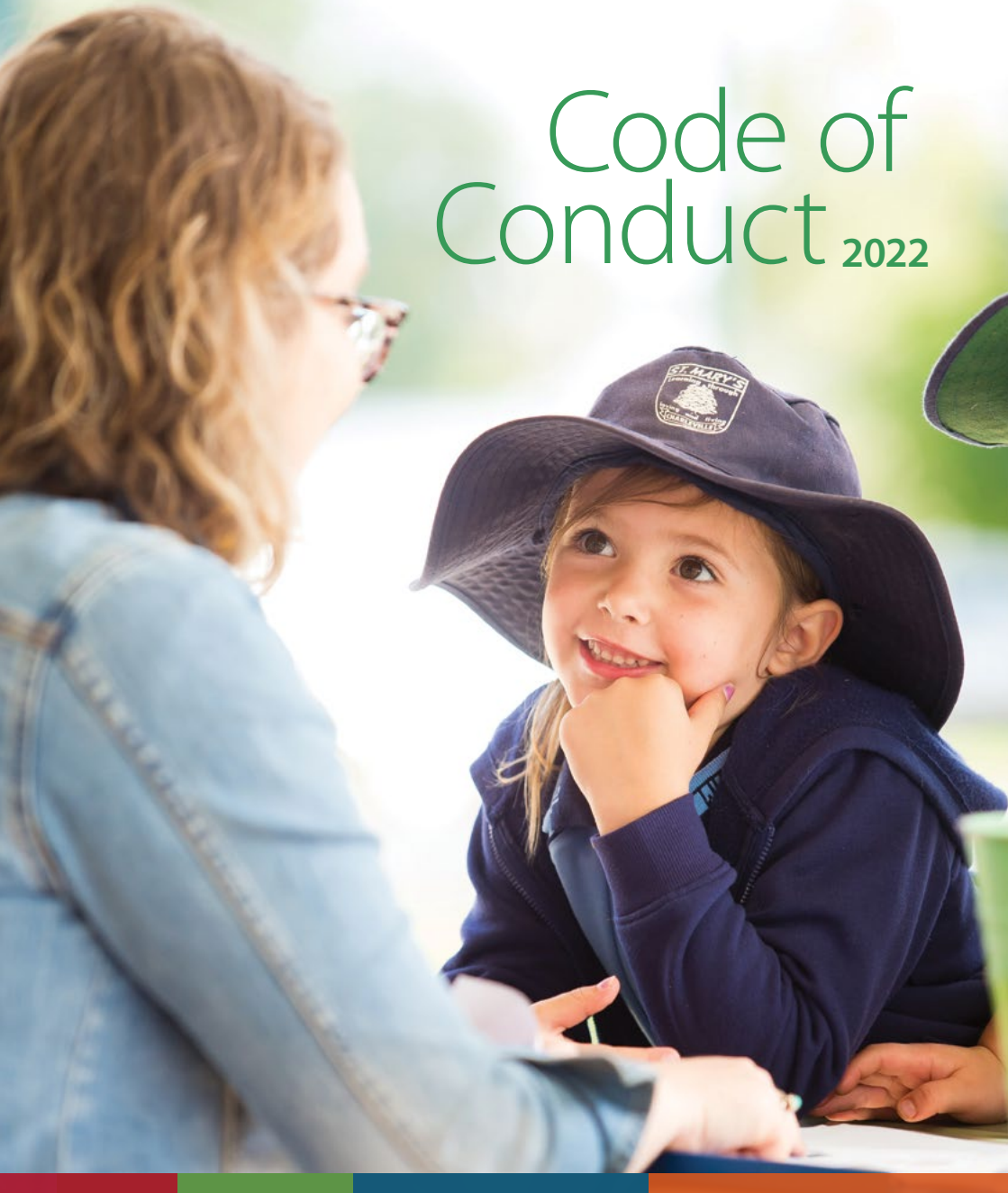


Code of Conduct 2022



**Diocese of Toowoomba
Catholic Schools**

...act justly; Love tenderly; Walk humbly with your God Micah 6:8



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01 Purpose and applicability

This Code of Conduct ('the Code') describes the standards of behaviour expected of all Diocese of Toowoomba Catholic Schools (TCS) employees in the performance of their duties.

