

Catholic Education Archdiocese of Brisbane

Code of Conduct



**Brisbane
Catholic
Education**

teaching • challenging • transforming



This Code of Conduct applies to all Brisbane Catholic Education employees engaged on a temporary, casual, part-time, fixed term or continuing basis.

Publication Details

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Catholic Education

Archdiocese of Brisbane
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Preface

Our work at Brisbane Catholic Education (BCE) is important, sacred work, underpinned by Christian teachings and values, and a strong Catholic identity.

Our employees have a significant influence in carrying out our mission to *teach, challenge and transform*. I am proud of the commitment of our employees to provide high quality learning, teaching, administration and support services.

This Code of Conduct (Code) has been prepared to enable all employees, whether they work in schools or in the office, to share a common understanding of how we expect our employees to act. As employees, we demonstrate our values by behaving professionally and conscientiously and by ensuring that our schools and workplaces are safe, supportive, respectful and co-operative.

We are committed to ensuring that young people in our schools are safe and protected from harm. This Code provides details on the standard of behaviour required of employees in maintaining professional boundaries and high standards of professional conduct in their interactions with students and the community.

I feel confident that employees will familiarise themselves with this Code and the required standards of behaviour. Please be assured of my prayerful support for employees in implementing our shared vision for Catholic education.

A handwritten signature in black ink that reads "Sally Towns". The signature is written in a cursive, flowing style.

Dr Sally Towns
Executive Director of Catholic Education
Archdiocese of Brisbane

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Introduction

Introduction

1. Commitment

- 1.1 BCE is the agency of The Corporation of The Trustees of the Roman Catholic Archdiocese of Brisbane responsible for the administration of systemic Catholic schools and the office of BCE situated in the Catholic Archdiocese of Brisbane. BCE is committed to providing high quality Catholic education in accordance with the ethos and values of the Catholic Church in whose name we work.
- 1.2 BCE unequivocally commits to fostering the dignity, self-esteem and integrity of every person.
- 1.3 BCE requires all employees to maintain a high standard of personal and professional conduct and to comply with all BCE's policies and procedures, including this Code.

2. Purpose of the Code

- 2.1 This Code sets out the responsibilities and standards of behaviour required of all employees of BCE, whether they work at BCE schools or in the BCE office.
- 2.2 The Code does not provide an exhaustive list of every aspect of work, but rather provides a broad framework to assist employees, including Principals/Managers, to make appropriate and ethical decisions about their conduct.
- 2.3 This Code also satisfies BCE's obligations under the *Working with Children (Risk Management and Screening) Act 2000 (Qld)* to have a code of conduct for interacting with children as part of BCE's Child and Youth Risk Management Strategy.

3. Definitions

BCE means Brisbane Catholic Education.

Child Protection Legislation includes relevant sections of the current Child Protection Act and Regulation (Qld), Education (General Provisions) Act and Regulation (Qld), Education (Accreditation of Non-State Schools) Act and Regulation (Qld) and Working with Children (Risk Management and Screening) Act and Regulation (Qld), as amended and replaced from time to time.



Code means this *Catholic Education Archdiocese of Brisbane Code of Conduct*.

Confidential Information means all information concerning the affairs of BCE that has been made available to employees during the course of their employment with BCE, including Personal Information, but does not include information in the public domain (other than as a result of a breach of any duty of confidentiality).

Conflict of Interest is a situation or set of circumstances that has the potential to influence the impartiality of a person because of the possibility of a real or perceived link between the employee's private interests and their professional duties and responsibilities. The private interest can include, but is not limited to, financial gain, desire for professional advancement, potential to unfairly treat another person, or the desire to assist family and friends.

Employee is any person who is employed by BCE either at BCE schools or in the BCE office, on a temporary, casual, part-time, fixed term or continuing basis pursuant to a contract of employment.

External Agencies include Catholic Education Dioceses, Queensland Catholic Education Commission, church authorities, Religious Institute schools, Government bodies and agencies, Queensland College of Teachers (QCT), universities and the Union.

Intellectual Property means all statutory and other proprietary rights in respect of copyright and neighbouring rights, in relation to inventions, patents, registered and unregistered trademarks, registered and unregistered designs, utility models, know-how, trade secrets and rights to require information to be kept confidential and all of the other rights arising from intellectual activity and rights to apply for the above.

Personal information is information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Principal means an employee appointed to be the religious and educational leader of a BCE school within the Archdiocese of Brisbane; otherwise a person who has the delegated authority to act in the position of Principal.

QCT means Queensland College of Teachers.

Social Media includes any form of online publication or presence that allows interactive communication, including social networking sites (e.g. Facebook, Twitter, LinkedIn, Snapchat), internal intranet social portals, video and photo sharing websites (e.g. Flickr, YouTube, Instagram, Pinterest), instant messaging (e.g. SMS, WhatsApp), geo-spatial tagging (e.g. Yelp), location based dating apps, blogs, micro-blogging, podcasts, gaming platforms, wikis and online collaborations and forums, discussion boards and groups.

Student is any person enrolled as such at a BCE school or college.

Union means the Independent Education Union – Queensland and Northern Territory Branch.

Introduction

4. Vision, Mission and Values

- 4.1 As an agency of the Archdiocese of Brisbane, BCE and its employees collectively enact the Archdiocesan Charter to:
- embrace the person and vision of Jesus
 - build communion with God and others, and
 - engage in Christ's Mission in our world.
- 4.2 BCE's Vision, Mission, and Values are anchored in the Archdiocesan Charter and guide the activities and behaviour of employees.

Our Vision

We are a faith-filled learning community creating a better future.

Our Vision is enlivened by:

- Celebrating our Catholic culture
- Inspiring a love of learning
- Cultivating a connected community
- Nurturing a professional workforce
- Embracing change and continuous improvement.

Our Mission

Our mission is to teach, challenge and transform through our service, support and leadership for Catholic education in the Archdiocese of Brisbane.

