



# CODE OF PROFESSIONAL CONDUCT

# 1. Background

The Catholic Church's social teaching is based on the Gospel of Jesus Christ; all members of staff in Catholic schools work and minister in the name of the Church. Employees of Marist College Ashgrove undertake to support the Catholic ethos and the particular Marist ethos of the College. They are expected to promote and support the shared vision and mission.

The core values of the College will be reflected in our work. Staff will avoid by word or action any influence upon students that is contrary to the teachings and values expressed by the Catholic Church in whose name we act.

This Code of Professional Conduct is both reflective and practical, outlining the values and responsibilities that underpin our Catholic and Marist identity through the guidelines that follow.

This Code of Professional Conduct thus seeks to:

- 1.1 Promote the safety and welfare of children as our paramount consideration.
- 1.2 Support and affirm staff as they conduct themselves with the highest standard of professional and ethical behaviour.
- 1.3 Articulate the responsibilities for staff in carrying out their duty of care, ensuring the safety and well-being of every student in all College activities.
- 1.4 Recognise that staff undertake these responsibilities within the framework of the law and under lawful instruction from their employer, complying with legislative and industrial requirements and within the policies and procedures of the College and the Australian Marist Province.
- 1.5 Provide clear guidelines for staff, valuing the worth and dignity of individuals, in creating an environment where staff and students feel safe and secure.
- 1.6 Foster an environment of trust, ensuring that rights and responsibilities are recognised and protected.
- 1.7 Provide a framework for reflection on current practice.

## 2. General principles

*The well-being of the children and young people in our care is our ultimate reference point in following this Code of Professional Conduct and we all share that responsibility.<sup>1</sup>*

We acknowledge our professional and legal obligations to the students placed in our care. We ensure we act at all times in their best interest.

We value our profession and its integrity. We value each other and our College.

- 2.1 This Code of Professional Conduct applies to teaching and non-teaching staff employed by the College, as well as to instrumental music teachers, casual relief staff, coaches, volunteers and contractors. Where the word “Staff” is used in this document, it refers generically to those covered by this document.
- 2.2 These standards apply to all College activities including co-curricular and social activities, whether at the College or away from it.
- 2.3 Staff will complete all child protection and employment-related documentation. Staff involved in the day-to-day teaching or supervision of students will undergo relevant employment screening procedures.
- 2.4 It is expected that staff will know and comply with the College policies and procedures, in particular policies regarding child protection, mandatory reporting, information and communication technology (ICT) and bullying and harassment. (See the list of relevant policies/documents on the last page.)
- 2.5 Staff will display professional and healthy relationships, treating colleagues, students and others within their work environment with respect and dignity.
- 2.6 Staff will be actively involved in professional learning, will be involved in co-curricular activities in a substantial way (in accordance with the relevant Certified Agreement), and will adhere to all reporting and administrative guidelines.
- 2.7 Staff will be reflective and committed to their own professional learning by:
  - seeking feedback;
  - undertaking ongoing learning and training;
  - engaging in professional reading to develop and maintain professional competence;
  - being open and responsive to current educational and pastoral initiatives; and
  - participating in review processes.
- 2.8 Staff will demonstrate professional competence and will comply with the directions of the Headmaster or a delegate.
- 2.9 Staff will not engage in any other remunerated employment or business without the prior approval of the Headmaster. Such approval shall not be unreasonably withheld.

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<sup>1</sup> *Working Together in Mission: A framework of values and principles for employment relations.* November 2007. Marist Ministries Office, Sydney Province.

### 3. Core Values

As a Marist Community – *We are united around a common set of life-giving values that are fundamental to our common vision: respect for the dignity of each human person, honesty, justice, solidarity, peace and a sense of the Transcendent. Together we give the best of ourselves to provide the young people in our care with the means of achieving their full potential in life, including their growing faith and their responsible participation in society.*<sup>2</sup>

- 3.1 Marist College Ashgrove is a Catholic faith community which reflects the Gospel of Jesus Christ. It is founded in the Marist tradition of St Marcellin Champagnat. Core values derive from our understanding of the Gospels and Marist characteristics as modelled by Jesus Christ and St Marcellin Champagnat.
- 3.2 Our response to the Gospel message is to make Jesus Christ known and loved. We seek to give joyful witness to this through our motto *Viriliter Age*, passing on our faith in God to others and by living in a way that is faithful to the call of the Gospels to love our neighbour, especially the most neglected.
- 3.3 The way we undertake our work is characterised by a distinctive Marist style: “a simple presence among the young, an unpretentious approach to all whom we meet, a spirit of family, a love of work, and all done in the manner of Mary”.<sup>3</sup>
- 3.4 Informed by the values inherent in the Gospel and by the characteristics of Marist education, Marist College Ashgrove upholds the core values of faith, love, justice, compassion and hospitality.