Adherence to these standards of behaviour reflects positively on the organisation while helping it better achieve its strategic direction and contribute meaningfully to the education and wellbeing of students.

While it is not intended to cover every possible scenario, the Code aims to assist employees to fulfil their legal, professional and ethical responsibilities in a supportive workplace environment. Where assistance in interpreting or applying the Code's standards is required, employees are encouraged to seek advice from their principal, manager, supervisor or the Professional Standards team (Professional Standards) within the Toowoomba Catholic Schools Office (TCSO).

Conduct that falls below the standards outlined in the Code may lead to disciplinary action, which could include termination of employment or other action in accordance with TCS policies and procedures.

The Code applies to all TCS employees whether they are contracted on a continuing, fixed-term, casual or relief basis. Its standards apply at all times that an employment contract exists, including outside the workplace at all times and outside core work hours.

Outside core work hours may include, but is not limited to

- › while supervising students on camps, excursions and extracurricular activities approved by the school
- › when communicating or interacting with students, staff, the school community or public, including communications, posts and publications via media and social media
- › approved activities away from the workplace, including training courses, excursions, sporting events and social functions.



02 Responsibilities within the Catholic Church

Catholic schools are charged with a challenging mission: to make the Reign of God a reality in the lives of our students, staff and families.

FOR TCS THIS MISSION HAS TWO PILLARS WHICH SUPPORT AND GUIDE THE WAY WE ENVISAGE OUR WORK, THESE BEING

- › to be an exemplary place of learning where every student experiences academic success
- › to be an exemplary place of spiritual life and Catholic faith where every student comes to know and experience the loving presence of Jesus in their lives.

These two pillars provide the foundation for all we do.

The living expression of a Catholic world-view shapes the Catholic identity of our schools and office. TCS is committed to ensuring a vital and tangible Catholic identity permeates structures, procedures, relationships and the teaching and learning context in a way which offers students lifelong meaning and purpose.



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03 Responsibilities of employees to the employer

All employees are expected to demonstrate a commitment to TCS policies and procedures. Outlined below are some of the necessary standards of conduct and behaviour expected of all employees.

Respecting others

- › treating people fairly, honestly, responsibly and with proper regard for their rights
- › maintaining professional and courteous relationships with colleagues
- › being professional and courteous when communicating and dealing with students, their families and volunteers or visitors
- › maintaining appropriate confidentiality in all work-related matters

Working with integrity

- › behaving appropriately, honestly and with integrity in the course of your employment
- › committing to upholding the intention and spirit of the Gospel values
- › recognising you are in a position of trust and seek to maintain and enhance the integrity of TCS
- › refraining from any activity that may bring TCS into disrepute
- › ensuring that private matters and/or interests are not in conflict with professional duties and responsibilities or result in a perception that a conflict of interest exists*
- › being truthful when making statements about qualifications and competencies, or in response to a request for information required for official purposes

* Employees should familiarise themselves with the TCS Council policy entitled Conflict of interest declaration, and ensure that they address any conflicts of interest in accordance with this policy. Employees must declare any conflict of interest in accordance with the TCS Conflict of interest declaration procedure.

Demonstrating loyalty

- › being committed and loyal to the educational, religious and social values of TCS
- › avoiding, by word or action, any influence upon students that is contrary to the teachings and values expressed by the Catholic Church
- › acting in accordance with the Code at all times while representing TCS, including while escorting students on school camps, excursions and tours within or outside Australia
- › recognising TCS has intellectual property rights for resources and materials created or developed in the course of employment
- › ensuring criticism or complaints are made through the correct mechanisms
- › using all organisational resources and equipment in a proper manner and for legitimate business purposes

Exercising due diligence

- › seeking to achieve high standards in your work by carrying out all duties to the best of your ability in a competent, professional, conscientious and compassionate manner
- › remaining abreast of advances and changes within your area of expertise and actively engaging in appropriate and required professional development
- › dressing appropriately for your professional role
- › ensuring that matters of duty of care are afforded the highest attention (including punctuality to classes, supervision and playground duty)
- › promptly, conscientiously and effectively carrying out any lawful and reasonable* directions given by someone with the authority to give it
- › ensuring that when you are responsible for students, you are able to undertake all required duties effectively and efficiently
- › ensuring that use of alcohol and prescribed drugs do not interfere with the proper performance of your duties
- › completing all required training in relation to the Code as part of your ongoing employment and professional development

