



## Code of Conduct

### PURPOSE

The purpose of the Code of Conduct is to describe minimum standards of conduct in all behaviour and decision making to ensure the safety and well-being of students.

### APPLICATION

The Code applies to staff, students, parents and guardians, volunteers and visitors as applicable. The term 'parents' includes carers/guardians.

### INTRODUCTION

You acknowledge the inherent vulnerability of the students in your care.

You recognise that the safety and well-being of students depends upon your vigilance and diligence and the vigilance and diligence of all adults.

The Code does not give you detailed professional advice on specific behaviour. Rather, it describes the minimum requirements expected of you.

The Guidelines are illustrative and not an exhaustive list of the behaviours covered by the Code.

If your behaviour varies from the standards described in this Code and Guidelines, you should be prepared to explain and justify your decisions and actions.

While mandatory language such as 'must', 'shall' and 'will' is not used throughout the Code, there is a presumption the conduct described is mandatory and therefore not discretionary.

The Principal expects you to conduct yourself personally and professionally in a way that maintains public trust and confidence in your school and the Church.

You have a responsibility to students and their family, other members of the school community and the wider community to provide and support safe and competent education and care of students.

You will do your best to support other members of the school community to comply with the Code.

In cases of conflict between parts of the Code, between the Code and other school policies, or in any decision making choices, you give priority to the outcome that will be in the best interests of the safety and well-being of the child.

### BREACHES

Breaches of the Code must be notified to the Principal and it is a breach of the Code not to do so.



55 Fortescue Place  
Ellenbrook WA 6069



(08) 9297 7500



admin@sthelenas.wa.edu.au



sthelenas.wa.edu.au

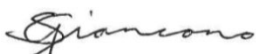
A breach of the Code may constitute a failure to follow a lawful direction from the Principal and therefore the Principal will have the discretion as to what action to take, which may include counselling, professional development or sanctions under any agreement between you and the Principal. If you are a parent, volunteer or visitor, the Principal may take such action as is appropriate in your circumstances to maintain the safety and well-being of students.

The Principal must notify the appropriate authorities of any breach of the Code that was grooming behaviour: ie. deliberately undertaken with the aim of befriending and establishing an emotional connection with a student, to lower the student's inhibitions in preparation for engaging in sexual activity with the student. Examples include:

- developing relationships that could be seen as favouritism (for example, the offering of gifts or special treatment for specific students)
- being alone with a student in circumstances where you are unseen or unlikely to be randomly interrupted
- initiating unnecessary physical contact with students or doing things of a personal nature that a student can do for themselves, such as toileting or changing clothes
- engaging in personal disclosures (including personal contact details), or exchanges containing sexual content with or in the presence of a student
- organising contact with a student or their family outside of school without the Principal's knowledge and/or consent (e.g. tutoring, sport coaching).
- having any non-curriculum related online contact with a student (including via digital media) or their family
- using any personal digital media account to contact students or their family
- photographing or videoing a student without the consent of the parent
- being in the presence of a student whilst under the influence of alcohol or non-medically prescribed drugs or offering either to a student

The Principal must notify the appropriate authorities of any breach of the Code that was sexual abuse of a child: ie. sexual behaviour in circumstances where:

- the student is the subject of bribery, coercion, a threat, exploitation or violence;
- the student has less power than another person involved in the behaviour; or
- there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour



Santino Giancono  
*Principal*

## CONDUCT STATEMENTS

1. I act safely and competently.
2. I give priority to students' safety and well-being in all my behaviour and decision making.
3. I act in accordance with the values of the Gospel as defined in the Code of Ethical Conduct.
4. I conduct myself in accordance with laws, agreements, policies and standards relevant to my relationship with the school community.
5. I respect the dignity, culture, values and beliefs of each member of the school community.
6. I treat personal information about members of the school community as private and confidential.
7. I give impartial, honest and accurate information about the education, safety and well-being of students.
8. I support all members of the school community in making informed decisions about students.
9. I promote and preserve the trust and privilege inherent in my relationship with all members of the school community.
10. I maintain and build on the community's trust and confidence in Catholic schools and the Church.
11. I act reflectively and ethically.
12. I allow students to have a voice in their education, safety and well-being.