**Faith** – As we follow in the footsteps of Saint Marcellin, we strive to give practical expression to our Catholic faith in the evangelisation of young people.

**Love** – We acknowledge that our love of God calls us to love of self, love of neighbour, love of work, love of learning, and love of our College in the way we take pride in all that we do.

**Justice** – We strive to see each person as equal in dignity and worthy of respect. We are honest in our relationships with one another, remembering always to act with a spirit of forgiveness and listen carefully to all voices before making decisions. This attitude leads us to reach out to the wider community to those who suffer injustice.

**Compassion** – We seek to live in solidarity with others, letting our presence be a good example to our students and those with whom we work. We strive to be aware of the suffering of others and respond with sensitivity and respect in times of need. Compassion is a sign of our mateship with those in need.

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<sup>2</sup> *In the Footsteps of Marcellin Champagnat*, Paragraph 35.

<sup>3</sup> Br Sean Sammon, “Making Jesus known and loved”. *Marist Apostolic Life Today*, Page 42

**Hospitality** – We seek to be a welcoming school community which is open to others and one which embraces diversity. Our service to others is an expression of this hospitality.

- 3.5 Marist College Ashgrove seeks to provide a warm and secure learning environment where students develop self-esteem and confidence, are caring, respectful and tolerant of others. The College is committed to providing all staff and students with a working and learning environment free from all forms of harassment and bullying, including physical, verbal, social and sexual, whether face to face or through information and communication technologies.<sup>4</sup>
- 3.6 We are all challenged to let ourselves be .... “guided by the principles of fairness, justice and transparency, and by commitment to our mission ... expressing our mutual forgiveness from time to time helps us keep our mission life-giving for ourselves and for those we serve”.<sup>5</sup>

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<sup>4</sup> *Safe School Policy*. Marist College Ashgrove

<sup>5</sup> *In the Footsteps of Marcellin Champagnat*, paragraph 44.

## 4. Working together

*We act as professional people at all times, expecting boundaries, accepting responsibility for our own behaviour, work and development and supporting and encouraging others.*

*We seek to create an environment where everyone feels respected and co-responsible. We treat people with dignity, offering support and encouragement.*

*Staff will at all times be aware that their relationships with students are based on professional standards and are open to scrutiny.*

*We interact with students only for professional purposes and in a manner that does not compromise the safety and welfare of children or our professional integrity.<sup>6</sup>*

### 4.1 Relationships with students

- It is expected that staff will be caring and compassionate and take an interest in their students, setting appropriate boundaries within their relationships.
- Staff members must be aware that their interactions with students are based on trust. They must always treat students with respect and without favouritism. There is no place for personal or coercive threats, humiliation, ridicule, sarcasm, excessive criticism, scapegoating, derogatory remarks, offensive comments, bullying, harassment or inappropriate familiarity (refer to the MSA *Child Protection Policy*, *College Student Protection Policy* and *Safe Schools Policy*).
- There is no place for assault or verbal abuse.
- Staff should generally avoid situations where they are alone in an enclosed space with a student. Where a staff member is working with, or left with the responsibility of a single student they should ensure that this is in an open area, in view of others, and with an open door. Where this is not possible or practical and there is cause for concern, this should be discussed with the Deputy Headmaster, or immediate supervisor, as soon as possible.
- When staff conduct a professional conversation with a student which requires confidentiality or privacy, the staff member should consider the time and venue carefully if meeting inside an office or classroom. It is always preferable that visibility into the classroom or office is maintained and that the student is not physically prevented from leaving the room. Conversations of this nature should always be reported to, and discussed with, a Head of House, Head of Students or Head of Boarding.

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<sup>6</sup> *Working Together in Mission: A framework of values and principles for employment relations.*