- Teach – We promote faith in Jesus Christ, teaching and learning about Jesus, the gospel and the faith of the Catholic Christian community. Learning is lifelong, life-giving and engages the whole person.
- Challenge – Inspired by the Holy Spirit, we challenge those we educate to live in communion with God, others and the whole of creation in prayerful, sacramental, just, peaceful, inclusive and reconciling communities.
- Transform – We educate for a transformed world in communion, by nurturing the gifts and potential of each person, enacting shared leadership, and exercising a preferential option for the poor and the marginalised.

Our Values

- Excellence – inspired by our Catholic tradition, strive for excellence.
- Integrity – as witnesses to the Good News of Jesus Christ, act ethically.
- Justice – as people of faith, foster respectful relationships, advocating for and emphasising for those at the margins.
- Hope – empowered by the Spirit, embrace the future with confidence.

5. When does this Code apply?

- 5.1 This Code applies at all times to all BCE employees, who work in BCE schools or the office of BCE.
- 5.2 This Code applies to all BCE employees at any location where the employee is performing work for, or representing, BCE.
- 5.3 In some cases, the Code will apply to the conduct of employees away from the workplace and outside work hours.
- 5.4 Compliance with this Code by all employees is compulsory. Employees must complete all training in relation to this Code which is required by BCE.

This Code applies to employees at all times, including:

- while performing work for BCE, including outside normal working hours, for example, while supervising students on camps, excursions, sporting activities and extra-curricular activities approved by the school
- in connection with work, for example, when communicating or interacting with students, employees, the school community or public, including communications via media, social media, electronic communications and phones
- at activities away from the workplace and which are supported or approved by BCE, including excursions, training courses, social functions and other events.

Introduction

6. What happens if there is a breach of the Code?

- 6.1 Employees are accountable for their actions. Failure to comply with this Code will constitute a breach of this Code and may constitute a breach of employment or contractual obligations. BCE may take appropriate action, including action under relevant BCE policies, processes and procedures as published from time to time. In some circumstances, BCE may take action against an employee in relation to conduct in the employee's private capacity. In taking any action under BCE's policies, processes and procedures, BCE will afford the employee the fundamental principles of natural justice and procedural fairness.
- 6.2 Employees should report potential breaches of this Code by other employees to their Principal/Manager or by contacting BCE at codeofconduct@bne.catholic.edu.au.
- 6.3 Under the *BCE Student Protection Processes* employees **must** report matters of inappropriate behaviour by an employee towards a student. This reporting obligation is required by law and/or by BCE as the employer and cannot be delegated or transferred to another person. Failure to comply may result in BCE taking appropriate action. See further section 18 of this Code.
- 6.4 BCE reserves its rights for a principal/manager to issue a lawful and reasonable direction to comply with the Code in the circumstances where the principal/manager finds that an employee is in breach of the Code of Conduct.

7. Questions

- 7.1 Questions, concerns or clarification in relation to any issue in this Code may be addressed by employees by consulting their Principal/Manager or emailing BCE at codeofconduct@bne.catholic.edu.au.

Duties and Responsibilities of Employees

Duties and Responsibilities of Employees

8. Compliance with Laws, Standards and BCE Policies, Processes, Procedures and Regulations

8.1 Employees are responsible for knowing, understanding and complying with this Code and all relevant BCE policies, processes, procedures, guidelines and regulations as they are revised, reviewed or amended from time to time. Employees must complete all training and attend all briefings as required or requested by BCE in relation to BCE's policies, processes, procedures, guidelines and regulations. Policies, processes, procedures, guidelines and regulations are available on Spire and/or are provided to employees through induction and training programs.

8.2 All applicable laws, regulations, standards, industrial awards and agreements must be complied with by employees. If there is any conflict between this Code and applicable legislation, the legislation will take precedence.

8.3 If there is any change in the criminal history of an employee, the employee must immediately give all required notifications to their Principal/ Manager. Registered teachers must also notify the QCT, including when they are charged or convicted of an offence. All employees who are holders of Blue Cards or an Exemption Card must notify Blue Card Services of a change in their police information.

8.4 Employees must comply with the professional standards of relevant professional bodies, for example, the Australian Professional Standards for Teachers and the Australian Psychological Society Code of Ethics. Teachers are encouraged to abide by the *Code of Ethics and Professional Boundaries: A Guideline for Queensland Teachers* published by the QCT. Employees must complete all appropriate professional development and obtain and maintain at their cost, all relevant registration and accreditation applicable to their position with BCE.

Examples of the BCE policies, processes, procedures and regulations with which employees must comply include:

- Health and Safety Policies and Procedures
- Student Protection Processes
- Preventing Workplace Bullying, Sexual Harassment and Unlawful Discrimination Policy and the related procedure
- Staff Complaints Management Procedure
- Dress Standards Policy
- Information Collection Notice
- Privacy Policy
- Conditions of Use - ICT Resources
- Conflict of Interest Declaration Procedure
- Recruitment and Selection Policies and Procedures.

9. Professional Responsibilities

- 9.1 BCE requires employees to act professionally and to be courteous and respectful.
- 9.2 BCE requires employees to carry out their duties in a professional, competent and conscientious manner. Employees are responsible for maintaining and developing their professional work practices and seeking appropriate opportunities to improve their knowledge and skills.
- 9.3 Employees must always conduct and present themselves appropriately to enhance their professional reputation and the reputation of Catholic education, including in their own private/personal life.
- 9.4 Employees must not engage in any conduct that is contrary to the religious and social values and teachings of the Catholic Church.
- 9.5 Employees must be honest, trustworthy and accountable. Employees must not engage in illegal, disreputable or scandalous activities that may negatively impact on their personal reputation or the reputation of a BCE school, BCE or the Catholic Church.
- 9.6 Employees must comply with the lawful and reasonable directions/instructions of BCE and their Principal/Manager.
- 9.7 In representing their qualifications and competencies, employees must be truthful. When responding to BCE's request for information or when making any application to BCE, employees must promptly provide BCE with all relevant information and materials.
- 9.8 If employees have a supervisory role, they must exercise responsible management, leadership and supervision.

BCE requires employees to act professionally and to be courteous and respectful to:

- students
- other employees
- volunteers
- parents/carers
- the school community
- parish personnel
- external agencies
- members of a religious order appointed to a role at a BCE school or the BCE office
- consultants and contractors who perform work at a BCE school or the BCE office.