## CONDUCT STATEMENT 1

### *I act safely and competently.*

#### Guidelines

1. I am expected to put the safety of students ahead of every other relevant but secondary consideration.
2. In doing so, I am expected to act within the scope of my expertise and role within the school community.
3. If the safety and well-being of a student requires skills and experience outside my core competency, I must refer the student to the appropriate expert.
4. I am personally responsible within the context of my position in the school community for the provision of safe and competent student education. It is my responsibility to maintain the competence necessary to fulfil my role. Maintenance of competence includes participation in ongoing professional development to maintain and improve knowledge, skills and attitudes relevant to my role in my school.
5. I recognise that the Principal, staff, parents and students assess my ability to act safely and competently based on my behaviour and decision making, and I do likewise in my assessment of them. I am responsible for conducting myself in all things such that there is no speculation, doubt or ambiguity that I do so in the best interests of students. I must take reasonable steps to avoid situations where my decisions or behaviour could be interpreted as putting students at risk. I must also notify the Principal as soon as possible if I find myself in such a position of ambiguity so that I can explain the circumstances.
6. I recognise each student's and their parents' right to receive accurate information; be protected against foreseeable risk of harm; and be involved in and informed about decisions in relation to their education.
7. I perform my role in the school within my professional or industry competency and according to school policies and any standards or codes applicable to my profession or industry.
8. I notify an appropriate person or the Principal of any information relevant to maintaining student safety and well-being, or any observation of questionable, unethical or unlawful behaviour, including breaches of this Code, and intervene to safeguard the student if the circumstances require it.
9. I ensure that any information I receive relevant to the safety and well-being of students is either acted upon by me in the best interests of the student if I am the relevant decision maker, or passed to the relevant decision maker for them to act.
10. I perform my work in a safe and competent manner that is not compromised by personal health limitations, including the use of alcohol or other substances that may alter my capacity to act safely. If my health threatens my ability to work safely and competently, I have a responsibility to seek assistance to address my health needs. This may include making a confidential report to an appropriate authority.
11. I perform duties in partnership with parents and school staff and in accordance with the standards of my profession or industry (e.g. TRBWA).
12. I perform duties in accordance with wider standards relating to safety and quality in education and student care and responsibility for a safe school, such as those relating to occupational health and safety, mandatory and critical incident reporting, and participation in incident analysis and formal open disclosure procedures.
13. I make decisions about students based on their age, ability, and in the best interests of the student's sense of security, and physical, social, emotional and mental safety.
14. I seek advice, assistance and second opinions from experts and Principal as necessary.

## CONDUCT STATEMENT 2

*I give priority to students' safety and well-being in all my behaviour and decision making.*

### Guidelines

1. I accept that I and all adults have individual and joint responsibility for the safety and well-being of students.
2. I ensure the safety and well-being of students are the primary focus of my actions and decisions and take precedence over any other considerations including the reputation of the school and my own needs.
3. I support the safety, health and well-being of each student, promoting and supporting decisions and behaviour that contribute to the student's self-confidence, safety and well-being.
4. I do not behave in any way that risks creating ambiguity about whether I am acting in the best interests of a student.
5. I respectfully communicate in plain language and in a way the student and those supporting their education can understand so they may fully participate in that education.
6. I support informed decision making by advising the student as appropriate and those supporting their education about education options, and assist the student and their supporters to make informed decisions about that education.
7. I endeavour to ensure the voice of the student is heard as appropriate, taking into account age and circumstances.
8. I seek out, welcome, and learn from information relevant to the safety and well-being of students in any form, including advice, disclosures, complaints, criticisms, feedback and performance reviews. I look for opportunities to engage in formal and informal group and self-reflection and professional development about my own and others' decisions so that I and the school can learn and continuously improve.
9. I recognise that all information about students collected by school staff is done so on behalf of the Principal and for the benefit of the student. Therefore, all information is disclosed to and accessible by all who have a need to know it in order to support the education, safety and well-being of the student.
10. I respectfully advocate for the safety and well-being of students above all other considerations.
11. I recognise the importance that students' education continues without interruption or disturbance.
12. I disclose to the Principal any information that a reasonable person would recognise may be relevant to the safety and well-being of students so that the Principal may make appropriate decisions to manage any risk to them. This includes any relationship with any person who may have been accused of harming children or acting unsafely towards them.
13. I recognise that students and their parents are entitled to assume that the sole focus of my engagements with students is to educate them within a safe environment that puts their well-being above all else. I understand that this trust by parents and students puts the onus on me to use my relationship with students solely for their education. I use all engagements with students and their parents, whether in person, through a third party, or via digital media for the purpose of teaching the curriculum.
14. I do not accept gifts or benefits that could be viewed as a means of influencing my objective decision making.

