

# OUR LADY OF MERCY PRIMARY SCHOOL



## 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, volunteers, parents and guardians as applicable. The term 'parents' includes 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. 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: i.e. 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.



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**Principal**

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**Conduct Statement 1:  
You act safely and competently**

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**Guidelines**

Members of the OLOM Community are expected to put the safety of students first, above everything else acting within the scope of their expertise and role within the school community. If a student requires care outside of your core competency, then you must refer the student to the appropriate expert.

Members of the OLOM Community are personally responsible, within the context of your position in the school community, for the provision of safe and competent student education. It is your responsibility to maintain the competence necessary to fulfil your role, this includes;

- participation in ongoing professional development

- ensuring you meet the necessary system and federal requirements such as Teacher Registration, Police Clearances and ensuring you have a current Working With Children Check.
- Performing your role in the school within your professional or industry competency and per school policies and any standards or codes applicable to your profession or industry
- Performing your role 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.

Members of the OLOM Community recognise that the Principal, staff, parents and students assess your ability to act safely and competently based on your behaviour and decision making, and you do likewise in your assessment of them.

Members of the OLOM Community are responsible for conducting themselves in a manner, that suggests there is no speculation, doubt or ambiguity that you are always operating in the best interests of students.

Members of the OLOM Community must take reasonable steps to avoid situations where their decisions or behaviour could be interpreted as putting students at risk. You must also notify the Principal as soon as possible if you found yourself in such a position of ambiguity so that you can explain the circumstances.

Members of the OLOM Community 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.

Members of the OLOM Community 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.

Members of the OLOM Community ensure that any information you receive relevant to the safety and well-being of students is either acted upon by you in the best interests of the student if you are the relevant decision maker, or passed to the relevant decision maker for them to act.

Members of the OLOM Community perform your 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 your capacity to act safely. If your health threatens your ability to work safely and competently, you have a responsibility to seek assistance to address your health needs. This may include making a confidential report to an appropriate authority.

Members of the OLOM Community 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.

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## **Conduct Statement 2**

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

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### **Guidelines**

Members of the OLOM Community accept that all adults have individual and joint responsibility for the safety and well-being of students.

Members of the OLOM Community ensure the safety and well-being of students are the primary focus of all actions and decisions. These take precedence over any other considerations including the reputation of the school and your own needs. Members of the OLOM Community recognise the importance that students' education continues without interruption or disturbance. Hence, the importance of adhering to school policies especially those surrounding student behaviour, visitors to the school and policies regarding moving safely between classrooms and around the school.

Members of the OLOM Community 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.

Members of the OLOM Community do not behave in any way that risks creating ambiguity about whether you are acting in the best interests of a student.

Members of the OLOM Community 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.

Members of the OLOM Community 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.

Members of the OLOM Community endeavour to ensure the voice of the student is heard as appropriate, considering age and circumstances.

Members of the OLOM Community 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.

Members of the OLOM Community look for opportunities to engage in formal and informal group and self-reflection and professional development about your own and others' decisions so that you and the school can learn and continuously improve. This includes welcoming feedback from Summative Appraisals.

Members of the OLOM Community 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. Members of the OLOM Community respectfully advocate for the safety and well-being of students above all other considerations.

Members of the OLOM Community 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.

Members of the OLOM Community recognise that students and their parents are entitled to assume that the sole focus of your engagements with students is to educate them within a safe environment that puts their well-being above all else. You understand that this trust by parents and students puts the onus on you to use your relationship with students solely for their education. You 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.

Members of the OLOM Community do not accept gifts or benefits that could be viewed as a means of influencing your objective decision making.

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### **Conduct Statement 3**

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

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#### **Guidelines**

Members of the OLOM Community are mindful that their decisions and behaviour are opportunities for students and others to see Gospel values in action and how faith integrates with life. Therefore, you are responsible for educating yourself and anyone you lead on the content of those values, and their practical application in your decision making. This includes promoting the school Mercy Values and practical values of Making Jesus Real.

Members of the OLOM Community acknowledge that as a member of a Catholic school community, you are required to strive to develop and live out your relationships with all people in a manner that is based on Gospel values as defined in the CECWA Code of Ethical Conduct.

Members of the OLOM Community accept that as a member of a Catholic school community, your conduct reflects on Catholic Education and the Church, and therefore you must strive to uphold the letter and spirit of the Code of Ethical Conduct.

Members of the OLOM Community are called upon by the Code of Ethical Conduct act in a manner that is:

- Based on Christian ethics
- Professional
- Timely
- Contextually appropriate

The Code of Ethical Conduct requires you 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

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

Recognising the giftedness of others involves:

- Discerning these gifts
- Naming and acknowledging these gifts
- Empowering individuals and groups to use their gifts

Fostering positive relationships which flow from being:

- Welcoming and open
- Honest and loyal
- Trusting and trustworthy
- Willing to share knowledge, skills, resources and insights

Committing to appropriate confidentiality based on:

- Respect for others
- Professionalism

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.