- › observing all contractual requirements
- › referring all requests for release of information about students from outside agencies eg Queensland Police Service, Child Safety, the courts, etc to the appropriate person
- › adhering to other relevant professional Codes of Conduct where applicable, including those published by the Queensland College of Teachers and other relevant professional bodies from time to time

* 'Reasonable' is defined as suitable, just, proper, ordinary, fair or usual under a given set of circumstances. A 'reasonable' act is that which might fairly and properly be required of an employee as a result of their employment.

03 Responsibilities of employees to the employer

Complying with the law

- › undertaking your responsibilities while complying with all applicable State and Federal laws, with particular reference to student protection and workplace law
- › avoiding any form of unlawful discrimination, for example, on grounds such as gender, race, religion, sexuality and disability
- › acting on and reporting any workplace bullying, harassment or discriminatory behaviour
- › reporting any matters that threaten, or appear to threaten, the maintenance of a positive, open and healthy workplace
- › conducting appropriate risk assessments in accordance with relevant TCS policy and procedures
- › avoiding behaviours that might put yourself or others at risk and taking reasonable steps to eliminate or minimise workplace risks
- › striving to maintain a current understanding of the law, professional ethics, policies, procedures and other codes of practice to a standard that enables you to competently, professionally, conscientiously and compassionately perform your duties
- › not smoking on school or office grounds
- › ensuring you acknowledge the creator of materials used in the course of your work as required by copyright law

- › understanding and undertaking your duties in ways that minimise and/or eliminate any risk of contributing to, causing or being linked to modern slavery

- › Staff are personally responsible for the content they publish on social media, in electronic communications and from their phones. As a result, staff must exercise professional discretion and sound judgement in their use of social media, electronic communications and phones, even for personal communication.
- › All digital or online comments and posts can leave a permanent record. Employees should therefore recognise the potential for negative consequences for themselves, the Diocese of Toowoomba Catholic Schools, colleagues, students and parents/carers through their personal use of social media, electronic communications and phones.
- › Employees must be familiar with the TCS Personal and work-related use of social media guideline in relation to the use of social media, electronic communications and phones.

04 Responsibilities of the employer to employees

The Code places an obligation on all employees to take responsibility for their own conduct. There are, however, certain obligations TCS ('the employer') has to its employees that include the following.

Clarifying and affirming expected standards of conduct and behaviour

- › providing employees with access to the Code and other organisational documents including policies, procedures and guidelines relating to their role
- › providing employees with flexible options to access all relevant training and instruction required to effectively perform their duties

Ensuring workplace health and safety

- › providing a safe and healthy work environment and ensuring safe systems of work
- › helping employees understand and fulfil their legal, professional and ethical responsibilities in achieving a safe and supportive work environment

Providing access to learning and development

- › assisting employees with their professional development objectives
- › taking joint responsibility for developing employee skills and knowledge
- › providing free, confidential access to counselling services through the Employee Assistance Program (EAP)



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05 Responsibilities of employees to students

TCS unequivocally commits to providing a safe and supportive environment for students. This means employees have responsibilities to students that include the following.

- › treating students with dignity and respect at all times
- › taking all reasonable steps to protect students from harm and risk of harm, including adhering to the requirements of the Student protection processes and guidelines
- › complying with student supervision arrangements and actively supervising designated playground areas
- › undertaking personal care needs of students in accordance with school policy and procedure
- › remaining with students at after school activities in accordance with school policy and procedure
- › role modelling behaviour that encourages the development of positive and appropriate interpersonal relationships and social skills
- › not giving students or otherwise allowing them to access drugs, alcohol, tobacco or any other items or substances that are illegal to possess or distribute (this provision does not apply in the context of Eucharist participation*)
- › not encouraging or condoning the use of drugs, alcohol, tobacco or other such items
- › reporting student possession and/or use of illegal drugs to the police

* Any alcohol on school grounds must be kept in a secure location inaccessible to students, ie lockable and only accessible to authorised employees.



