



9. CODE OF CONDUCT

Last Review: October 2020	Constructed / Reviewed by: Clayton Utz
Next Review: October 2021	Approval Required: Board Motion
Policy Number: 9	Board Sign Off Date: 18 August 2021

1. Statement of Context and Purpose

The purpose of this Code of Conduct is to outline the standards of conduct that are expected from all school staff at Mentone Grammar, including casual staff.

An objective of this Code of Conduct is to identify required professional staff behaviour standards and promote child safety in the school environment.

The principal responsibility of Mentone Grammar's school staff is to conduct themselves in an ethical and professional manner. School staff must display positive behaviour and practice to ensure that a productive and enjoyable working environment is created. Mentone Grammar's employees must ensure that the workplace is safe and free from discrimination, harassment, bullying and violence.

School staff of Mentone Grammar are committed to continually improving Mentone Grammar and ensuring that they provide an environment in which employees and students feel safe and are able to reach their potential.

This Code of Conduct is intended to provide a guidance framework only and is not an exhaustive list of the standards required of school staff. This Code of Conduct supports and should be read in conjunction with applicable legal instruments or Mentone Grammar policies.

2. Application

This Code applies to all School staff (as defined below).

3. Reference Points / Background Papers

- *Crimes Act 1958* (Vic);
- *Worker Screening Act 2020* (Vic);
- *Education and Training Reform Act 2006* (Vic);
- Ministerial Order 870;
- Victorian Teaching Profession Code of Conduct
- [DHS Child Safe Standards Toolkit: Resource 3 Code of Conduct](#);
- An Overview of the Victorian Child Safe Standards;
- Child Safety Policy and Procedure;
- Mandatory Reporting Policy;
- Recruitment and Selection Policy;
- Discrimination and Harassment Policy;
- Privacy Policy;
- Information Technology Acceptable Use Policy;



- Social Media and Social Networking Policy;
- Leave Policy;
- Grievance Handling and Investigation Policy;
- Termination Policy;
- Redundancy Policy;
- Occupational Health and Safety Policy;
- Bullying and Violence Policy;
- Delegated Authorities Policy; and
- Reportable Conduct Policy.

4. Definitions

Legal instrument means either legislation, an award, a collective enterprise agreement or contract of employment.

Child Safety Officer is the relevant Campus Head or Manager as follows:

Campus	Relevant Campus Head	Email	Telephone
Eblana & ELC	Jessica Richards	jsr@mentonegrammar.net	0438 433 563
Bayview	Terry Matthew	tmm@mentonegrammar.net	0423 808 206
Greenways	Julie James	jaj@mentonegrammar.net	0431 162 036
Frogmore	Jason Mann	jsm@mentonegrammar.net	0422 263 830

Child means a person who is enrolled as a student at Mentone Grammar.

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.

School environment means any physical or virtual place made available or authorized by Mentone Grammar for use by a child during or outside school hours, including:

- a Mentone Grammar campus;
- online school environments (including email and intranet systems);
- other locations provided by Mentone Grammar for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).

School staff means an individual working in a School environment who is directly engaged or employed by Mentone Grammar and/or a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary) and/or a minister of religion.



5. Policies, Procedure and Laws

All school staff are required to observe and comply with all of Mentone Grammar's policies and procedures, applicable legislative instruments, and the Victorian Teaching Profession Code of Conduct at all times during the course of their employment or engagement (whichever the case may be) with Mentone Grammar. This includes where staff are working from home.

6. Professional and Personal Conduct and Child Safety

The personal and professional behaviour of school staff should conform with the standards that could reasonably be expected of persons who hold similar positions.

School staff are required to undertake their duties in a professional, responsible and ethical manner and to act in the best interests of Mentone Grammar. They are expected to act professionally and honestly when performing their duties.

Dealing with Students/Children (including with respect to Child Safety)

School Staff must ensure that they provide students with a positive and safe environment to learn. In order to achieve this, school staff must respect their individual differences and adapt to different capability levels. School staff must treat students equally and consistently.

School Staff must understand that teachers are in a position of influence over students and must ensure that they act within professional boundaries and according to legal requirements.

In accordance with Ministerial Order 870, Mentone Grammar maintain this Code of Conduct which provides a clear set of principles and standards about how school staff should behave with children. All school staff are responsible for supporting the safety, participation, wellbeing and empowerment of children and are expected to behave in accordance with this Code of Conduct. In particular, all school staff (and in particular, those engaged in child-connected work) must act lawfully at all times and:

- adhere to Mentone Grammar's Child Safety Policy and Procedure at all times and uphold the overarching values and principles set out therein;
- take all reasonable steps to protect children from abuse;
- treat everyone with respect;
- listen and respond to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another;
- ensure all interactions with children involving IT and social media are appropriate, in accordance with the Information Technology Acceptable Use Policy and the Social Media and Networking Policy, and reflect Mentone Grammar's commitment to child safety;
- promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children (for example, by never questioning their self-identification and by recognising the importance of such students relationships with their extended family and community, including Elders);



