter, and the employee may be disciplined or dismissed.

## **DUTY OF CARE AND WORK HEALTH AND SAFETY**

### **Duty of care**

**All BYC employees have a duty of care to students in their 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;
- ensuring grounds, premises and equipment are safe for students' use;
- implementing strategies to prevent bullying from occurring in school; 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 school.

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. 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.

All employees will ensure that they are aware of **ALL** BYC's policies, procedures and protocols that relate to providing a safe and supportive environment.

### **Work health and safety**

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

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

All employees will ensure that they are aware of the school's ***Work Health & Safety Policy and Procedures***.

### **Supervision of students**

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

All employees will make themselves familiar with and comply with the School's evacuation procedures displayed in every room, including classrooms and offices of all the campuses. All employees will participate in practicing of the lockdowns, lock outs and fire drills.

#### **Procedures:**

- A copy of the school evacuation and lockdown procedure will be displayed in every room, including classrooms and offices at all campuses;
- The Campus Coordinator and/or the Fire Warden will organise, at least once per school term, practice evacuation, lockdown and lockout procedures. Details of the drills will be logged on the Drill Log by the organiser of the drill. The Drill Log is kept in the Administrator's office. **(For more detailed**

**information please see Emergency Procedures: Evacuation, Lockdown and Lockout).**

Students should not be left unsupervised either within or outside of class. Employees should be punctual to class and allocated supervision.

Employees should remain with students at after school activities until all students have been collected. In the event that a student is not collected an employee should remain with the student until collected or seek advice from the Campus Coordinator and/or HOS

Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. Employees should actively supervise their designated area, being vigilant and constantly moving around. **No personal mobile phones should be visible or used whilst on duty. i.e. No texting, answering calls or making calls at ANY TIME during lessons or whilst out in the playground with students.**

### **Bullying and Discrimination or Injuries and Illness**

All employees should be alert to bullying or any other form of discriminatory behaviour, and report incidents to the appropriate staff member. **Additional detail about the prevention of student bullying is set out in the school's Anti-Bullying and Harassment Policy.**

Ill or injured students should be attended to by the First Aid Officer at each campus. Should additional assistance be required the First Aid Officer should contact the Campus Coordinator and/or HOS.

#### **Procedures:**

- Employees should familiarise themselves with the location of the First Aid Kit at every campus;
- Any treatment given to a student should be documented in Sentral database under "Health";
- Any treatment given to a staff member should be documented in the Register of Injuries book located in the administration kitchen;
- All employees should ensure that they understand and comply with the School's policy in regard to the storage and administration of prescribed medication to students (**see Medical Treatment Policy and Procedures**).

### **PROFESSIONAL RELATIONSHIPS BETWEEN EMPLOYEES AND STUDENTS**

**All BYC employees are expected to always behave in ways that promote the safety, welfare and well-being of children and young people. All employees 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 school employees to understand and observe the School's child protection policies.**



## **Supervision of students**

Employees should avoid situations where they are alone in an enclosed space with a student. Where employees are left with the responsibility of a single student they should ensure that this is in an open space in view of others. Where this is not possible or practical it should be discussed with the HOS.

### **Procedures:**

Para-professionals who are tutoring students one on one must do so in view of other staff, members or in a more open space. This applies to all campuses.

## **Transporting students**

Employees should never drive a student in their car unless they have specific permission from the HOS or the delegate and Caregiver consent. In the event of an emergency employees should exercise discretion but then report the matter to the Campus Coordinator and/or HOS.

### **Procedures:**

- Except in the event of an emergency, the only time a Staff member is allowed to drive students to any destination is when a prior arrangement has been made and permission granted from the HOS and the students Caregiver;
- In the event of an emergency; for example if a student needs to be withdrawn from an excursion or school camp due to illness, unacceptable behaviour or any serious infringement, a staff member may drive the student either back to school or to a designated point where they are met by Caregiver. The staff member must follow up by writing an incident report and informing the Campus Coordinator and/or HOS.

## **Interviewing students**

If an employee wishes to conduct a private conversation with a student they should consider the time and venue carefully to avoid placing themselves in a vulnerable situation. Choose an area where a private conversation is possible without isolating yourself and/or the student.

When confiscating personal items, such as mobile phones etc, students should be asked to hand them to the staff member. Items should only be taken directly from students in circumstances where concern exists for the safety of the student or others and the employees own safety is not jeopardised by this action.

Further information is provided in the school's **Behaviour Management and Support Policy**.

## **Physical contact with students**

Employees must not impose physical punishment on a student.

When physical contact with a student is a necessary part of the teaching/learning experience an employee must exercise caution to ensure that the contact is appropriate and acceptable. The employee should seek reassurance from the student by asking for a volunteer if necessary to demonstrate a particular activity.

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.

Assessing a student who is injured or ill may necessitate touching the student. The student should always be advised of what is intended and their consent sought.

Sometimes in ensuring duty of care an employee may be required to restrain a student from harming him or herself or others using reasonable force. Any such strategy must be in keeping with the School's behaviour management practices or individual student management plans. Any such incidents must be reported and documented. (Please refer to the **Behaviour Management and Support Policy** for more detail).