- Social relations between staff and students outside the College can give rise to problems. Staff must be alert to the risk involved in social relations with our College students and conscious that their position places extra obligations on them. Where staff and students are together in a staff member's home due to a social invitation, staff must observe and maintain professional boundaries.
- Staff should not engage in tutoring or coaching students from the College for monetary return.
- Any voluntary staff tutoring or coaching should be supervised and take place on College premises with the approval of the Headmaster.
- When physical contact with a student is a necessary part of the teaching/ learning experience, staff must exercise caution to ensure that the contact is appropriate and acceptable. Wherever possible, staff should ask for a volunteer to demonstrate an action. The staff member should inform the student what he or she intends to demonstrate with the student and seek the student's permission.
- It is acceptable and expected that a student will be appropriately congratulated and affirmed with a handshake or pat on the shoulder, as long as the student is comfortable with this action. It is not acceptable to initiate the hugging, embracing or kissing of students.
- Staff must notify the Headmaster immediately of any perceived or actual breach of professional boundaries, whether by themselves or by colleagues involving any form of reportable conduct or concern of risk of harm to students. Staff must also be aware of, and comply with mandatory reporting obligations as established by Queensland legislation and articulated in College policies. It is not the responsibility of staff to investigate allegations or suspicions of a child protection nature. It is the College's responsibility to ensure that all staff are aware of their responsibilities under College policies.
- With respect to students with a disability, the management of any special physical or personal needs must be done in consultation with parents and included in the student's individual management plan.
- Assessment of a student who is injured or ill may necessitate physical contact. Staff should always advise the student of what they intend doing and seek their permission, where possible or appropriate.
- During the course of work, staff may be offered a gift from a student, family, or other entities. In circumstances where this gift could be considered outside usual custom, staff are to inform their immediate supervisor.
- Staff will not attend student or parent arranged social functions such as Graduation or Formal 'after parties', birthday parties, sporting celebrations and other such functions without discussing this with the Headmaster.

- Staff must not, under any circumstances, engage in intimate and/or sexual relationships with a student or engage in any conduct of sexual nature with a student. It is irrelevant whether the relationship is heterosexual or homosexual or condoned by parents or guardians. The age of the students or staff involved is also irrelevant.
- Should any student engage, or attempt to engage, in inappropriate behaviour of a sexual nature with an employee, then immediate steps must be taken to stop the student's behaviour and the matter should be immediately reported to the Headmaster.
- Regardless of the age of the student and/or familiarity between staff and students, staff members will not overstep boundaries or encourage students to overstep boundaries. In their relationships with students, staff will not engage in or condone the use of sexual language, suggestive comments, sexual jokes, innuendo, swearing, favouritism, incidental touching, testing boundaries, undressing in front of students, social networking, sharing personal information, observing conventions that may be acceptable among adults and inappropriate electronic communication.

## 4.2 Supervision of Students

- Staff are responsible for the supervision and management of students in their care.
- It is the responsibility of each staff member to develop effective, consistent and appropriate management strategies in day-to-day interactions with students as a preventative system of behaviour management. These strategies should include a clear, consistent and sequential method of dealing with inappropriate behaviours and should be developed in accordance with the College's *Safe School* and *Student Management* policies. They should follow restorative justice practices. It is the responsibility of each employee to be familiar with these policies.
- Corporal punishment is prohibited.
- Physical contact with a student may be necessary in response to an imminent and serious risk to the safety of a person but only if the contact is necessary, reasonable and proportionate to the circumstances.
- When assigned supervision duty, teaching staff should be punctual, actively supervise their designated area, be vigilant and constantly mobile. This is elaborated in the *Supervision and Yard Duty Policy*.
- Staff must remain on supervision until a replacement supervisor arrives.
- Staff should be alert to bullying or any form of harassment and act on and report any incidents in accordance with the *Safe School* and *Student Management* policies.
- Ill or injured students should be attended to by supervising staff. Contact the Health Centre if additional assistance is required. If the incident is serious, contact the Headmaster. An incident form should be completed after the event.

- Staff should remain with students after excursions until all students have been collected, or parents have been contacted. Staff should remain with students for a reasonable time after sports training. After Hours Reception may assist students in emergencies.
- Changing and showering facilities or arrangements for adults must be separate from facilities or arrangements for students.
- Staff will be familiar with, and adhere to, the College's *Emergency Evacuation and Lock-Down* procedures.

### 4.3 Communication

- Staff should present a courteous and professional manner to students, parents, visitors and other staff members. Staff are expected to be united and supportive when in the public eye.
- Staff will respond to parent enquiries in a timely and professional manner.
- Email and other electronic communication between staff will always be respectful and professional.
- Staff should be aware of and adhere to the College's *Privacy Policy* and ensure a right to privacy for staff and students.
- All matters discussed in staff meetings and staff correspondence are to be treated confidentially and not discussed with students, parents or those who do not need to know. Sensitive matters discussed in staff communications must be treated as confidential and should not be discussed outside the appropriate internal forums.
- Internal College documents (e.g. exam papers, revision sets, faculty policies, academic programs and scope and sequences) and emails must not be transmitted or given to others outside the College without the permission of a member of the College Leadership Team.
- The media must not be given access to students or allowed entry into the College without the express permission of the Headmaster. The Headmaster is the only person authorised to speak with the media unless another member of staff is given approval to do so by, and on behalf of the Headmaster.
- All staff must ensure that premises are secure and that suitable arrangements are in place to maintain the security of confidential and sensitive documents.
- Particular care must be taken with information dealing with student welfare or student performance.