Principals and Managers are expected to

- comply with all of BCE's policies, processes, procedures and regulations
- promote a collegial and collaborative workplace
- provide ongoing support and feedback to employees
- ensure employees who they supervise have a clear understanding of their duties and how they are expected to perform their duties
- exercise appropriate leadership in managing performance and development processes
- take appropriate action if an employee breaches the Code.

Duties and Responsibilities of Employees

Dress Standards

- 9.9 BCE respects the individuality of all employees. All BCE employees have a responsibility to dress and present themselves in a clean, tidy, professional and respectful manner that is appropriate for their role and responsibilities within the workplace.
- 9.10 All BCE employees need to ensure that they comply with their duty of care under the *Work Health and Safety Act 2011*, and the requirements of the Code, in that they do not wear clothing or footwear that could put their own workplace health and safety at risk.
- 9.11 Clothing, accessories or adornment must not cause offence or constitute any form of harassment, discrimination or bullying towards colleagues or other members of the BCE community.
- 9.12 Employees who wear a uniform, personal protective equipment (PPE) or other apparel identifying them as an employee of BCE, must ensure that their uniform, PPE or apparel is clean, complete and in good order. In addition, if an employee is wearing such a uniform, or is otherwise identifiable as a BCE employee while off duty, they are expected to avoid conduct which may adversely affect the image or reputation of BCE.

Appropriate dress includes:

- Clothing that is appropriate for child related employment
- Clothing that reflects religious and cultural beliefs and practices
- Clothing for approved specialist activities such as camps, carnivals, celebrations, parent teacher nights.

Inappropriate dress includes:

- Thongs, singlets or revealing clothing.

(The test: What would the reasonable professional in the circumstances consider to be professional dress?)

Examples of clothing and footwear that reduces personal risk:

- Long sleeve shirts when working outdoors
- Broad brimmed hats
- Low broad-based heels
- Closed in shoes
- Footwear with good tread or a nonslip sole.

Examples of offensive clothing, accessories or adornment include:

- Clothing or tattoos with offensive slogans or graphics.

10. Duty of Care and Risk Management

- 10.1 Employees have a duty to take reasonable care for the safety and welfare of students in their care. Employees must take all action reasonably practicable to protect students from reasonably foreseeable risks of harm.
- 10.2 Employees must take all reasonable care for their own health and safety and ensure they do not adversely affect the health and safety of others.
- 10.3 Employees must follow safe work practices, comply with reasonable directions/instructions and comply with BCE's policies and procedures for health and safety. Any hazards or unsafe work practices in the work environment must be reported by employees to their Principal/Manager.
- 10.4 Employees may only assist students to take approved medicine in accordance with BCE's procedure for the administration of medication to students.
- 10.5 BCE and each school has a Child and Youth Risk Management Strategy which outlines the policies and procedures that are in place to create a safe and supportive environment for students. Employees are required to comply with the relevant Child and Youth Risk Management Strategy and the reasonable directions of BCE and their Principal/Manager to ensure that reasonably foreseeable risks to students are identified and eliminated or minimised.

The employee's duty of care includes:

- ensuring that they do not attend the workplace or perform any duties for BCE when they are unfit
- providing adequate supervision of students and complying with arrangements for student supervision in the school
- taking all reasonable steps to ensure the BCE offices, school grounds, premises and equipment are safe for students and others to use
- reporting any bullying, harassment or discriminatory behaviour of students in accordance with the school's policies
- assessing the risks of any activity and taking preventative measures to minimise or where reasonably possible, eliminate reasonably foreseeable risks
- in performing playground duty, actively supervising designated areas in a vigilant, mobile and punctual manner
- providing appropriate medical assistance to students, other employees or a visitor, or seeking assistance from a medically trained person to care for a student, other employee or a visitor who is injured or ill at school or the BCE office
- addressing the personal care needs of a student in accordance with the school's requirements, procedures and any applicable plan, including the student's relevant management plan, which may include but is not limited to an individual education plan, safety plan and/or behaviour support plan
- complying with the school's requirements in relation to after school activities.

Duties and Responsibilities of Employees


11. Social Media, Electronic Communications, Phones and Media Communications

General Responsibilities

- 11.1 Employees are personally responsible for the content that they publish on Social Media, electronic communications and phones. As a result, employees must exercise professional discretion and sound judgement in their use of Social Media, electronic communications and phones, even for personal communication.
- 11.2 Comments and posts on Social Media, electronic communication and phones can leave a permanent record. Employees should recognise the potential for negative consequences for themselves, BCE, colleagues, students, parents/carers and the school community through their personal use of Social Media, electronic communications and phones.
- 11.3 Employees must be familiar with and comply with BCE policies in relation to the use of Social Media, electronic communications and phones.
- 11.4 Only the Principal/Manager, or a delegate specifically appointed by the Principal/Manager, may make statements to the media on behalf of BCE or a school. Employees should, in general, avoid making comments to the media if they are identified, or may be identified, as employees of their school or BCE.

Professional Boundaries with Students

- 11.5 Employees must respect appropriate professional boundaries with students in their use of Social Media, electronic communications and phones (and see further details on professional boundaries in section 16).
- 11.6 Any Social Media, email or phone communication by employees with students must form part of an approved school based process for communication. It should never be used for social or personal communication. Any official or school Social Media site or presence must have the prior approval of the Principal/Manager. Only users approved by the Principal may post or comment as the school.
- 11.7 Employees must not interact with, respond to "Friend requests", "like" a post or image or "follow" students on Social Media. Employees must take all reasonable steps to adjust their privacy settings to prevent or "block" students interacting with them on Social Media.
- 11.8 Employees must notify their Principal/Manager if a student attempts to interact with them on Social Media, personal email, personal mobile phone or home telephone. Employees must notify their Principal/Manager if they mistakenly communicate or interact with a student on Social Media, personal email, personal mobile or home telephone.

