

PADUA COLLEGE



STAFF CODE OF CONDUCT

Code of Conduct Document Control

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RECTOR'S MESSAGE

"Jesus welcomed the crowds, spoke to them about the Kingdom of God, and healed those who needed it." Luke 9:11

Guided by Gospel values and inspired by the work of St Francis, we are entrusted to build the Kingdom of God through our work at Padua College. We are proudly a Catholic school community, in which the Gospel values of joy, courtesy, respect, simplicity, and peace are fostered through our daily interactions with all in our community.

This Code of Conduct applies to all Padua staff, so that we act and work in line with these core values. The code is clear about the standard of behaviour required of staff around maintaining professional boundaries, safe work practices and the standards of professional conduct required to ensure that our community is a safe and productive place for everyone. As outlined in the *Statement of Principles for Employment* at Padua College, staff are required to avoid, whether by word, action or known lifestyle, any influence upon students that is contrary to the teaching and values of the Church community in whose name they act.

We all value the community in which we work and through our daily actions we are called upon to show others that we are connected to our College mission. As a staff, we commit to provide a supportive community focused on the dynamic education of young men, whose individuality, spirit, and achievements are nurtured through a proud Catholic and Franciscan ethos.

My best wishes as we share this important and blessed work in enacting this mission.

Peter Elmore
College Rector

1.0 Introduction

1.1 Purpose of the Code

This Code of Conduct (“the Code”) sets out the responsibilities and standards of behaviour required of all Padua College staff.

The Code outlines these standards in some detail, and provides a broad framework to assist staff, the College Rector, and other senior leaders, to make appropriate and ethical decisions about staff conduct.

1.2 Scope of the Code

The Code of Conduct applies to all paid Padua College ('the College') staff contracted on a temporary, casual, fixed term, or continuing basis.

- The requirements of the Code apply while a contract of employment with Padua College exists and for any persons engaged by the College.
- For the purposes of the Code of Conduct the term ‘staff’ will apply to all full time, part-time, casual or contracted.
- Staff should note that the Code and the [Padua College Student Protection Policy](#) also apply while escorting students on camps, excursions, and tours within or outside Australia.

This Code applies to all staff in circumstances including:

- on all College premises, during and outside normal working hours
- during school activities and school-related events
- at other functions where staff members are representing Padua College (for example, at social events organised by the College).
- in any other situation where a staff member’s behavior may reflect on the College (for example, at a professional development conference or seminar, on social or professional media).

1.3 Compliance and Breaches of the Code

The Code of Conduct provides a framework within which to make the right decisions and guide our behaviors. We all have an important part to play in this framework and we expect all our staff will live these core beliefs, to be empowered and accountable, and responsible for their actions.

It is everyone's responsibility to ensure we comply with the Code and it is your responsibility to familiarise and understand the Code. The Code of Conduct is an important document, and reading, understanding and acknowledging its contents is a requirement of your employment at Padua College. The Code of Conduct does not form part of the contract of employment, but a breach of its terms may constitute a breach of employment.

Padua College staff hold special positions of trust, and therefore must be accountable for their actions.

As soon as practicable after a suspected breach of the Code has been identified or if you feel that another staff member has breached the Code of Conduct while working at Padua College, you should where possible follow the following process:

STEP 1: Speak with HR and/or

STEP 2: Speak with Vice Rector Staff and Administration

STEP 3: Speak with the Rector if you are unable to speak with Vice Rector Staff and Administration

STEP 4: The Chairperson of the Board if you are unable to speak with the Rector.

Perceived breaches of the Code can be identified by the staff member themselves, by their peers, or if the breach is serious it should be brought to the attention of the College Rector or a member of the Senior Leadership Team or the Chairperson of the Board if the conduct issue is with the Rector.

Action taken in relation to a substantiated breach of the Code by a staff member is determined by an examination of all the circumstances, including the explanation by the staff member for the breach, and the nature and seriousness of the breach.