## CONDUCT STATEMENT 3

*I act in accordance with the values of the Gospel as defined in the Code of Ethical Conduct.*

### Guidelines

1. I am mindful that my decisions and behaviour are opportunities for students and others to see Gospel values in action and how faith integrates with life. Therefore I am responsible for educating myself and anyone I lead on the content of those values, and their practical application in my decision making.
2. I acknowledge that as a member of a Catholic school community, I am required to strive to develop and live out my relationships with all people in a manner that is based on Gospel values as defined in the CECWA Code of Ethical Conduct.
3. I accept that as a member of a Catholic school community, my conduct reflects on Catholic Education and the Church, and therefore I must strive to uphold the letter and spirit of the Code of Ethical Conduct.
4. I am called upon by the Code of Ethical Conduct to act in a manner that is:
  - Based on Christian ethics
  - Professional
  - Timely
  - Contextually appropriate
5. The Code of Ethical Conduct requires me to take an ethical approach based on the living out of Gospel values which find expression in:
  - Respect for the dignity of each person
  - Acknowledgment of the giftedness of each person
  - Commitment to building positive relationships
  - Confidentiality
  - Accountability
6. Respecting dignity is based on:
  - A conscious appreciation of the sacredness of the individual's creation
  - A sensitivity to the fact that each individual has emotions, fears, hopes and an innate goodness which flows from creation in the image of God
7. Recognising the giftedness of others involves:
  - Discerning these gifts
  - Naming and acknowledging these gifts
  - Empowering individuals and groups to use their gifts
8. Fostering positive relationships which flow from being:
  - Welcoming and open
  - Honest and loyal
  - Trusting and trustworthy
  - Willing to share knowledge, skills, resources and insights
9. Committing to appropriate confidentiality based on:
  - Respect for others
  - Professionalism
10. Committing to:
  - The Mandate of the Bishops of Western Australia
  - The acceptance of responsibility for any action or initiative at a personal and professional level.

## CONDUCT STATEMENT 4

*I conduct myself in accordance with laws, agreements, policies and standards relevant to my relationship with the school community.*

### Guidelines

1. My relationship with other members of the school community is defined by whatever written or verbal agreement has given rise to that relationship. If I am a member of staff, it is my employment agreement. If I am a parent or acting in a parental capacity, it is the student's enrolment agreement. If I am a member of the school board, it is my school board constitution. If I am a visitor, it is in accordance with the permission of the Principal to be on school grounds on condition that I act safely and competently.
2. If I witness the unlawful or unsafe conduct of any other member of the school community, or breaches of policy or this Code, whether in teaching, administration, school support services, or while engaging with students in person or via digital or other media, I have both a responsibility and an obligation to notify such conduct to the Principal or an appropriate authority and take other action as necessary to protect students.
3. Where I notify the Principal or a delegate of unsafe conduct, including breaches of this Code, and that notification fails to produce an appropriate response in the circumstances, I may take the matter to an appropriate external authority.
4. I respect both the person and property of students and their families, and of other members of the school community, and the property and finances of the school.
5. I use school property and resources responsibly and for the purposes of the school.

## CONDUCT STATEMENT 5

*I respect the dignity, culture, values and beliefs of each member of the school community.*

### Guidelines

1. I respect both the person and capacity of each member of the school community, treat them with dignity, show respect for their culture, values, and beliefs.
2. I interact with members of my school community in an honest and respectful manner.
3. I perform my duties and conduct my relations with students and members of the school community with fairness and justice. This includes taking appropriate action to ensure the safety and quality of the education and care of students are not compromised because of harmful or prejudicial attitudes about culture, ethnicity, gender, sexuality, age, religion, disability, spirituality, political, social or health status.
4. In planning and providing education and school support services, I uphold the standards of culturally safe and competent care. This includes according due respect and consideration to the cultural knowledge, values, beliefs, personal wishes and decisions of each member of the school community. I acknowledge the changing nature of families and recognise that families can be constituted in a variety of ways.
5. I do not express racist, sexist, homophobic, ageist and other prejudicial and discriminatory attitudes and behaviours toward any member of the school community. I take appropriate action when observing any such prejudicial and discriminatory attitudes and behaviours.
6. In making professional judgements in relation to the interests and rights of a member of the school community, I do not contravene the law or breach the human rights of any person.