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- 11.9 Employees must use professional discretion before communicating or accepting a "Friend" request on Social Media with a past student or parents/carers of current students.
- 11.10 Employees must always use the employee's and students' BCE email address for email communication with students and communication must only be for an appropriate educational reason. Employees must not communicate with students using either the employee's personal email address or the student's personal email address.
- 11.11 Employees must not provide their personal mobile or home telephone number to students. Communications by employees with students using the student's personal mobile or home telephone may only occur in very limited circumstances, where there is a justifiable context and with the prior approval of the employee's Principal/Manager.
- 11.12 Records of approvals must be kept by the Principal/Manager and parents/carers must be advised by the Principal/Manager of the approval, as appropriate.

When using Social Media, electronic communications and phones, including outside normal working hours, employees are required to:

- remember their responsibilities under the law, this Code and BCE policies, processes, procedures and regulations
- obtain the express permission of their Principal/Manager before posting any school/office information, material, photographs or video
- take care not to damage the reputation of BCE, a BCE school, the Catholic Church, students, colleagues or the school community
- respect the privacy and confidentiality of others and not disclose or use the private, personal or confidential information of students (including students' academic work, records or results), colleagues or parents/carers
- not use their personal camera, personal mobile phone or personal video recorder to photograph or record images of students unless they have obtained the prior approval of the student's parents/carers and their Principal and there is a reasonably justifiable and appropriate educational context. Any digital material captured **must** be transferred to a BCE digital place of storage as soon as reasonably possible and permanently deleted from the personal device.
- never post or comment on any material, images or comments in relation to students, including photographs and video
- not disclose or use BCE's Confidential Information
- not infringe intellectual property rights and not disclose or use BCE's Intellectual Property (including BCE's or a school's logo)
- take care to be polite and respectful and never use obscene or offensive language
- not imply that they are authorised to speak as a representative of BCE or the Catholic Church or give the impression that their views are those of BCE or the Catholic Church
- not post, "like" or respond to material or images that are offensive, obscene, pornographic, defamatory, derogatory, fraudulent, threatening, intimidating, harassing, bullying, discriminatory, hateful, racist, sexist or which incite violence against others.

Duties and Responsibilities of Employees

12. Alcohol, Other Drugs and Smoking

General

- 12.1 Employees are responsible for ensuring that their capacity to perform their duties is not affected by the use of alcohol, drugs or any other substance. Employees must not put themselves or any other person's health and safety at risk due to their use of alcohol, drugs or any other substance.
- 12.2 If employees have concerns about the health, safety or welfare of themselves, students or other employees, they must report these concerns to their Principal/Manager. Principals/Managers must immediately report incidents involving illegal or restricted drug use by employees to the Manager of Professional Standards and Student Protection or the Manager of Employee Relations.
- 12.3 BCE is committed to ensuring the health, safety and welfare of all employees, students and others who visit our schools and offices and to the prevention and reduction of harm associated with employees being impaired by drugs and/or alcohol at work. To meet this commitment, employees are required to comply with any drug and/or alcohol policy implemented and amended by BCE from time to time.

Alcohol

- 12.4 Employees must never purchase or provide students with alcohol or encourage or condone the consumption of alcohol by students, including any student over the age of 18.
- 12.5 Employees must never be under the influence of alcohol when employees are performing their work duties or in any other circumstances where they are responsible for the care or supervision of students, including at school, school functions, dances, sporting fixtures, fund raising events, camps, excursions or study tours.
- 12.6 The Principal/Manager must approve the provision of alcohol at school or work events, or school or work social functions. Employees must ensure that they are not under the influence of alcohol at school or work events, or school or work social functions.
- 12.7 Alcohol that is present on school grounds for approved purposes must be contained in a secure location which is not accessible to students.

An employee would be considered to be "under the influence of alcohol" where the employee's ability to exercise appropriate behaviour, judgement or discretion is impaired by their consumption of alcohol.



Drugs

- 12.8 Employees must comply with the law and must not take, be under the influence of or be in the possession of illegal drugs.
- 12.9 Employees must never be under the influence of prescription drugs that might cause an impairment while they are at work or in any circumstances where they are responsible for the care and supervision of students. If an employee is using medication that may affect their performance at work, the employee must notify their Principal/Manager. Employees must not misuse prescription drugs and should only take prescription medication prescribed to them by a qualified medical practitioner.
- 12.10 Employees must never purchase illegal drugs or provide students or other employees with illegal drugs or prescription medication not prescribed for the student or other employee. Employees must not encourage or condone the use of illegal drugs, or misuse of prescription medication by students or other employees.

Smoking

- 12.11 Employees must comply with all laws in relation to the use and supply of tobacco and smoking products (including without limitation, e-cigarettes or other vaping devices), including the *Tobacco and Other Smoking Products Act 1998 (Qld)*.
- 12.12 Employees are prohibited from smoking on a school facility and on land within a five-metre boundary of the school facility. A school facility includes any land on which the school provides educational instruction or activities (for example, sporting facilities located away from the school). These laws apply at all times, including during and after school hours, on weekends and during school holidays. Employees are also prohibited from smoking at or near an underage sporting event, at an outdoor swimming area, at or near children's playground equipment or any other place identified by the legislation.
- 12.13 BCE employees working in a BCE Office may only smoke in areas outside the office designated for smoking.
- 12.14 Employees must never purchase or provide students with smoking products or encourage or condone the use of smoking products by students, including any student over the age of 18.

Duties and Responsibilities of Employees

13. Privacy and Confidentiality

- 13.1 Personal and Confidential Information (including students' Personal Information), which employees obtain through their employment with BCE, must always be handled confidentially and in accordance with applicable legislation, the *BCE Information Collection Notice* and the *BCE Privacy Policy*. Such information must not be disclosed, unless permitted to be disclosed under those documents or unless permitted by law. This obligation continues after an employee ceases to be employed by BCE.
- 13.2 Employees must only use Confidential Information for work related purposes. Employees should exercise caution and use sound judgement when discussing Confidential Information for legitimate work related reasons. Confidential Information should be treated with respect and never be a topic of gossip or spoken about freely with others.
- 13.3 Any Confidential Information obtained by employees through their employment must not be used for financial gain or other advantage.
- 13.4 Employees are required to report any privacy or data breach of Personal Information of which they become aware in accordance with BCE's processes and procedures, as implemented and amended from time to time.
- 13.5 If employees have any questions or concerns about whether information is a privacy or data breach or Confidential Information and whether it can be disclosed, they should contact their Principal/ Manager or BCE Privacy Officer on privacy@bne.catholic.edu.au.