1. The process for determining whether a person has breached the Code must be carried out with as much expedition, as a proper consideration of the matter allows.
2. The process must be consistent with the principles of procedural fairness.
3. A determination may not be made in relation to a suspected breach of the Code by a person unless reasonable steps have been taken to inform the person of:
 - the details of the suspected breach of the Code, including any subsequent variation of those details; and
 - give the person a reasonable opportunity to make a statement in relation to the suspected breach.
 - The statement may be a written or oral statement and should be provided within 7 calendar days or any longer period that is allowed by the decision-maker.
 - A person who does not make a statement in relation to the suspected breach is not, for that reason alone, to be taken to have admitted to committing the suspected breach

Any disciplinary process in relation to a breach of the Code will be managed with procedural fairness and in keeping with the principles of natural justice. A breach of the code may result in a disciplinary action such as performance management, formal warning, suspension, demotion or termination in accordance with industrial practice.

1.4 Review

The Code of Conduct will be reviewed annually by a representative staff group (Code of Conduct Committee) which includes a member of the Senior Leadership Team (SLT) and the review date is found on the front page this document.

2.0 General Responsibilities

2.1 Responsibilities of staff engaged in College activities.

- Act with honesty and integrity.
- Apply appropriate confidentiality concerning College matters.
- Seek guidance from the College Rector in the event of any potential conflict of interest
- Follow reasonable and lawful directions from College leadership concerning professional duties.
- Comply with relevant agreements, regulatory authorities, legislation, and College policies.
- Make sure any invited guests under your care comply with College's student protection policies and standards of behaviour.
- Behave publicly in ways that enhance the College's reputation.
- Treat others with courtesy and respect.
- Exercise high standards of professional judgement.
- Perform your duty of care to students and each other, taking steps to protect all from reasonably foreseeable risks of loss or injury.
- Exercise discretion and caution when engaging in social activities with students outside of school.
- Establish a relationship with parents and guardians based on courtesy, mutual trust, and open communication.
- Respect family privacy and treat information with an appropriate level of confidentiality.
- Develop effective, consistent and appropriate management strategies in day to day interactions with students to support appropriate behavior.

3.0 Interactions with Students

Padua College is committed to providing a positive learning environment that minimises the risk of harm and supports students' wellbeing.

Staff must act appropriately and professionally at all times in their interactions with students to ensure that they maintain professional boundaries and are a positive role model for students. This includes outside of school hours.

Padua College expects staff to establish and maintain professional, positive relationships with students and show respect, courtesy, and consideration to students.

Staff must use and develop effective, consistent and appropriate management strategies for their interactions with students as a preventative system of support. Where a personalised learning plan (PLP) has been developed for a student, staff are required to act in accordance with that plan and be aware of any legal requirements or obligations.

Staff working with students at Padua College hold a special position of trust, care and authority with students. Staff must set clear professional boundaries in their interactions with students and ensure that they maintain appropriate physical, emotional and behavioural boundaries with students. Staff need to be aware that these boundaries do not cease after the students leave school.

Where a staff member has a close personal relationship with the parents/carers of a student or his family, the staff member must report this relationship to the College Rector.

The table below illustrates behaviours which may be classed as crossing boundaries and may result in disciplinary action against a teacher:

Type of Professional boundaries breach	Example
Emotional	<ul style="list-style-type: none"> Showing preferential treatment to students without legitimate reason. Using subtle forms of control to allow a student to develop an emotional dependency on the teacher in order to later foster an inappropriate/sexual relationship with the student. Failure to recognise the role of a teacher is not to be a “friend”, “personal counsellor” or “parent” of the student.
Relationship	<ul style="list-style-type: none"> Intimate relationships with students: engaging in a romantic and/or sexual relationship with a student (current or former). Planned meetings with the student alone outside of school without a valid context. Taking the student alone for an unauthorised outing, eg, coffee, the movies or other social events.
Power	<ul style="list-style-type: none"> Privately giving a student money, credit for a mobile phone or a gift. Implying that a student’s grades will be affected if the student does not comply with the teacher’s request. Withholding information about academic performance to manipulate “alonetime” or opportunities with a student.
Communication	<ul style="list-style-type: none"> Talking with a student about highly personal and/or sexually inappropriate matters that do not benefit the student. Using social media to interact with a student about personal/sexual matters without a valid context. Offering advice on personal matters to a student. Asking a student questions about personal/sexual matters. Refusing to stop discussions of a personal/sexual nature when asked by the student.