06 Responsibilities of employees to parents/carers and families of students

The TCS Parent Engagement Charter sets out the core expectations of the relationship between TCS and the parent community. This relationship is built on a foundation of mutual respect, trust, communication and cooperation. TCS employees' responsibilities are described below.

Establish a relationship based on courtesy, mutual trust and open communication by

- › treating parents/carers with respect and dignity at all times
- › engaging parents/carers through developing effective professional relationships
- › considering parents/carers' perspectives regarding the education of their children and negotiating constructively where appropriate
- › ensuring parents/carers understand relevant policies, procedures and guidelines that affect their children and themselves
- › keeping parents/carers informed as to their child's educational progress
- › consulting with your principal, manager or supervisor regarding any challenges in implementing these professional relationships or where parents, carers or families are failing to work in partnership regarding the education of their child/ children.

Respect family privacy and treat information with an appropriate level of confidentiality by

- › maintaining confidentiality of information unless disclosure serves a compelling professional purpose, is required by law, or the personal safety of a student or employee is at risk
- › seeking guidance from your principal, manager or supervisor where you are unsure about any aspect of the confidentiality of student and family information.

Respect the characteristics and uniqueness of each student's family background by

- › respecting cultural diversity
- › considering the family perspective
- › respecting family values and opinions
- › being sensitive to differing family structures and personal circumstances.

Where there is any disagreement or conflict with parents/carers, all parties must use their best endeavours to resolve the issues while ensuring their behaviour is not derogatory, belittling, intimidating, rude or abusive.

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07 Professional relationships

7.1 Interactions with students

It is expected that TCS employees will be caring, compassionate adults who actively engage in the education and wellbeing of students and who set appropriate professional boundaries within employee-student relationships.

Employees must be aware that their interactions with students are based on the employee being in a position of trust arising from the nature of the work and that such relationships are open to scrutiny.

Employees must always treat students with respect. There is no place for sarcasm, derogatory remarks, offensive comments or any other inappropriate conduct that may result in emotional distress or psychological harm to a student.

Employees must always treat students in a consistent manner without inappropriate familiarity or spending 'special' or excessive time with a student.

When congratulating a student, a consistent approach should be used in line with school practice. Employees must be conscious that their actions, particularly physical gestures, are open to scrutiny by others. Employees are required to develop and exercise prudent judgement and sensitivity regarding appropriate physical interactions with students.

BEHAVIOUR THAT MAY CAUSE PSYCHOLOGICAL HARM TO A STUDENT INCLUDES, BUT IS NOT LIMITED TO

- › targeted and sustained criticism, belittling or teasing
- › excessive or unreasonable demands
- › hostility, verbal abuse, rejection or scapegoating
- › using inappropriate locations or social isolation, outside of the school's Student behaviour support plan, as punishment.

INDICATIVE BEHAVIOURS THAT SUGGEST PREFERENTIAL TREATMENT OF A STUDENT OR STUDENTS INCLUDE

- › giving gifts to a student outside of school policy and endorsement
- › showing special favours to the student
- › spending time alone with an individual student
- › allowing a student to over-step rules, except where it is clearly articulated in individual differentiation in the teacher's planning
- › sharing secrets with a student
- › inconsistent consequences or allowances.

7.2 Personal relationships

Employees must be conscious that working with children places extra obligations on them and they must exercise discretion and caution if and when engaging in social activities with students, including outside of school.

It is recognised that employees may have social links to students and their families that exist outside of the school context. This may occur through membership of sporting or cultural groups, or through kinship connections or friendships. Employees are to advise and seek guidance

from their principal if a personal relationship exists with a student's family. Specific processes for managing these relationships should be developed in accordance with school policy and any additional requirements from the principal in response to individual circumstances.



07 Professional relationships

7.3 Communication with students and families

Employees must be aware of their position as a role model to students and their broader responsibilities as a representative of TCS when communicating with students and families.

Employees must not engage in any form of inappropriate activity on digital media that may be viewed by students and the broader public.

Interactions with students via email must be directly related to the educational context, must be professional at all times and must be conducted on a work email account.

Further information around the employee's obligations in this regard can be found in the TCS Personal and work-related use of social media guideline.