## CONDUCT STATEMENT 6

*I treat personal information about members of the school community as private and confidential.*

### Guidelines

1. I use personal information in accordance with my school Privacy Policy.
2. I have ethical and legal obligations to treat personal information as confidential. I protect the privacy of each member of the school community by treating the information gained in the relationship as confidential, restricting its use and disclosure to the purposes defined in my school Privacy Policy.
3. If a third party asks for access to personal information, I must take reasonable steps to confirm the identity of the third party, and that it is lawful to disclose the information to them. I must inform the member of the school community that I have disclosed their personal information unless I am satisfied that there are legal reasons for not doing so.
4. I seek advice if I identify a conflict between protecting personal information and any resulting risk to the safety and well-being of a student.
5. I create and keep accurate records of conversations about significant decisions involving the safety and well-being of students.

## CONDUCT STATEMENT 7

*I give and seek the best, honest and most accurate information about the education and care of students.*

### Guidelines

1. I give and seek accurate advice relevant to the education, safety and well-being of students, based on primary rather than secondary sources.
2. I fully explain the advantages and disadvantages of any options so all involved can participate constructively in decision making to deliver the best results for the student.
3. I accurately represent the role I play in the education, safety and well-being of students.
4. Where the education, safety or well-being of a student requires expert knowledge or experience, I seek these out for the benefit of the student.
5. I seek out first hand sources of information directly from parents, colleagues and experts, or in documents and policies when making decisions or giving advice rather than relying on hearsay, opinion, rumour or assumptions.

## CONDUCT STATEMENT 8

*I support all members of the school community in making informed decisions about students.*

### Guidelines

1. I recognise that parents are the first educators of their children and equal partners in the education of students.
2. I understand that each member of the school community has skills, experience and knowledge that may be a unique resource that can be directed to towards the safety and well-being of students.

3. I actively share information about students with their parents and the Principal so that they may make informed decisions about students. I listen to everyone with courtesy and respect.
4. I treat the opinions of parents and school staff about the education and well-being of students with respect and dignity, even if I do not agree with it or believe it is misinformed or misguided.
5. I use plain language with appropriate style, tone and level in my written or verbal communication, particularly when expressing technical or expert advice, and I actively seek confirmation that I have been understood.
6. I engage with all parents equally and fairly, regardless of their relationship status, mindful that, in the absence of court orders to the contrary, each parent has equal and joint parental responsibility for their child. I do not allow my opinion about the behaviour of parents to prevent me from engaging openly and honestly with each of them about their child's education.
7. I continue to inform and engage with a parent about the education and well-being of their child on the assumption that it is in the student's best interests to do so, regardless of the parent's level of engagement with me or the child. I respect any decision by a parent to disengage with me or their child, and I remain open to re-engage in the future.
8. I act to strengthen, preserve, restore and promote positive relationships between the student and their parents, family members, and those significant to the student, regardless of any breakdown in these relationships.
9. I do not use the behaviour of either parent as a reason for denying them or their child access to information or support from the school that are in the best interests of the student, unless doing so would place the student or school community at risk of harm.

## **CONDUCT STATEMENT 9**

***I promote and preserve the trust and privilege inherent in my relationship with all members of the school community.***

### **Guidelines**

1. I promote and preserve the trust inherent in my relationship with students and with their parents.
2. I recognise that an inherent power imbalance exists within my relationship with students that may make the students and their family vulnerable and open to exploitation. I actively preserve the dignity of all people through practised kindness and by recognising the potential vulnerability and powerlessness of each student and their family. I recognise that the power relativities between me and a student can be significant, particularly where the student is very young, has a disability, a difficult family background, has cultural differences, or is experiencing emotional turmoil. This vulnerability creates a power differential in my relationship with students that must be recognised and managed with care.
3. I take reasonable measures to establish a sense of trust to protect the physical, psychological, emotional, social and cultural well-being of each student. I protect students who are vulnerable, including but not limited to students with disability, from exploitation and harm.
4. I have a responsibility to maintain appropriate boundaries with students and to actively support other adults to do likewise, including bringing to their attention any failure to do so.