Reference: Aultman, LP., Williams-Johnson, M. and Schuts, P. *Boundary dilemmas in teacher-student relationships: Struggling with “the line”*. *Teaching and Teacher Education Journal*, 25 (2009) pp 636-646.

Working with Student Behaviour

Staff must respect behavioural boundaries with students. Staff must not develop a relationship with a student that is, or that could be seen to be, a personal rather than professional relationship.

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

- Am I dealing with a particular student in a different manner than I would 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?

Our behaviour support practices and [Padua College Student Support Framework](#) at Padua College aims to facilitate the development and experience of responsible self-discipline amongst students and to promote the wellbeing, safety, and effective management of the school community.

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 support. These strategies should include a clear, consistent, and graded method of dealing with inappropriate behaviours and supporting student wellbeing. It is the responsibility of each staff member to be familiar with these policies.

As a rule, staff will use their own management strategies in their initial dealings with students. However, students who display recurrent challenging behaviours—particularly unsafe behaviours—should be referred to the appropriate person in conjunction with the *Padua College Student Support Framework*.

Behaviour that may cause psychological harm to a student includes:

- targeted and sustained criticism, belittling or teasing;
- excessive or unreasonable demands;
- hostility, verbal abuse, rejection or scape-goating;
- using inappropriate locations or social isolation, outside of the *Franciscan Justice Framework*, as a consequence.

Staff must always treat students in a consistent manner without inappropriate familiarity or spending ‘special time’ with a student.

Some indicative behaviours that may suggest a student is not being treated in a consistent manner could include:

- giving gifts to a child (for example, giving a birthday gift to a particular student when this is not the practice with other students, or asking the student to keep the gift a secret from others);
- showing special favours;
- allowing a student to over-step rules, except where it is clearly articulated in a student's Personalised Learning Plan (PLP) or Individual Student Learning Needs (ISLN) or sharing secrets with a student;
- inconsistent consequences or allowances.

Staff must respect the emotional needs and wellbeing of students and ensure that they do not violate appropriate emotional boundaries with students.

All conversations with students should be visible and available to scrutiny to peers, staff managers and parents.

The following are examples of emotional boundary violations with students:

- shaming, embarrassing or humiliating students (teasing, 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); and
- intimidating behaviours (shouting at or in the presence of students, use of threats and fear).

3.2 Physical Contact with Students

Corporal punishment is defined as the application of physical force or the infliction of pain to punish or correct and is prohibited at Padua College in all forms. Physical contact with students is only acceptable when that contact is appropriate, within context, and reasonable for the teaching, support and care of the student.

If there is any contact that is a necessary part of the learning or teaching experience, staff must exercise caution to ensure that the contact is appropriate and acceptable for the duty to be performed. All such circumstances should be open and available to scrutiny from peers, managers and parents.

Physical interventions by a staff member with a student (including restraint or removal of a student) are only appropriate as a measure of last resort to ensure safety. Acceptable physical intervention is restricted to occasions when the student or other persons are being harmed or at risk of imminent harm. Damage or harm to property does not warrant the use of physical intervention unless the damage or harm is capable of causing injury to a person. Further, any physical intervention must be reasonable in the circumstance.

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 (staff 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; and**
- **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); and
- 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).