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## Conduct Statement 4

**You conduct yourself in accordance with laws, agreements, policies, and standards relevant to your relationship with the school community.**

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### Guidelines

Relationships: All members of the OLOM Community have a relationship with other members of the community based on their primary role within the school;

- If you are a member of staff, it is your employment agreement.
- If you are a parent or acting in a parental capacity, it is the student's enrolment agreement.
- If you are a member of the school board, it is your school board constitution.
- If you are a visitor, it is in accordance with the permission of the Principal to be on school grounds on condition that you act safely and competently.

If any members of the OLOM Community witnesses 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, individuals have both a responsibility and an obligation to

1. Notify such conduct to the Principal, or an appropriate authority, and take other action as necessary to protect students.
2. Where you notify the Principal or other delegate, including breaches of this Code, and that notification fails to produce an appropriate response in the circumstances, you may take the matter to an appropriate external authority.

Members of the OLOM Community 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.

Members of the OLOM Community use school property and resources responsibly and for the purposes of the school.

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## Conduct Statement 5

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

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### Guidelines

All members of the OLOM school community will treat the dignity, culture, values and beliefs of everyone in an honest and respectful manner.

In planning and providing education and school support services, you 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
- the changing nature of families and recognise that families can be constituted in a variety of ways

All members of the OLOM school community will not express racist, sexist, homophobic, ageist and other prejudicial and discriminatory attitudes and behaviours toward any member of the school community. You take appropriate action when observing any such prejudicial and discriminatory attitudes and behaviours.

In making professional judgements in relation to the interest and rights of a member of the school community, you do not contravene the law or breach the human rights of any person.

You perform your duties and conduct your 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.

In making professional judgements in relation to the interests and rights of a member of the school community, you do not contravene the law or breach the human rights of any person.

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## Conduct Statement 6

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

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### Guidelines

All members of the OLOM school community use personal information in accordance with your school Privacy Policy having ethical and legal obligations to;

- protect the privacy of each member of the school community by treating personal information gained in your relationship with others as confidential
- restricting use and disclosure of any information to the purposes defined in the school Privacy Policy
- create and keep accurate records of conversations about significant decisions involving the safety and well-being of students
- seek advice if you identify a conflict between protecting personal information and any resulting risk to the safety and well-being of a student
- ensuring appropriate avenues of communication are be used. e.g. school email address appropriate, social media not appropriate. In order to ensure all relationships between staff and members of the wider community remain professional at all times.

All members of the OLOM school community have ethical and legal obligations to You 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 your school Privacy Policy.

If a third party asks for access to personal information, you must take reasonable steps to confirm the identity of the third party, and that it is lawful to disclose the information to them. You must inform the member of the school community that you have disclosed their personal information unless you are satisfied that there are legal reasons for not doing so.

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## **Conduct Statement 7**

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

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### **Guidelines**

All members of the OLOM school community give and seek accurate advice relevant to the education, safety, and well-being of students, based on primary rather than secondary sources.

All members of the OLOM school community 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.

All members of the OLOM school community accurately represent the role they play in the education, safety, and well-being of students.

Where the education, safety or well-being of a student requires expert knowledge or experience, individuals not qualified or competent in that area will seek out experts for the benefit of the student and not attempt to engage in a resolution.

All members of the OLOM school community 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.

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## **Conduct Statement 8**

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

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### **Guidelines**

All members of the OLOM school community recognise that parents are the first educators of their children and equal partners in the education of students.

All members of the OLOM school community 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.

All members of the OLOM school community actively share information about students with their parents and the Principal so that they may make informed decisions about students. You listen to everyone with courtesy and respect.

All members of the OLOM school community treat the opinions of parents and school staff about the education and well-being of students with respect and dignity, even if you do not agree with it or believe it is misinformed or misguided.

All members of the OLOM school community use plain language with appropriate style, tone and level in your written or verbal communication, particularly when expressing technical or expert advice, and you actively seek confirmation that you have been understood.

All members of the OLOM school community 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. Individuals do not allow their opinions about the behaviour of parents to prevent you from engaging openly and honestly with each of them about their child's education.

All Teachers, members of Leadership and the School Social Worker [OLOM primary educators], will continue to inform and engage with parents about the education and well-being of their children on the assumption that it is in the student's best interests to do so, regardless of the parent's level of engagement with the primary educators or the child. OLOM primary educators respect any decision by a parent to disengage with you or their child, and you remain open to re-engage in the future.

All members of the OLOM school community 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.

All members of the OLOM school community 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.

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## Conduct Statement 9

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

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### Guidelines

Members of the OLOM community will not engage in any behaviour with students or parents that could be interpreted by a reasonable person as being a friendship, including but not limited to engaging in communication via Social Media (e.g. facebook), attending private functions (e.g. birthday parties) and socialising outside of school events.

Members of the OLOM community will 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.

Members of the OLOM community take reasonable measures to establish a sense of trust to protect the physical, psychological, emotional, social and cultural well-being of each student.