14. Managing Conflicts of Interest

- 14.1 Employees must be impartial and objective and ensure that their private interests or personal views do not conflict or interfere (or be seen to conflict or interfere) with their obligations to BCE and the proper performance of their duties.
- 14.2 Employees must ensure that they do not use their position as an employee of BCE or BCE's resources, equipment, information, Confidential Information or Intellectual Property to promote or benefit their private interests, including but not limited to, financial gain, desire for professional advancement, potential to unfairly treat someone, or the desire to assist family or friends.
- 14.3 If an employee has an actual, perceived or potential Conflict of Interest the employee must declare it to their Principal/Manager by using the *BCE Conflict of Interest Procedure*.
- 14.4 Principals/Managers must appropriately assess and manage actual, perceived or potential Conflicts of Interest for employees and provide guidance to employees to resolve any issues.
- 14.5 In some cases, employees may be able to engage in other employment while they are employed by BCE. However, employees must ensure that they continue to meet all their obligations under this Code, including Privacy and Confidentiality (section 13), Use of BCE Resources (section 15) and Professional Behaviour with Students (section 16). In many cases, employees engaged in other employment may have a real or perceived Conflict of Interest which they must declare to their Principal/Manager by using the *BCE Conflict of Interest Procedure*.

Examples of potential or actual conflicts of interest:

- an employee uses information gained at work, such as students' names, email addresses or academic results, for personal use (for example, emailing students to offer private tutoring)
- an employee has private part-time employment which conflicts with or compromises the employee's employment with BCE
- an employee tutors or coaches students from their class in return for payment
- an employee refers students to attend a private tutorial or coaching sessions in which a relative or close friend has a financial interest in the business
- an employee supervises a relative or close friend and/or is responsible for determining their promotions or salary increases
- an employee takes part in the selection or appointment process for a supplier or contractor who is a relative or close friend or who owns a company in which the employee has a financial interest
- an employee takes part in recruitment for BCE where a potential candidate is a relative or close friend
- an employee accepts a large personal gift from a parent/carer.

Duties and Responsibilities of Employees

- 14.6 Employees may interact with a school in their capacity as a parent/carer. It is expected that such interactions will be in the capacity of a parent/carer only, however, such interactions must also be professional and consistent with obligations under this Code. Care must be taken not to interfere with teaching and learning. Any concerns regarding the child/ren of an employee need to be raised using the appropriate formal channels which have been put in place at the school and system level.
- 14.7 As a sign of gratitude, employees may be offered small gifts: for example, suppliers, parents/carers or students may give a small gift of thanks. However, in some circumstances receiving a gift may create a Conflict of Interest, a sense of obligation, undermine an employee's (or another employee's) impartiality or affect the reputation of BCE. Employees must ensure that the acceptance of a gift does not influence, or be seen to influence, their decision making. If an employee is unsure about accepting a gift, please email BCE on codeofconduct@bne.catholic.edu.au.
- 14.8 Employees must never ask for money, gifts or benefits. If an employee is offered money or a bribe, the employee must immediately refuse the money or bribe, explain that it is not appropriate and inform their Principal/Manager.

15. Use of BCE Resources

- 15.1 Employees must use all BCE resources, information and equipment responsibly and with due care, for legitimate, work related purposes and in accordance with the law and BCE's policies, processes, procedures and regulations. Waste and extravagance must be avoided. The purchase and disposal of BCE resources and equipment must be done in accordance with BCE's policies and procedures.
- 15.2 All BCE property and resources must be returned to BCE before the employee ceases employment with BCE.
- 15.3 Employees must use BCE's ICT resources in accordance with BCE's policies, processes, procedures and regulations, including BCE's Acceptable Use Policy. BCE may carry out monitoring and surveillance on BCE's ICT resources (for example, an employee's BCE's email account) to monitor usage of these resources. This monitoring and surveillance includes investigating alleged: breaches of the law, non-compliance with this Code, non-compliance with BCE policies and procedures or misconduct.

Professional Behaviour of Employees

Professional Behaviour of Employees

16. Professional Behaviour with Students

16.1 BCE is committed to providing a positive learning environment that minimises the risk of harm and which supports students' wellbeing. Employees are expected to conduct themselves in a way that reflects this commitment and complies with the professional boundaries contained in this section 16. Employees must take action to keep students safe. Employees must report behaviour of other employees towards a student that may contravene this Code. Failure to report breaches of this Code by employees or ignoring behaviours may place a student at risk of harm and may result in disciplinary action against the employee who fails to report.

16.2 Employees must act appropriately and professionally at all times in their interactions with students, including outside school hours, to ensure that they maintain professional boundaries and are a positive role model for students.

16.3 BCE expects employees to establish and maintain professional, positive relationships with students and show respect, courtesy and consideration to students.

16.4 Employees must use and develop effective, consistent and appropriate management strategies for their interactions with students as a preventative system of behaviour support. The strategies must be in accordance with the school's Student Behaviour Support Plan. Where an individual behaviour support plan has been developed for a student, employees are required to act in accordance with that plan.

16.5 If an employee, after first complying with section 14 of this Code, (Managing Conflicts of Interest), provides any services to a student outside school hours (for example; coaching, tutoring, counselling, training), the employee's obligations in this Code will continue to apply to the employee's conduct with students in providing these services.

16.6 Employees working with students in BCE schools hold a special position of trust, care and authority with students. Employees must set clear professional boundaries in their interactions with students and ensure that they maintain appropriate physical, emotional and behavioural boundaries with students.

16.7 Where an employee has a close personal relationship with the parents/carers of a student or his/her family, the employee must report that conflict of interest to the Principal, who will manage this conflict.

The following self-assessment may assist employees in assessing and managing their professional boundaries.