3.3 Driving with students

Staff should, whenever possible, avoid driving a student in their car unless they have specific permission from the parent/guardian and Rector / member of the SLT and do so in accordance with school policy. In the event of an emergency, staff should attempt to obtain parental consent and also report the matter to the Rector or membership of the College SLT where possible prior to the journey commencing.

3.4 Late Collection of Students

All staff at Padua have a duty of care to the students of the College. This duty of care extends to times when students are waiting to be collected by parents and / or guardians. Padua staff are expected, where reasonably possible, to continue to supervise students until they are collected.

Where possible this supervision should be shared with another staff member. The member of staff should attempt to contact the parent or guardian to confirm arrangements for the collection of the student. Where supervision is likely to extend beyond a reasonable time, the staff member may obtain permission from the parent/guardian to transport the student as per section 3.3.

4.0 Care of Colleagues

Padua College values a workplace where staff Physical, Social, Emotional, Financial, and Spiritual wellbeing are an important in the care of colleagues.

The Padua College Wellbeing Framework provides information to support staff wellbeing in the areas of Physical, Social, Emotional, Financial, Spiritual and Staff Voice. Information relating to each of these is available through [MyPadua Well-being](#)

All staff of Padua College are expected to commit themselves to promote the charism of St Francis. At the heart of this charism, is the understanding that relationships form an essential portion of the Franciscan ethos.

All staff share the responsibility to build an atmosphere of collaboration, trust, mutual respect and candour.

- All members of staff contribute to a workplace that is respectful, tolerant and co-operative.
- Exacting standards of personal conduct have a positive influence on the culture of the working environment.
- Staff must ensure that at no time is their behaviour toward another staff member is derogatory, rude, aggressive, abusive, belittling, threatening or intimidating.
- Avoid behaviours which might be reasonably perceived as abuse, harm, harassment, bullying or intimidation.

- Certain amounts of conflict and disagreement are a natural part of all work environments. All staff are to use their best efforts to resolve issues through cordial discussion, failing this, assistance from an appropriate line manager should be sought. At all times, these conversations will be undertaken in the spirit of mutual respect and trust. Therefore, an amount of confidentiality is appropriate to ensure both parties can move forward.
- Sexual harassment in all its forms is considered unacceptable behaviour.
- In the matter of staff not able to meet a deadline, it is the responsibility of the staff member to discuss the circumstances with their line manager and those it may impact.
- All staff are to ensure they are abiding by the College's IT acceptable use agreement and are understanding of the need for a reasonable response time for emails. Further, staff should only send emails to relevant recipients.

5.0 Use of Technology

5.1 General Responsibilities

Padua College is committed to ensuring that all staff, students and members of the College community are aware that unacceptable use of technology resources within the context of the school environment will not be tolerated under any circumstances.

5.1.1 Use of ICT resources [Padua College Acceptable use Policy](#)

- Users must use the College's technology resources professionally and appropriately at all times.
- Users should remember that College ICT resources are provided to staff for business purposes and to enhance effectiveness and efficiency at work.
- The College's ICT resources must not be used for unlawful, offensive or otherwise improper activities. For example, they must not be used:
 - for material that is pornographic, hateful, racist, sexist, abusive, obscene, discriminatory, offensive or threatening;
 - to stalk, bully, harass, defame or breach copyright.
- ICT resources can be used for personal use during breaks if it is not excessive; is within the acceptable use policy and is not deemed unlawful.
- Network access is monitored and data which is stored or transmitted using the employer's facilities or devices may be accessed at the discretion of the Rector or their delegate where there is a belief that a breach may have occurred.
- In certain circumstances, electronic files or communication can be accessed by the employer/police or other agencies for viewing or production in court

- If you receive or inadvertently access what would be deemed inappropriate content through College ICT resources, it is to be reported to the College IT Help Desk

5.1.2 Interacting with Media

Any staff engagement with the media that is considered part of their role and /or in curricular or co-curricular activities should consider the following in responding:

- Be courteous in your responses.
- Responses should promote the College in a positive way.
- Where possible, refer to the collective group rather than individual.
- Ensure that any information is not in breach of confidentiality and privacy.