### 4.4 Safe and secure environment

- Staff must be consistent in their treatment of students. They must not show special favours to a student or allow a student to ignore the rules (except where this has been clearly articulated and approved).
- Staff must do everything within reason to ensure that alcohol, tobacco or prohibited substances are not consumed by students on the College's premises or at College functions, camps or excursions. Staff must not give the above mentioned substances to students and nor should they encourage or condone their use.

- Staff are not to consume, or be under the influence of, alcohol or other substances, whilst exercising duty of care to students. This includes camps, retreats, study tours, immersions, excursions, sporting trips, or pilgrimages where staff have a duty of care to students, whether in Australia or overseas. This applies to all staff involved with the College activity.
- Staff should not drive a student in their car unless they have specific permission. In the event of an emergency, a staff member should attempt to obtain parental consent and also report the matter to the Headmaster, Deputy Headmaster, Head of Boarding or Head of Junior School, prior to the journey commencing.
- No medication is to be given to students by teaching staff except as approved during retreats, excursions, camps and other co-curricular activities. Students are to be directed to the Health Centre if medication is required. The Health Centre staff have authority to administer medication at the request of parents.

#### 4.5 Pastoral Care

- Staff will normally, as part of their pastoral care role, engage in pastoral discussion with students. This is entirely appropriate. However, staff should be cautious of making personal comments about a student or discussing matters of a sexual, sensitive or private nature.
- Staff must exercise caution when:
  - making personal comments about a student
  - asking questions that probe a student's sexuality or personal relationships
  - discussing personal details of lifestyle of self or others
  - disclosing their own personal details to students.
- Staff must not discuss matters of a sexual nature relating to themselves.
- When providing pastoral support to a student, staff will always work within the College's pastoral structures and report appropriately.

#### 4.6 Standards

- Teaching staff are required to dress in a manner appropriate to their professional standing. They should be appropriate role models in this matter as they are in other areas of College life. The standard of attire must be commensurate with that required of the students. Clothing should ensure that staff, students and community members do not experience embarrassment or discomfort because of another's style of dress. Smart casual dress may be appropriate for specific staff days or other activities as deemed by the College.

The following guidelines should apply:

- The dress code applies to all teaching staff;
- A high standard of personal grooming is expected at all times;
- Clothing should be practical, professional and smart – collar and tie for men when students are wearing winter uniform, and commensurate dress for women; denim (of any colour), T-shirts, strappy dresses, singlet tops, visible cleavage or midriff are considered to be inappropriate

- Clothing should be appropriate to the activity undertaken and support workplace health and safety, e.g. sport, outdoor activities, etc.
  - Inappropriate footwear (e.g. thongs) should not be worn. Open-toed shoes or open sandals should not be worn in practical classes (e.g. Science, Technology, Art, Physical Education, Outdoor Education);
  - Clothing should not display inappropriate or offensive logos, images or messages;
  - Tattoos should be covered;
  - Grounds and maintenance staff are required to wear appropriate clothing; and
  - Health and Physical Education staff are to wear appropriate, smart sporting attire appropriate to their duties.
- Workplace Health and Safety procedures must be observed when working in the grounds, laboratories, workshops, participating in sport and while on duty outdoors.
  - Staff should exercise their duties with professionalism. Commitment to maintaining this standard would be indicated by the following conduct:
    - being punctual and meeting deadlines;
    - being thoroughly acquainted with all areas of responsibility;
    - striving for excellence and reflecting critically on practices;
    - reporting accurately and professionally to parents on student performance;
    - accepting ownership and implementation of the College's policies and practices; and
    - being accountable for their own professional learning and practice.
  - From time to time, staff members are approached by students, ex-students or former members of staff and asked to provide a reference. Staff are free at any time to provide a personal reference; however, it must not be written on the College's letterhead or convey in any way that it is the opinion of the College. If the reference is to be provided on College letterhead or you wish to make reference to the College, then the draft must be cleared with the Headmaster.

#### 4.7 ICT

- If staff have a social networking site, they must not have current students as 'friends', nor should they communicate with students via the site.
- If students invite staff to be 'friends' on social networking sites the staff member must not accept that invitation,
- Staff who use social networking outside of work should not identify themselves as a Marist College employee because conduct or comment which threatens the safety and welfare of children or damages the reputation of the College or the profession, even if outside work hours, would be in breach of this Code of Professional Conduct.