WITH RESPECT TO DIGITAL COMMUNICATION, EMPLOYEES MUST NOT

- › post inappropriate photographs of themselves on social networking sites where they can be viewed by students and/or members of the public
- › express discriminatory or racist comments on social networking or internet sites where they can be viewed by students and/or members of the public
- › use personal email accounts or personal social network accounts to communicate with students
- › make telephone calls of a personal nature to students
- › send emails of a personal nature to students
- › send SMS (text) or MMS messages of a personal nature to students
- › engage students in a personal manner through social networking media or other internet sites – for example employees must not be 'friends' with students on Facebook
- › ridicule or discuss students, student families, colleagues or the school on social media.

7.4 Transporting students in private vehicles

Employees should not drive a student in their car unless they have specific permission from the parent/carer and principal and do so in accordance with TCS's Health Safety and Environment (HSE) excursion processes.

In the event of an emergency, employees should attempt to obtain parental consent and also report the matter to the principal, where possible, prior to the journey commencing.

7.5 Tutoring

Employees may only engage in paid tutoring or coaching of students outside of school hours with prior approval from the principal and in accordance with the TCS Tutoring procedure.

7.6 Visibility

Employees should avoid, as far as possible, situations where they are alone with a student.

In the conduct of their professional duties, some employees may be required to work in a one to one situation with a student. In such situations employees must follow the school's policies and procedures.

WHEN RESPONSIBLE FOR A SINGLE STUDENT, AN EMPLOYEE SHOULD

- › have previously discussed arrangements with the principal
- › maintain visibility into a room eg door to remain open
- › where possible, interact with the student in an area open to observation.

07 Professional relationships

7.7 Sexual behaviour

Employees must not, under any circumstances, engage in intimate and/or sexual relationships with a student or engage in any behaviour of a sexual nature with a student or former student.

It is irrelevant whether the relationship is heterosexual or homosexual, consensual or non-consensual or condoned by parents or carers. The age of the students or the employees involved is also irrelevant. Employees must be aware that the sexual abuse or likely sexual abuse of a student or former student will be reported to police and is against the law.

Behaviour of a sexual nature by an employee with a student or former student includes sexual intercourse and any other form of sexual behaviour. A teacher who commences a relationship with a former student where a teacher-student relationship previously existed – even up to many years after the student has graduated, can expect that the relationship will be reported to the Queensland College of Teachers. Relationships with former students should be conducted within the same professional boundaries as when the student was at school. Employees in their pastoral care role must be cautious of the content and context of their discussions with students.

Should any student or former student engage, or attempt to engage, in behaviour of a sexual nature with an employee, then immediate steps must be taken to discourage the student or former student and the matter must be immediately reported to the principal.

Employees must notify the principal immediately should they reasonably suspect a situation involving any form of risk of abuse, harm, or inappropriate behaviour by staff members or volunteers to students or former students. Employees must also be aware of individual mandatory reporting requirements under the *Education (General Provisions) Act 2006* and the *Child Protection Act 1999*.

It is not the responsibility of employees to investigate allegations or suspicions of a student or former student protection nature. For further information refer to the TCS Student protection processes and guidelines.

EMPLOYEES MUST NOT

- › discuss with a student matters of a sexual nature relating to themselves or any other person.

EMPLOYEES MUST EXERCISE CAUTION WHEN

- › making personal comments about a student
- › asking questions that probe a student's sexuality or personal relationships.

BEHAVIOUR OF A SEXUAL NATURE INCLUDES, BUT IS NOT LIMITED TO

- › obscene language of a sexual nature
- › suggestive remarks or actions
- › jokes of a sexual nature
- › obscene gestures
- › unwarranted and inappropriate touching
- › sexual exhibitionism
- › undressing in front of students
- › personal correspondence with students in respect of the employee's sexual feelings for the student
- › deliberate exposure of students to sexual behaviour of others, other than in the case of prescribed curriculum materials in which sexual themes are contextual
- › possession, distribution or display of pornography or sexually inappropriate images
- › electronic transmission of messages or files which are sexually explicit, offensive or contain inappropriate jokes
- › sending SMS (text) messages or private messages via social media to students which are sexually explicit, offensive or contain inappropriate jokes.