5.1.3 Responding to unsolicited media interaction

Any staff engagement with the media that is not considered part of their role and /or in curricular or co-curricular activities should respond in the following manner:

- Be courteous in your initial response.
- Advise them that you are '***not in a position to provide detailed comment***' and assure them that the appropriate person will contact them.
- Ask for their details including name and title, who they represent and their contact information.
- Determine a timeline for the required response for their story/deadline.
- Inform the Rector or their delegate as soon as possible to allow time to prepare a response.

5.1.4 Digital Communications

Digital communications and social media provide an opportunity to engage and interact with our various audiences and to promote the College.

Staff are personally responsible for the content that they publish on social media, electronic communications, all staff emails and phones and as a result must exercise personal discretion and sound judgement in their use of social media, electronic communications and phones, even for personal communication.

- Any social media, email, or phone communication by staff with students must form part of an approved school-based communication process. School-based communication processes, including College email accounts, should never be used for personal communication. Staff should use a personal email account for personal email communication.

- Any official school Padua College social media site or presence must have the prior approval from the College Rector.
- Staff must not interact with, respond to ‘friend requests’, ‘like’ a post or image or ‘follow’ students on social media. At no time is interaction via non-approved digital communication permissible.
- Staff must take all reasonable steps to adjust privacy settings on social media to prevent or block students from accessing them on social media.
- If a circumstance arises where a student attempts to interact on a personal level with a staff member on social media, personal email, mobile, and home phone, that staff member must notify the College Rector.
- If in error, a staff member does interact with a student via social media or personal email, personal mobile or home phone they are to inform the College Rector immediately they become aware the communication has taken place.
- Staff must not communicate with students using either a staff member’s personal email address or a student’s personal email address.
- Staff must not provide their personal mobile or home telephone number to students. Communication 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 College Rector.
- Records of approvals must be kept by the College Rector and parents/carers must be advised by the College Rector of the approval, as appropriate.

All staff are required to adhere to the Australian Privacy Principles contained in [The Australian Privacy Act \(1988\)](#) and the [Padua College Privacy Policy](#) in their communications with parents, students, other staff and other members of the College’s community.

As a College, we are committed to open, honest and timely communication with, and between all members of the College community using range of online platforms. To ensure all communication builds and enhances positive relationships, staff should, in all communication:

- exercise good judgment;
- use appropriate, professional language not upload, download, circulate, display or respond to any of the following materials;
- sexually related or pornographic messages or material containing thoughts and feelings with overfamiliar or sexual connotations;
- child pornography;
- violent or hate-related messages or material;
- threatening, defamatory, obscene or harassing messages or material;
- racist or other offensive messages or material;
- subversive or other messages or material related to illegal activities;

- report any situations to the Rector if they receive or becomes aware of inappropriate communications by colleagues as listed above;
- use an appropriate phone, email or in-person manner, including a positive, helpful and engaged tone of voice and choice of language; and
- not speak, write or respond in any manner which would be inconsistent with the College Franciscan ethos

The College acknowledges the impact of technology on staff work life balance in carrying out their duties as an employee.

In ordinary circumstances, staff are requested not to send communications to colleagues at night or in the early hours of the morning other than in the case of an emergency or critical incident. Emails prepared late at night, in the early hours or on weekends can be saved in drafts and sent the following day/Monday morning or use the delay delivery option.

There is no expectation on staff to check or respond to emails outside of reasonable working hours other than in the case of an emergency or critical incident.

Reference Digital Communications Protocols

5.2 Professional Boundaries with Students

The teacher-student relationships is not equal. Teachers are in a unique position of trust, care, authority and influence with their students, which means that there is always an inherent power imbalance between teachers and students.