- Am I dealing with a particular student in a different manner than with others?
- Would I do or say this if a colleague or parent/carer was present?
- Is my dress/availability/language different with a particular student?
- Are the consequences of my actions likely to have negative outcomes?
- Are my personal feelings translating into inappropriate actions?



Physical Boundaries with Students

- 16.8 Corporal punishment is prohibited in BCE schools. Corporal punishment involves the application of physical force to punish or correct a student.
- 16.9 Employees may only make physical contact with a student if the physical contact is appropriate and reasonable for the behaviour, teaching, support, management or care of the student. The contact must also be appropriate given the age, maturity, health or other characteristics of the student. Physical contact with a student must be consistent with any behaviour plan in place for the student. Where physical contact with a student is a necessary part of the learning or teaching experience, employees must exercise caution to ensure that the contact is appropriate and acceptable for the duty to be performed.
- 16.10 Physical interventions by an employee with a student (including restraint or removal of a student) are only appropriate as a measure of last resort to ensure safety and protection. Acceptable instances of physical intervention are restricted to occasions when the student or other persons are being harmed or at risk of imminent harm (harm to property is not a relevant consideration for employees). The physical intervention and force used must be reasonable in the circumstances.
- 16.11 Employees must respect physical boundaries with students.

Examples of situations in which physical contact with a student may be appropriate include:

- assessing a student who is injured or ill where some touching may be required (employees should advise the student of what they intend to do and, where possible, seek the student's consent)
- teaching sport, music and other activities where touching a student may be required to demonstrate a particular action or skill
- guiding a student in a non-threatening manner
- comforting a distressed student in an appropriate manner, for example, by a pat on the arm or shoulder.

The following are examples of physical boundary violations with students:

- using force to manage or direct a student's behaviour (pushing, pulling, grabbing, poking, shoving, throwing)
- using force to correct or punish a student (hitting with an object, punching, kicking, pinching, shaking)
- refusing a student's biological necessities (disregarding or refusing a student's reasonable request to access food, drink or use a toilet)
- inappropriately touching or massaging a student (patting a student on his/her bottom, stroking a student's hair, massaging a student during a sports carnival)
- applying painful or noxious conditions to a student (exposing a student to protracted physical management techniques such as standing still for an unreasonable length of time, making a student pick up rubbish or reach into a rubbish bin without protective gear e.g. gloves).

Professional Behaviour of Employees

Emotional Boundaries with Students

16.12 Employees must respect the emotional needs, dignity and well-being of students and ensure that they do not violate appropriate emotional boundaries with students.

The following are examples of emotional boundary violations with students:

- shaming, embarrassing or humiliating students (teasing, sarcasm, belittling, derogatory remarks)
- using unprofessional criticism (comments that target the student rather than the behaviour)
- making overly familiar or personal commentary (comments about a student's personal appearance)
- intimidating behaviours (shouting at or in the presence of students, use of threats and fear)
- commenting on, or gossiping about a student's personal matters, for example, about a court case involving a student.

Behavioural Boundaries with Students

16.13 Employees must respect behavioural boundaries with students. Employees must not develop a relationship with a student that is, or that could be seen to be, a personal rather than professional relationship. Employees must ensure that they treat all students consistently without inappropriate familiarity or spending 'special time' with a student.


16.14 Where a personal relationship exists between an employee and a student (such as a family relationship), the employee must declare that relationship to the Principal/Manager by using the *BCE Conflict of Interest Declaration Procedure*, at the earliest opportunity.

16.15 BCE's procedures in relation to transporting students must be complied with by employees. Employees must not drive a student in their vehicle unless they have first obtained the specific written permission of the parents/carers and the Principal.

16.16 Employees must not spend time alone or remain in a confined, isolated or secluded space with a student, which in the context of the program/activity/occasion, a reasonable person would consider inappropriate.

16.17 Employees must not use a personal device (e.g. personal camera, personal mobile phone, iPad, or personal video recorder, etc.) to take, record, or store any student information (e.g., phone number, email address, etc.) recordings, or images, unless they have obtained the prior approval of the student's parents/carers and their Principal and there is a reasonably justifiable and appropriate educational context. Any digital material captured should be transferred to a BCE digital place of storage as soon as reasonably possible and permanently deleted from the personal device.

16.18 Employees must ensure that they do not violate appropriate behavioural boundaries with students.



The following are examples of behavioural boundary violations with students:

- inappropriate use of Social Media in relation to a student e.g. accepting a "friend" request, "liking" a post or image, "following" or contacting students on or through Social Media
- personal emails, texts, phone calls or other forms of personal communication with a student
- gift giving or showing special favours
- disclosing inappropriate personal information to a student
- sharing personal belongings/materials and/or photographs/videos/other media with students without an appropriate professional reason
- sharing secrets with a student
- inappropriate questioning of a student about personal and private matters
- overly familiar social interactions with students including in staff offices, classrooms, on excursions, camps or at sporting activities
- addressing students in an overly familiar way (i.e. using pet names)
- providing a personal email address, residential address, mobile or home telephone number to students
- engaging in social activities with students (where there is no declared personal relationship) outside school
- driving students without appropriate authority
- visiting students at home without appropriate authority
- permitting students to use facilities and/or spaces designated for use by employees (for example, employee toilet and/or change facilities) without a reasonable explanation
- spending significant time alone with a student other than to perform an employee's professional duties or without reasonable explanation.

Using unprofessional language:

- swearing at or in the presence of a student
- making inappropriate comments to or in the presence of a student.

Failing to follow Student Behaviour Support Policy and Procedures:

- using unreasonable, unfair and/or unjust disciplinary measures
- imposing manifestly unreasonable expectations or excessive demands on a student
- using inappropriate locations or social isolation outside of the school's behaviour support guidelines as punishment.

Using a personal device or private email address to make contact with a student (unless there is an appropriate authority).

- recording, photographing, or videoing a student using a school device for a purpose other than an appropriate and professional educational reason. Recording, photographing or videoing a student on a personal device should not occur except as specified in 16.17.

Supplying substances to a student (e.g. unauthorised medication, tobacco, alcohol, illicit drugs).