7.8 Maintaining professional boundaries

TCS employees must maintain appropriate professional boundaries in their relationships with students and families.

Any employee(s) who have concerns or questions about perceived or actual contraventions of any of these boundaries as set out in the Code, whether by themselves or by colleagues, should speak to their principal or other appropriate senior personnel for guidance.

Reporting any possible contraventions is essential given the duty of care owed to students within the school environment.

SELF-ASSESSMENT TO ASSIST EMPLOYEES IN ASSESSING THEIR APPLICATION OF PROFESSIONAL BOUNDARIES

- › Am I dealing with a particular student in a different manner than others under the same circumstances?
- › Would I do or say this if a colleague was present?
- › Is my dress/availability/language different from the norm with a particular student(s)?
- › Is my style of dress appropriate for the school context?
- › Are the consequences of my actions likely to have negative outcomes?
- › Are my personal feelings translating into inappropriate actions?
- › Could my conduct with a student be perceived as demeaning or belittling?
- › Could I be seen to be favouring particular students?
- › Am I disclosing information of an inappropriately personal nature?

07 Professional relationships

7.9 Student behaviour management

Student behaviour management practices in Catholic schools aim to facilitate the development of self-discipline amongst students and to promote the wellbeing, safety and effective management of the school community.

It is the responsibility of each employee to implement effective, consistent and appropriate management strategies in day-to-day interactions with students. These strategies should include a clear, consistent and graded method of dealing with inappropriate behaviours and should be implemented in accordance with the school's Student behaviour support plan (Plan). It is the responsibility of each employee to be familiar with their school's Plan and ensure that their own strategies are consistent with the Plan.

Students who display recurrent challenging behaviours, particularly unsafe behaviours, should be referred to the appropriate person in accordance with the school's Plan. An individual student support plan should be developed for difficult/challenging students, then subsequently communicated to relevant employees and implemented consistently.

Corporal punishment is prohibited under any circumstances. Corporal punishment involves the application of physical force to punish or correct a student. Physical contact of a student that is reasonable and necessary for the protection of any person does not constitute corporal punishment.



THE FOLLOWING STUDENT BEHAVIOUR MANAGEMENT PRACTICES ARE UNACCEPTABLE

- › any form of corporal punishment
- › using an object, such as a ruler, book, duster, or whiteboard marker to gain a child's attention in a hostile or an inappropriate physical manner
- › restraining a student for any purpose other than a student's actions causing imminent harm to self or others
- › hitting or kicking a student
- › holding a student (other than for the circumstances outlined in Section 7.10)
- › pushing, pulling, shoving, grabbing, pinching or poking a student
- › shaking or throwing a student
- › intimidating a student
- › swearing at or around students
- › refusing biological necessities as a means of punishment, such as reasonable toilet breaks
- › applying painful or noxious conditions
- › criticising a student rather than the student's action
- › using fear or practices which instil fear as a means of controlling a student
- › exposing a student to material that contains adult concepts or themes that are inappropriate to the student's age or the relevant curriculum expectations
- › the use of psychotropic medication to manage a student's behaviour, as opposed to treatment for a diagnosed condition
- › yelling, shouting or name-calling
- › humiliating or shaming students
- › filming or recording students for the purposes of behaviour management without prior parent/carer consent or approval from the principal.

07 Professional relationships

7.10 Physical contact with students

When physical contact with a student is a reasonable part of the teaching/learning experience, employees must exercise caution to ensure that the contact is appropriate and acceptable for the duty to be performed. Employees must be conscious of how any physical contact may be perceived by students and other members of the school community.

Where appropriate to the circumstances, employees should seek permission from students prior to the physical contact eg when showing how to hold a musical instrument.

Physical intervention (including physical restraint or removal) to contain and/or control the behaviour of students should only be employed as a measure of last resort to ensure safety and protection. Any incidents of physical intervention (such as the examples listed on the right) must be reported to the principal immediately and reference should be made to the HSE hazard and incident management requirements and the Use of non-violent crisis intervention procedure.