- promote cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by exhibiting zero tolerance of discrimination in the school environment and by recognising the tendency of people from culturally and/or linguistically diverse backgrounds/communities to mistrust authority figures and human services providers)
- promote the safety, participation and empowerment of children with a disability (for example, in terms of level of supervision and care provided for such children)
- ensure as far as practicable that adults are not left alone with a child;
- report any child safety concerns and/or any allegations of child abuse to Mentone Grammar's Child Safety Officer, being the relevant Campus Head or Manager (see definition section above), in accordance with the Child Safety Policy and Procedure and in relation to the latter, ensure such allegations are reported to the police or child protection authority;
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe;
- encourage children to 'have say' and participate in all relevant organisational activities where possible, especially on issues that are important to them;
- observe these standards and acknowledge your responsibility to immediately report any breach of this Code of Conduct to Mentone Grammar's Child Safety Officer.

School staff should also be aware of and observe recent amendments to the Crimes Act, which provide that:

- it is a criminal offence to communicate (including electronically) by words or conduct with a child with the intention of facilitating the child's engagement or involvement in a sexual offence with them or another adult (**Grooming Offence**); and
- it is a criminal offence for a person who, by reason of the position they occupy within the school has the power or responsibility to reduce or remove a substantial risk that a child will become the victim of a sexual offence committed by a person associated with the school and knows that there is a substantial risk that that person will commit a sexual offence against the child, negligently fails to reduce or remove the risk (**Failure to Protect Offence**). A person negligently fails to reduce or remove a risk if that failure involves a falling short of the standard of care that a reasonable person would exercise in the circumstances.

School staff should also refer to the Mandatory Reporting Policy in relation to their mandatory reporting obligations and their obligations in respect of the **Failure to Disclose Offence** under the Crimes Act.

School staff must not engage in unlawful conduct or:



- develop any ‘special’ relationships with students/children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children);
- exhibit behaviours with students/children which may be construed as unnecessarily physical (including during sports coaching for example);
- put children at risk of abuse (for example, by locking doors);
- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes;
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities);
- use inappropriate language, jokes or gestures in the presence of children;
- express personal views on cultures, race or sexuality in the presence of children;
- discriminate against any child, including because of culture, race, ethnicity or disability;
- have contact with a child or their family outside of a school setting without our Child Safety Officer’s knowledge and/or consent (for example, no babysitting or tutoring). Note that incidental or accidental contact, such as seeing people in the street, is not inappropriate);
- ignore or disregard any suspected or disclosed child abuse.

Dealing with other School staff

School staff must ensure that they treat each other with respect and courtesy. School staff must demonstrate their respect by holding other school staff in high regard and work cooperatively with other school staff in the best interests of students and Mentone Grammar.

7. Public Statements

School staff making written or oral comments on any matter relating to Mentone Grammar and which might reasonably be expected to become public, must ensure that they hold proper authority and authorisation to do so. School staff must not make public comments that would damage the reputation of Mentone Grammar.

School Staff are not permitted to communicate directly with the media on behalf of Mentone Grammar unless they have been directed to by the Principal. If school staff are contacted by media representatives, they are not permitted to provide any comments other than to direct the media representative to the Principal.



8. Attendance

Employees are expected to attend for work as required and on time, in accordance with their ordinary working hours and days. If an employee has a valid reason for not being able to attend work they must refer to the procedures outlined in the Leave Policy.

9. Dress

The standard of dress adopted by employees reflects on the school both internally and externally. Employees must ensure that their appearance is neat, clean and appropriate for their particular area of work.

In situations where sport is being played against other schools, employees are required to wear Mentone Grammar's official sport apparel.

10. Smoking

Mentone Grammar does not promote or encourage smoking. School staff are not permitted to smoke on Mentone Grammar's premises or in the immediate vicinity of entrances to Mentone Grammar's premises. School staff are not permitted to smoke in the presence of students or parents.

11. Confidential Information

Employees must respect the confidentiality of information received as an employee. Confidential information received by an employee during their employment remains the property of Mentone Grammar and must not be disclosed.

12. Consequences of a Breach of this Code

Mentone Grammar emphasises the need to comply with the requirements of this Code of Conduct. Any school staff found to be in breach of the requirements of this policy may be subject to disciplinary action, up to and including termination of employment or engagement (as the case may be). Employees should refer to the Disciplinary and Performance Management Procedure for further information.

13. Implications for practice

13.1 At Board / Principal Level

To properly implement this Code, Mentone Grammar, the Board and/or the Principal must ensure:

- that this Code is updated and endorsed on an annual basis;
- that copies of this Code are made available to school staff, for example on the Mentone Grammar intranet, in physical form in the staff room and on staff bulletin notice boards;
- that this Code is incorporated into the Board's / Principal's record;



- that this Code is incorporated into Mentone Grammar's induction program, to ensure that all school staff are aware of the Code, have read and understood the Code, and acknowledge their commitment to comply with the Code;
- that periodic training and refresher sessions are administered to all school staff in relation to this Code.

13.2 At Other Levels

To properly implement this Code, all Mentone Grammar's school staff must ensure:

- that they will abide by this Code and assist Mentone Grammar in the implementation of this Code.