Members of the OLOM community protect students who are vulnerable, including but not limited to students with disability, from exploitation and harm, by using an inclusive team approach involving the social worker, parents, the school leadership team and any outside agencies.

Members of the OLOM community understand that the power imbalance between adults and students may continue to influence students' choices beyond the date when they cease to be students at your school. Community members must therefore not engage in emotional, physical or sexual intimacy with a former student within two years of them ceasing enrolment at your school, or them turning 21, whichever occurs latest.

Members of the OLOM community 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.

Members of the OLOM community 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. OLOM community members seek legal or other expert advice in resolving such situations, recognising that parents have the right to know about any risk to their children.

OLOM community members must be aware that personal or recreational relationships outside your school role with students' families and friends, or with school staff may compromise student care and well-being. In cases of overlap or conflict between your dual relationships, you act with the primary intent of the safety and well-being of the student, which may require you to withdraw from a social relationship.

Members of the OLOM community recognise that the power imbalance between adults and students means that the onus is on the adult to avoid any ambiguity or misunderstanding by a student or third party about intent in their behaviour towards them.

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**Conduct Statement 10**

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

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## **Guidelines**

Members of the OLOM community must exemplify the Mercy Values of Excellence, Compassion, Service, Respect, Integrity and Justice and act as role models, leading by example at all times.

OLOM community members conduct, maintain and build public trust and confidence in our school, other members of the school community, and the local parish Church.

OLOM Community members are aware that any unlawful and unethical actions in their personal life risk adversely affecting both their own and the school's reputation in the eyes of the public. If the good standing of either you 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.

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### **Conduct Statement 11**

**You act reflectively and ethically.**

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## **Guidelines**

OLOM Community members engage with the school reflectively and ethically to ensure that they consciously put student safety and well-being at the forefront of their behaviour and decisions.

OLOM Community members develop and maintain appropriate and best practice advice, support and care for each student and their family by incorporating the Mercy Values and BRIDGE Values.

OLOM Community members evaluate their conduct and competency according to this Code and the Teacher Reflective Practice Policy, the terms and conditions of your relationship with the school, and school policies.

OLOM Community members contribute to continuous improvement by supporting opportunities to record, assess and learn from incidents involving student safety and well-being. This includes abiding by school policies such as filling out CCI incident forms, maintaining duty supervision and recording pastoral care notes using the schools preferred method (SEQTA).

OLOM Community members advise the Principal of any reduction in their capacity to act in the best interests of the safety and well-being of students due to health, social or other factors, while you seek ways of addressing the deficiency.

OLOM Community members take care of the safety and well-being of all members of the school community so that all persons may fully contribute and cooperate in providing for the safety and well-being of students.

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## **Conduct Statement 12**

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

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### **Guidelines**

OLOM Community members recognise that while all adults have responsibility for the safety and well-being of students, students have opinions and ideas about their education and well-being.

OLOM Community members allow age-appropriate opportunities and forums for students to reflect on and express their opinions and ideas and you treat those expressions with respect and care.

OLOM Community members regularly invite students to participate in decision making about their education and well-being and offer them constructive feedback on their ideas and opinions.

OLOM Community members encourage students to inform you or the Principal of any concerns they have about their own or other students' education, safety, or well-being. OLOM Community members follow up those concerns and keep students informed of how they are resolved.

## **CODE OF CONDUCT ON CHILD SAFETY STAFF DECLARATION**

### **New Staff & Early Career Teacher Role & Responsibilities:**

- Understands that temporary contracts have an expiry date and when the full term of the contract is met, the staff member may need to reapply for the position.
- Understands that as an appointed member of staff at Our Lady of Mercy the staff member will...
  - ensure that all system and industrial protocol is followed. This includes; keeping their Working with Children Check up-to-date, ensuring they meet the requirements for TRBWA and pay the financial fees and keeping their accreditation current and active
  - meet with the principal and mentor colleague on the specified dates and times
  - abide by all school policies and practices
  - abide and uphold the Child Safety Code of Conduct

- abide by the Catholic Ethos
- partake in all school based sacramental programs and other business, which is core to our identity as a Catholic, Faith based school.
- become active members of the OLOM professional learning community by attending all relevant staff meetings
- develop teaching and learning programs which are in line with the school's philosophy on education
- work collaboratively with their co-teacher and all staff, both teaching and non-teaching
- imbed the Gospel teachings across all facets of school life
- have an 'open door' policy
- encourage parent participation and develop strong home-school links
- participate in whole school and individual professional development where appropriate to further their teaching skills and abilities
- work with outside professionals where appropriate to contribute to a child's development and academic achievement
- abide by the school's digital learning agreement and ICT policy

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***I acknowledge that I have read and understand, my roles and responsibilities as a staff member Our Lady of Mercy. I agree to abide by school policies, practices, protocols and codes of conduct.***

Date: \_\_\_\_\_

NAME: \_\_\_\_\_

SCHOOL POSITION / JOB TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_