## **Relationships with students**

Employees **must not** have romantic or sexual relationships with any student. It is irrelevant whether the relationship is homosexual or heterosexual, consensual or non-consensual or condoned by Caregiver. Employees are reminded of:

- the law prohibiting sexual relations with a person under the age of consent (16 years); and
- the law prohibiting sexual relations between a teacher and their student under the age of 18 years.

Employees must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student. An overly familiar relationship with any student (including any adult student) that the employee is responsible for teaching, tutoring, advising, assessing, or for whom they provide pastoral or welfare support raises serious questions of conflict of interest, trust, confidence, dependency, and of equality of treatment. Such relationships may also have a negative impact on the teaching and learning environment for other students and colleagues, and may carry a serious reputational risk for the school.

If an employee considers that a student is being overly familiar, seeking to establish a personal relationship with them or has developed a 'crush' on them, they should report their concerns to the Campus Coordinator and/or the HOS as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.

At all times when speaking with students, care must be taken to use appropriate language. Employees must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.

An employee may, as part of their pastoral care role, engage in discussion with students. This is entirely appropriate. However they must be cautious about making personal comments about a student or asking questions that probe their own or a student's sexuality or relationships. An employee must not hold conversations with a student of an intimately personal nature where they disclose information about themselves.

Unless the employee has the express permission of the HOS, and the students' Caregiver, the Employee must not:

- invite students to the employees' home;
- visit students at the students' home; or
- attend parties or socialise with students.

An employee must not engage in tutoring or coaching students from BYC without the express permission of the HOS.

Employees must not invite students to join personal electronic social networking sites or accept students' invitations to join their social networking site (see ***Social Networking Policy*** and ***Protocol for the Use of Email and Electronic Facilities***).

Employees must not give gifts to students. They should also carefully consider their position before accepting any gift from a student (see section below regarding **Declaring gifts, benefits and bribes**)

Wherever practical, an employee should avoid teaching or being involved in educational decisions involving family members or close friends. Where it is not practical to avoid such situations completely, another member of staff should make any significant decisions relating to the student's assessments and have those endorsed by the Campus Coordinator and/or HOS.

Employees should be aware of, and sensitive to, children with culturally diverse or indigenous backgrounds and cultural practices that may influence the interpretation of behaviour.

## **Child protection**

All Employees must be aware of and comply with the School's ***Child Protection Policy***.

As set out in **Section 3** employees must report any concerns they may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any 'reportable allegation' that has been made to them, to the HOS. This includes self-disclosure if the allegation involves the employee.

Broadly, 'reportable conduct' means:

- a sexual offence;
- sexual misconduct;
- an assault against a child;
- ill-treatment of a child;
- neglect of a child;
- an offence under section 43B (failure to protect) or section 316A (failure to report) of the *Crimes Act 1900*; and
- behaviour that causes significant emotional or psychological harm to a child.

whether or not the child consents.

Reportable Conduct does not extend to:

- conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards; or
- the use of physical force that, in all the circumstances, is trivial or negligible and the circumstances in which it was used have been investigated and the result of the investigation has been recorded in accordance with appropriate procedures; or
- conduct of a class or kind exempted from being reportable conduct by the *Children's Guardian Act, 2019* under section 30.

For further information about 'reportable conduct' see the School's [***Child Protection Policy***].

Staff must have a Working With Children Check clearance which will be valid for a period of five years.

Staff are responsible for renewing Working With Children Check every five years.

### **The Working With Children Check**

The Working With Children Check is a prerequisite for paid and unpaid child-related work. Under Part 2, section 6 of the *Child Protection (Working With Children Act) 2012*, child-related work is defined as work in a specific child-related role or face-to-face contact with children in a child-related sector<sup>3</sup>

## **APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES**

**BYC 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.**

**All Employees must comply with the BYC's *Use of Email and Electronic Facilities by Staff (Including Contractors)* and the *Social Networking Policy*. This includes:**

- exercising good judgment when using electronic mail, following the principles of ethical behaviour;
- using appropriate and professional language in electronic mail messages;

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<sup>3</sup> If an employee is already in paid child-related work, or is a volunteer, the requirements for a new W.W.C.C. will be phased in over a five year period commencing 15 June 2013, according to the schedule provided by the Office of the Children's Guardian.

- 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;
- not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
- not inviting students into your personal social networking site or accept an invitation to theirs;
- not using social networking sites to email or contact students;
- remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and
- reporting any situations where you become aware of the inappropriate use of electronic communication and social networking sites.

**Employees 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.

## **USE OF ALCOHOL, DRUGS AND TOBACCO**

**Work Health and Safety is of fundamental importance to BYC. Maintaining a safe work environment requires everyone's continuous cooperation.**

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

All BYC employees must:

- not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
- not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;
- notify the HOS if they are aware that their work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
- take action to resolve any alcohol or other drug-related problems that they may have; and
- consult with the HOS if they are concerned about working with other employees who may be affected by drugs or alcohol.