EXAMPLES OF SITUATIONS IN WHICH PHYSICAL CONTACT WITH A STUDENT MIGHT BE NECESSARY AND APPROPRIATE

- › assessing the condition of a student who is injured or ill
- › teaching sport, music and other activities may require the physical handling of a student to demonstrate a particular action or skill
- › assisting a child with a disability with eating or other relevant activities
- › comforting a distressed student
- › guiding a student in a non-threatening manner
- › tapping a student on the shoulder to gain his/her attention after verbal requests were unsuccessful
- › protecting a student from imminent danger to himself/herself or to others

SOME EXAMPLES OF WHEN IT MIGHT BE APPROPRIATE OR NECESSARY TO USE PHYSICAL INTERVENTION AS A LAST RESORT

- › a student attacking an employee
- › a student attacking another student
- › students physically fighting
- › a student causing, or at risk of causing, injury to self or others
- › a student misusing dangerous materials, substances or objects where it is likely that this will cause imminent harm

7.11 Privacy of students

Employees must establish a balance between respecting the privacy of students and the need for appropriate supervision and duty of care.

By way of example, it is a requirement that supervising staff members announce their entry, prior to entering a bathroom or change room (for example during swimming lessons) and that risk management for such activities is followed at all times.

08 Professional relationships with colleagues

All employees must promote dignity, courtesy and respect at work and avoid behaviour which is or might reasonably be perceived as workplace bullying, sexual harassment, abuse or discrimination. These behaviours are detailed in the related TCS procedures.

High standards of conduct by staff positively influences workplace culture and helps create a positive work environment. Staff are therefore responsible for ensuring they contribute to a workplace that is respectful, cooperative and tolerant of others.

Staff must ensure their behaviour towards others is not derogatory, rude, aggressive, threatening, abusive, belittling or intimidating.

In their conduct with others, staff must

- › work collaboratively and consultatively
- › be professional, approachable, prompt, responsive and courteous
- › treat others with respect and dignity
- › respect cultural diversity
- › be tolerant of different opinions and perspectives
- › recognise the potential, talents and skills of others, irrespective of race, gender, age or religion, and
- › exercise sound judgement and patience.

Where there is any disagreement or conflict between staff, they should genuinely attempt to resolve this informally or formally as described in the TCS Employee grievance resolution procedure.

TCS has procedures for managing concerns about bullying, sexual harassment or discrimination.

Further information is available from your principal, manager or supervisor, or by contacting Professional Standards.

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08 Professional relationships with colleagues

IN RELATION TO COLLEAGUES, ALL EMPLOYEES HAVE A RESPONSIBILITY TO

- › build an atmosphere of collaboration, trust, mutual respect and candour
 - › treat others with courtesy and respect
 - › recognise that others have the right to hold views which may differ from your own
 - › recognise and respect the individual potential and talents of colleagues irrespective of race, gender, age, religion, sexuality, etc
 - › encourage openness, inclusiveness and tolerance among colleagues
- › use constructive methods of resolving any conflict which may arise, including the TCS Employee grievance resolution procedure
 - › use the appropriate procedure in dealing with any complaints against colleagues
 - › foster unity, harmony and cooperation in working relationships
 - › maintain appropriate communication and interactions with colleagues at all times
 - › be approachable, prompt, responsive and courteous in all conduct with other employees.



09 Implementation

Questions or concerns about the interpretation of the Code should be addressed with your principal, manager or supervisor. If it cannot be clarified at the local level, further assistance is available by contacting Professional Standards.

TCS employees hold positions of trust and are accountable for their actions. Allegations of conduct contrary to the expectations outlined in the Code are managed in accordance with TCS's procedures and guidelines. Action taken in relation to a substantiated breach of the Code is done so in accordance with the TCS Disciplinary action procedure.

Concerns about possible breaches of the Code should be raised immediately with your principal, manager or supervisor or contact Professional Standards.

When any action is taken to address breaches of the Code in accordance with its policies or procedures, TCS will ensure the fundamental principles of natural justice and procedural fairness are afforded employees. This includes ensuring procedures are fair, thorough and timely, and that they are managed carefully, confidentially and undertaken in a supportive manner focused on resolution for all parties.

Nothing in the Code prevents or otherwise interferes with an individual's right to report unlawful or criminal behaviour to the Queensland Police Service.



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...act justly; love tenderly; walk humbly with your God Micah 6:8

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