- Staff should not make telephone calls, or send emails or SMS (text) messages of a personal nature to students. The provision of staff personal contact details should be justified in terms of its education or professional purpose<sup>7</sup>.
- Staff are expected to be aware of, and keep within the established lines of communication within the College. Staff who communicate with students electronically must abide by the terms of the College's ICT policies.
- Transmission of messages or files which are sexually explicit or offensive is prohibited.
- If staff are concerned about the content of messages, then copies should be provided to parents or Curriculum Leaders.

#### **4.8 Staff with children or children of relatives/family friends enrolled at the College**

In following these simple guidelines we seek to remove areas of potential conflict and compromise for staff, their children, the children of close family friends and the College.

- Staff members have a special responsibility to ensure that they maintain the highest levels of confidentiality towards information they are privy to as employees, about other students, families, their colleagues and the operations of the school.
- The College undertakes the following for staff who are also parents:
  - absolute confidentiality in relation to their children and themselves as employees;
  - sensitivity towards staff and their children in relation to matters that may arise;
  - establishment of appropriate lines of home/school communication; and
  - consultation with staff wherever necessary to avoid potentially conflicting situations such as class placements/teaching own child or children.
- The College expects that staff will undertake the following:
  - absolute confidentiality in relation to all College matters and personnel;
  - staff children are not to be in shared staff offices or staff rooms, and care should be taken that they do not access College documents, e.g. student assessment; and
  - staff computers or other ICT devices should not be used by their children either at home or at the College.

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<sup>7</sup> MSA Child Protection Policy, p. 16

## 5. Implications

*We encourage everyone working in our Marist ministry to undertake to abide by the standards appropriate to such a ministry and to put them into practice; to practise mutual support, respect, sharing and encouragement towards all in our College. In this we behave with openness and integrity.<sup>8</sup>*

### 5.1 Clarification of the Code

If there is any conflict between this Code and applicable industrial instruments and/or legislation, the industrial instrument and/or legislation will prevail. If an employee is in doubt about the interpretation of this Code then the matter should be discussed with the Headmaster or Head of Staff Services. If this matter cannot be clarified at a local level, the matter may be referred to the relevant industrial tribunal under the dispute resolution processes outlined in any applicable industrial instrument and/or agreement.

### 5.2 Breach of the Code

- Any alleged breach of the College *Code of Professional Conduct* should be brought to the attention of the Headmaster. Formal disciplinary or grievance procedures may be implemented to investigate the allegation/complaint. Each will be considered on its merits with due consideration to all of the facts, and in the interests of due process and natural justice.
- The Marist Province Professional Standards Office may also be involved.
- Following the making of a finding the Headmaster will determine what, if any, action will be taken in response to that finding. A finding of inappropriate conduct or misconduct may result in the Employer terminating the employee's employment.
- Any allegation of child abuse and/or criminal conduct will be immediately reported to Department of Child Safety and/or the Queensland Police.

### 5.3 Risk management

All staff should be aware of risks that arise in the College and take steps to minimise and/or eliminate those risks. Staff also need to appreciate that the College, in exercising its duty of care for students and staff, may from time to time require staff to conduct a risk assessment, having regard to the welfare of all.

### 5.4 Review of the Code

To maintain the currency and value of this Code it will be reviewed and updated as necessary, in consultation with staff and in line with the requirements of any applicable industrial instruments and/or legislation, taking into account new concerns about ethical issues that may arise.

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<sup>8</sup> *Working Together in Mission: A framework of values and principles for employment relations.*

## 6. Conclusion

*Our sharing of the Marist Mission means that we all promote best possible practice within our ministries with young people. Consequently our focus and reference points in any situation, including times of disagreement and conflict, must be the welfare and interests of the young people whom we serve.<sup>9</sup>*

‘All to Jesus through Mary, and all to Mary for Jesus.’ (The saying that guided St Marcellin Champagnat and was his rule of conduct throughout his life.)

### Supporting College Policies/documents

- College Strategic Plan
- Complaints Policy
- Informal and Formal Review of Performance
- ICT Policy
- Marist Schools Australia and College Child Protection Policies
- Privacy Policy
- Safe Schools Notice
- Discrimination, Bullying and Harassment Policy
- Supervision and Yard Duty Policy
- Certified Agreement or other relevant industrial instruments

*Many thanks to Marist College Canberra for permission to adopt much from their document of the same name.*

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<sup>9</sup> *Working Together in Mission: A framework of values and principles for employment relations.*