### **Drugs**

All BYC employees, must not:

- have illegal drugs in their 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 employment and referral to the Police;
- give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
- supply or administer prescription or non-prescription drugs to students unless authorised to do so.

### **Alcohol**

Employees must not take alcohol to school or consume it during school hours or at any official school function at any time School students are present, including those events conducted outside school premises unless expressly permitted to do so by the HOS. A school function is any occasion organised by the school and/or in BYC's name, including dances, farewells, excursions, sporting fixtures and fund raising events.

Employees must not:

- purchase alcohol for, or give alcohol to, any school student (or to any other person under the age of 18 years); and
- encourage or condone the use of alcohol by students of any age during educational activities.

### **Tobacco**

Employees must not smoke in any school buildings or enclosed areas.

Employees must not purchase tobacco or tobacco products for any school student, or give them tobacco or tobacco products.

## **IDENTIFYING AND MANAGING CONFLICTS OF INTEREST**

**Private interests can, or have the potential to, influence a person's capacity to perform their duties and in turn compromise their integrity and that of the school.**

All BYC employees must not act in conflict with the school's best interests. A conflict of interest can involve:

- pecuniary interests i.e. financial gain or loss or other material benefits;
- non-pecuniary interests i.e. favour personal relationships and associations.

**It may not only be about the employees' own interests. It may include:**

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

When faced with a situation in which conflict of interests may be present, staff should report any potential or real conflict to the HOS.

An employee should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing their decision.

Entering into a sexual or romantic relationship with another staff member or a parent or member of the school community may be a conflict of interest and should be raised with the HOS so that appropriate measures can be implemented to manage the conflict if possible. The School reserves the right to forbid the relationship if the conflict cannot be managed in a way that protects the interests of a student/s and the School.

## **8. DECLARING GIFTS, BENEFITS AND BRIBES**

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

If an employee is offered a bribe (i.e. anything given in order to persuade you to act improperly), they must refuse it, explain why it is not appropriate, and immediately report the matter to the HOS.

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

If an employee is offered a gift or benefit, they should always consider the value and purpose of the gift or benefit before making any decision about accepting it. A gift to a staff member does not automatically become their personal property. When a gift is offered, the employee must advise the HOS who will determine how it should be treated. 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 to the School.

Sometimes employees might, in the course of their work, win a prize of significant monetary value e.g. a computer, from another organisation. Prizes are usually considered the property of the school. If an employee wins a prize they must advise the HOS, who will determine how the prize should be treated and recorded.

## **COMMUNICATION AND PROTECTING CONFIDENTIAL INFORMATION**

### **Communication**

Employees are required to comply with the established line of communication as outlined in the School's Communication Policy.

Employees should be mindful of confidentiality when in discussions with Caregiver. They cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.

Employees should not disclose personal information about another staff member to students or Caregivers or discuss their work performance, except if authorised by the HOS, in the context of grievance resolution.

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.

The media should not be given access to students or allowed entry to the school without the express permission of the HOS. Employees should not make any comments to the media about the School, students or Caregivers without the express permission of the HOS.

### **Confidential information**

All BYC employees must only use confidential information for the work-related purpose it was intended.

Unless authorised to do so by legislation, Employees must not disclose or use any confidential information without **the express permission of the HOS.**

Employees must make sure that unauthorised people cannot access confidential information, in any form.

### **Privacy**

Sensitive and personal information should only be provided to people, either within or outside the school, who are authorised to have access to it.

Employees should always exercise caution and sound judgment in discussing the personal information of students, Caregivers, staff and other people with other school employees. Normally information should be limited to those who need to know in order to conduct their duties, or to those who can assist in carrying out the school's work because of their expertise.

## **RECORD KEEPING**

All employees have a responsibility:

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

Employees must not destroy or remove records without appropriate authority.

All school records are kept at each campus. Archived records are stored in the locked container at the Hebersham Campus.

All Executive Staff have a responsibility to ensure that the employees reporting to them comply with their records management obligations.

Employees responsible for assessing and recording marks for students' work must do so accurately, fairly and in a manner that is consistent with relevant policy and the requirements of the school.



All teachers should keep individual student records, for each subject, which may include details of attendance, behaviour, on-task performance and grades/marks as appropriate. These records are to be filed by the Clerical Assistant in the individual student files at the end of each semester.

Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

## **COPYRIGHT AND INTELLECTUAL PROPERTY**

When creating material, employees need to ensure the intellectual property rights of others are not infringed and information is recorded about any third party copyright/other rights included in materials.

Advice relating to sharing or licensing of BYC's intellectual property should be sought from the HOS.

An employee cannot give away or assign its intellectual property without the approval of the HOS.

If an employee develops material that relates to their employment with the school, the copyright in that material will belong to BYC. This may apply even if the material was developed in the employee's own time or at home.

Employees should not use BYC's intellectual property (including copyright) for private purposes without obtaining written permission from the HOS.

## **ACKNOWLEDGEMENT**

I \_\_\_\_\_ have read, understood and agree to comply with the terms of this Code of Conduct.

\_\_\_\_\_  
**Signed**

\_\_\_\_\_  
**Dated**