Exposing students to material that contains adult content, material that is contrary to the values and/or beliefs of the Catholic Church, or themes that are offensive or inappropriate for the age and/or maturity of the student.

Professional Behaviour of Employees

17. Inappropriate Relationships and Sexual Misconduct with Students

- 17.1 Employees must not engage in an inappropriate relationship or sexual misconduct with a student.
- 17.2 Employees must not have a romantic or sexual relationship with a student. It is irrelevant whether the relationship is lawful, consensual or condoned by parents/carers. An employee must immediately discourage and reject any romantic or sexual advances by a student and immediately report the matter to their Principal/Manager.
- 17.3 Only a professional relationship between employees and students is acceptable. Sexual abuse or likely sexual abuse of a student will be reported by BCE to the Queensland Police Service in accordance with the *BCE Student Protection Processes*. As a result of the relationship of trust between an employee and student, any reasonable suspicions or allegations of a sexual relationship between an employee and a student will be considered by BCE to be sexual abuse of a student. Allegations or reasonable suspicions of grooming behaviour between an employee and a student will be considered by BCE to be likely sexual abuse. It is inappropriate for an employee to have a romantic relationship with a student and BCE may also consider it to amount to likely sexual abuse of a student.

An employee must not engage in the following conduct with students:

- jokes of an inappropriate or sexual nature
- inappropriate touching
- undressing in front of students
- inappropriately communicating to students the sexual behaviour of others
- possession, distribution or display of pornography
- inappropriate conversations of a sexual nature including sharing information about sexual relationships and sexual preferences
- sexual exhibitionism
- communications that are sexually explicit or offensive
- personal communications about the employee's romantic or sexual feelings for the student or others
- holding conversations of a personal nature with a student where disclosures of private or personal information about themselves are made
- flirting with a student
- using obscene language or gestures of a sexual nature.



- 17.4 The obligation of an employee not to engage in a sexual relationship or inappropriate relationship with a student, does not cease when the student turns 18 years of age or leaves school or the employee ceases employment with BCE. The obligation continues to apply to an employee for a significant time after the employee/student relationship ceases. Employees should be very wary about entering into a romantic or sexual relationship with a former student, especially in the first few years after the cessation of the employee/student relationship. Employees should seek assistance or further clarification of their obligations by emailing BCE at codeofconduct@bne.catholic.edu.au
- 17.5 If an employee has a lawful sexual or romantic relationship with a student which existed before the employee commenced employment with BCE or any work in a school, the employee must immediately declare that relationship to their Principal/Manager by using the *BCE Conflict of Interest Declaration Procedure*. If an existing employee has a lawful relationship with a person who is not a student at a BCE school and then that person becomes a student at a BCE school, the employee must immediately declare that change in circumstance to their Principal/Manager by using the *BCE Conflict of Interest Declaration Procedure*.

Professional Behaviour of Employees

18. Student Protection and Safeguarding

- 18.1. BCE is committed to the safety and wellbeing of all students and the protection of students from harm and abuse. Protecting students must be at the heart of everything we do. BCE does not tolerate abuse or harm of students within BCE or the community. Employees must act immediately to prevent abuse and harm to students and respond appropriately to students who have been abused or harmed or are at risk of being abused or harmed.
- 18.2. BCE has set clear standards and boundaries which are contained in this Code for how each and every BCE employee should act with students. BCE is committed to upholding respectful behaviour towards students and all BCE employees are required by BCE to report behaviour towards students that may be contrary to this Code. This obligation to report cannot be delegated or transferred to another person. Employees must take action to keep students safe. Failure to report possible breaches of this Code or ignoring behaviours may place a student at risk of harm and may result in disciplinary action against the employee who fails to act.
- 18.3. Employees are required to familiarise themselves, and comply, with all BCE policies and procedures including the Child and Youth Risk Management Strategy implemented at their school.
- 18.4. The *BCE Student Protection Processes* provides a process for:
- responding to and reporting allegations or suspicions of sexual abuse or likely sexual abuse of students and harm or risk of harm from other causes to students; and
 - responding to allegations of inappropriate behaviour of an employee towards a student (including breach of a physical, emotional or behavioural boundary with a student by an employee).
- 18.5. All BCE employees **must** comply with the *BCE Student Protection Processes* (as amended and/or replaced from time to time), including making all reports required under that process. An employee has an obligation which cannot be delegated or transferred to another person, to report student protection concerns as required by law and/or BCE as the employer. Failure to uphold obligations to report may result in:
- appropriate action being taken by BCE, which may include disciplinary action; and/or
 - the employee breaching relevant legislation, which may include penalty being issued or prosecution commenced by the relevant authority against the employee.
- 18.6. Employees must complete all training relevant to the *BCE Student Protection Processes* and Safeguarding requirements, as required by the Student Protection Training policy or as otherwise directed.

Any employees requiring assistance or who have a concern about Student Protection or Safeguarding requirements should email codeofconduct@bne.catholic.edu.au.

19. Professional Behaviour with Parents/Carers

- 19.1 Employees must always engage with students' parents/carers in a professional and courteous manner.
- 19.2 Employees must endeavour to establish a relationship with students' parents/carers that is based on mutual trust and open communication.
- 19.3 BCE expects employees to respect parents'/carers' rights of enquiry, consultation and information in relation to their child. The characteristics and uniqueness of each student's family background and the values and perspectives of each student's family must be respected by employees.
- 19.4 Where there is any disagreement or conflict with parents/carers, employees must use their best endeavours to resolve the issues and employees must ensure that their behaviour is not derogatory, belittling, intimidating, rude or abusive.
- 19.5 Employees must not provide their personal email address, residential address, mobile or home telephone number to a student's parent/carer without appropriate professional reason. All written communications with parent/carer about students, the school and/or BCE are to be sent from the employee's BCE email account and are to be: professional, related to the student's learning and development or other school matter, and written in a way that promotes the reputation of BCE, the school and the employee.

Employees must, in their behaviour with parents/carers:

- be approachable, prompt and responsive
- treat parent/carers with consideration, respect and dignity
- respect cultural diversity
- be aware of and respect different family structures
- be tolerant of different opinions and perspectives
- exercise sound judgement and patience.