5. I may have personal or recreational relationships outside my school role with students' families and friends, or with school staff. I am aware that dual relationships may compromise student care and well-being. In cases of overlap or conflict between my dual relationships, I act with the primary intent of the safety and well-being of the student, which may require me to withdraw from a social relationship.
6. I do not engage in any behaviour with a student that could be interpreted by a reasonable person as being a friendship.
7. I do not engage in any behaviour with a student that a reasonable person could interpret as creating an opportunity to engage in emotional, physical or sexual intimacy with a student.
8. I recognise that the power imbalance between me and students means that the onus is on me to avoid any ambiguity or misunderstanding by a student or third party about my intent in my behaviour towards them.
9. I understand that the power imbalance between me and students means a student is unable to give their consent to engaging in emotional, physical or sexual intimacy with me, regardless of the legal age of consent, or the student's age or maturity. I must therefore not seek nor rely on such express or implied consent from a student to engage in an intimate relationship.
10. I understand that the power imbalance between me and students may continue to influence students' choices beyond the date when they cease to be students at my school. I must therefore not engage in emotional, physical or sexual intimacy with a former student within two years of them ceasing enrolment at my school, or them turning 21, whichever occurs latest.
11. I take all reasonable steps to ensure the safety and security of the possessions and property of students and their families that are in my care.
12. I do not knowingly mislead parents or make misrepresenting statements to them, or withhold information relevant to their ability to make informed decisions about their children unless required by law.
13. I recognise that there may be rare exceptions to full disclosure to parents. Such disclosure of information may compromise law enforcement or other risk management processes, or the privacy and reputation of those involved. I seek legal or other expert advice in resolving such situations, recognising that parents have the right to know about any risk to their children.

## **CONDUCT STATEMENT 10**

***I maintain and build on the community's trust and confidence in Catholic schools and the Church.***

### **Guidelines**

1. My conduct maintains and builds public trust and confidence in my school, other members of the school community, and the Church.
2. Any unlawful and unethical actions in my personal life risk adversely affecting both my own and the school's reputation in the eyes of the public. If the good standing of either me or the school was to diminish, this might jeopardise the inherent trust between the school and parents, as well as the community more generally, necessary for effective relationships and the best education of students.
3. I notify the Principal of my involvement in any criminal investigation or other legal process that may undermine trust and confidence in my judgement or care of students.

4. I consider the interests of the school and the Church when exercising my right to freedom of speech and participating in public, political and academic debate, including publication.
5. I never place the reputation of the school above the safety and well-being of students.

## **CONDUCT STATEMENT 11**

*I act reflectively and ethically.*

### **Guidelines**

1. I engage with the school reflectively and ethically to ensure that I consciously put student safety and well-being at the forefront of my behaviour and decisions.
2. I develop and maintain appropriate and best practice advice, support and care for each student and their family.
3. I evaluate my conduct and competency according to this Code, the terms and conditions of my relationship with the school, and school policies.
4. I contribute to the professional development of school staff as appropriate.
5. I contribute to continuous improvement by supporting opportunities to record, assess and learn from incidents involving student safety and well-being.
6. I advise the Principal of any reduction in my capacity to act in the best interests of the safety and well-being of students due to health, social or other factors, while I seek ways of addressing the deficiency.
7. I take care of the safety and well-being of all members of the school community so that all may fully contribute and cooperate in providing for the safety and well-being of students.

## **CONDUCT STATEMENT 12**

*I allow students to have a voice in their education, safety and well-being.*

### **Guidelines**

1. I recognise that while I and all adults have responsibility for the safety and well-being of students, students have opinions and ideas about their education and well-being.
2. I allow age-appropriate opportunities and forums for students to reflect on and express their opinions and ideas and I treat those expressions with respect and care.
3. I regularly invite students to participate in decision making about their education and well-being and offer them constructive feedback on their ideas and opinions.
4. I encourage students to inform me or the Principal of any concerns they have about their own or other students' education, safety or well-being. I follow up those concerns and keep students informed of how they are resolved.