Employees can demonstrate their professional behaviour with parents/carers by:

- working collaboratively with parents/carers
- ensuring they are responsive to requests by parents/carers in relation to their child's education
- engaging parents/carers through developing effective partnerships
- using professional honesty and discretion with parents/carers in discussing the educational development of their child
- explaining to parents/carers the relevant rules, policies and procedures of the school which affect their child
- being cautious when interacting with parents/carers on social media platforms and at private functions to avoid an actual, potential or perceived Conflict of Interest
- not disclosing sensitive information from families unless it is for a legitimate purpose
- considering parents'/carers' perspectives regarding the education of their child
- negotiating constructively with parents/carers to achieve the best educational outcomes for their child.

Professional Behaviour of Employees

20. Professional Behaviour Between Employees

- 20.1 All employees are expected to contribute to a workplace that is respectful, tolerant and co-operative. High standards of conduct by BCE employees can have a positive influence on the culture and atmosphere of the work environment. Employees are expected to conduct themselves in ways which are conducive to positive workplace relationships.
- 20.2 Employees must ensure that their behaviour towards other employees is not derogatory, rude, aggressive, abusive, belittling, threatening or intimidating.
- 20.3 Where there is any disagreement or conflict between employees, employees should try to use their best efforts to resolve the issues through the appropriate processes for managing grievances. Information can be found in the *BCE Staff Complaints Management Procedure* or employees can talk to their Principal/Manager.

Employees must, in their conduct with other employees:

- work collaboratively and consultatively
- be approachable, prompt, responsive and courteous
- treat others with consideration, respect and dignity
- foster unity, trust, harmony and co-operation
- encourage openness and tolerance among employees
- respect cultural diversity
- be tolerant of different opinions and perspectives
- recognise the potential, talents and skills of others, irrespective of race, gender, age or religion
- exercise sound judgement and patience.

Conduct that is not consistent with BCE's expectations for professional relationships, includes:

- gossip
- inappropriate personal remarks to another employee or other persons about another employee;
- forming alliances/cliques which exclude another employee
- offensive, hostile or discriminatory conduct and behaviour which may cause offence or isolation of another employee
- intentionally withholding information
- any behaviours that may amount to bullying, harassment or discrimination towards another employee.

21. Workplace Bullying, Sexual Harassment and Unlawful Discrimination

- 21.1 All employees must promote dignity, courtesy and respect at work and avoid behaviour which is or might reasonably be perceived to amount to workplace bullying, sexual harassment, abuse or unlawful discrimination. Employees who believe that anyone in the workplace is being bullied, sexually harassed or discriminated against, should report the behaviour to their Principal/Manager or the supervisor of the Principal/Manager.
- 21.2 Employees must comply with the *Preventing Workplace Bullying, Sexual Harassment and Unlawful Discrimination Policy and associated Procedure*. Employees may seek assistance or further information by emailing BCE at harassmentfree@bne.catholic.edu.au.
- 21.3 Physical assault, threats of physical assault, sexual assault, indecent exposure and stalking are all criminal offences which should be reported by employees to the Queensland Police Service and their Principal/Manager.
- 21.4 BCE will take appropriate action if an employee is found to have bullied, unlawfully discriminated against, or sexually harassed another person as described in the *Preventing Workplace Bullying, Sexual Harassment and Unlawful Discrimination Policy*.

Except where exempted by law, it is unlawful to directly or indirectly discriminate against a person on the basis of the following attributes:

- gender
- relationship status
- pregnancy
- parental status
- breastfeeding
- age
- race
- impairment
- religious belief or religious activity
- political belief or activity
- trade union activity
- lawful sexual activity
- gender identity
- sexuality
- family responsibilities
- association with, or relation to, a person identified on the basis of any of the above attributes.

General



22. Copyright and Intellectual Property

22.1 Employees are required to comply with copyright legislation, regulations and any license arrangements. Any use of copyright material requires the permission of the copyright-holder consistent with copyright legislation and/or any license arrangement. Employees who do not comply with copyright legislation and/or any license arrangements risk disciplinary action.

22.2 Employees may use BCE's Intellectual Property in the course of their employment with BCE.

22.3 All material created by employees in the course of their employment with BCE is wholly owned by BCE. Employees are encouraged to freely share the material they create in the course of their employment with BCE with other BCE employees.

22.4 Employees must ensure that the Intellectual Property rights of others are not infringed and any third-party copyright or other intellectual property rights in the materials are appropriately acknowledged.

22.5 Employees cannot use BCE's Intellectual Property for any private purposes either during or after the employee's employment with BCE (for example, conducting a private business) without obtaining the written permission of BCE.

Examples of material which employees may create in the course of their employment:

- work programs
- teaching materials
- units of work
- assessment items
- precedent documents and forms
- music
- artwork
- websites or online digital resources
- multi media presentations
- camp and excursion programs
- risk assessment resources.

23. Records, Notices and Approvals

- 23.1 Employees are required to make and maintain all BCE records in accordance with BCE's Recordkeeping Policy and as otherwise required by any relevant legislation or regulation.
- 23.2 Records of all consents and approvals and declarations given to or by a Principal/Manager in relation to a BCE employee (for example, a Conflict of Interest Declaration or approval to transport students) must be kept on file by the Principal/Manager and the employee.
- 23.3 Where a Principal/Manager is required to notify or seek consent, the Principal/Manager is required to notify or seek the consent of his/her supervisor.
- 23.4 Employees must keep all BCE records in accordance with *BCE's Recordkeeping Policy* and not destroy any records without appropriate authority.



24. Employee Assistance Program

- 24.1 Brisbane Catholic Education provides an Employee Assistance Program to give free and confidential counselling to employees and their immediate families who require support or would like to discuss any work or personal issues. Employees are encouraged at any time to access the Employee Assistance Program or seek other counselling support. Employees may access the Employee Assistance Program via the details on Spire.

25. No Cause of Action

- 25.1 This Code of Conduct does not contractually or in any other way create or contribute to a legal cause of action against Brisbane Catholic Education.