Employees need to recognise the special position of trust and influence that a teacher or other school employee has with a student. This position of trust may continue after a student has left the school. It may also continue after the student has turned 18 years of age. Extreme care must be taken in any relationship between a teacher (or other school employee) and a former student, even one over 18 years of age.

Professional boundaries are breached when the teacher misuses the power imbalance in the teacher-student relationship such that the student's welfare is compromised. Some conduct will clearly breach those boundaries, as most teachers will recognise.

A personal or sexual relationship with a former student entered into by a teacher or other employee may be found to be sexual misconduct if it is established that the employee used his or her position to develop and maintain a personal or intimate relationship with the student before the student left the school.

5.3 Use of mobile phones

Staff should avoid as far as possible communicating with students on their personal mobile phone and/or providing their personal number to students. However, the College does recognise, due to our extensive co-curricular program, the need to be contactable when no other means exist.

At the discretion of the staff member, it may be appropriate for staff to give a student their mobile phone number to ensure the care and wellbeing of the student along with the smooth running of co-curricular and other College approved activities.

All communications are to be specific to the activity undertaken, transparent in nature, and open to scrutiny from peers, staff managers and parents.

Staff should consider the following:

Is the phone call/text necessary?

- Whenever possible, use official College communication means such as email. If you have email set up on your mobile have the student send you an email instead of a text or phone call.

If the call/text is necessary:

Make it purposeful

- Consider whether it is essential to have students contact you via your mobile number.
- Would it be possible to give your number to parent/guardian to achieve the same purpose?
- Only discuss matters of a professional nature relating to the school based activity being undertaken.

Make it known

- Seek permission from the College Rector or relevant Senior Leadership Team member to ensure the appropriateness of your decision.

Make it authorised

- Ensure parents are informed and give consent for this to occur.
- Ensure the activity is approved and part of an authorised school based activity.

5.4 Intellectual Property and Copyright

Employees are required to comply with copyright legislation and regulations. Any use of copyright material requires the permission of the copyright-holder consistent with copyright legislation.

Padua College acknowledges that the teaching profession is one of collaboration. Work that is developed in the course of employment remains the intellectual property of Padua College. Intellectual property includes, but is not limited to music, written works, symbols, designs and programs. Documents and programs developed within the school context remain the property of Padua College. A staff member should seek permission from Head of Pedagogy and Digital Integrations Learning before the sharing or use of resources outside the College.

Where possible and appropriate, materials that are shared and appropriated should have the original creator of the material acknowledged.

6.0 Illicit substances, Alcohol and Tobacco

Padua College is committed to providing a safe, healthy and secure environment for all staff. Staff experiencing difficulties in relation to illicit substances, alcohol or tobacco are encouraged to access the [Employee Assistance Program \(ACCESS\)](#) or the Senior Leadership Team.

Staff should be aware that personal conduct and lifestyle can reflect either positively or adversely on Padua College and their own personal or professional reputation. They must consciously act to maintain their personal and professional integrity at social occasions when alcohol, illicit substances, and tobacco may be present.

Staff should be aware that personal use of alcohol, illicit substances and tobacco may become known to the school by personal remarks, statements, photographs or conduct including conduct on social media. When such personal use conflicts with the values of Padua College it can bring the school into disrepute.

6.1 Alcohol

Staff must never consume alcohol or be under the influence of alcohol when performing their work duties or in any other circumstances where they are responsible for the care or supervision of students, including, but not limited to at school, school functions, dances, sporting fixtures, fund raising events, camps, excursions or study tours.

Staff must never purchase or provide students with alcohol or encourage or condone the use of alcohol by students.

Alcohol that is present on school grounds for approved purposes must be contained in a secure location that is not accessible by students.

The Rector's approval is required for the provision of alcohol at school or work events or social functions. Staff must ensure that they are not under the influence of alcohol at school or work events or school or work social functions.

A staff member would be 'under the influence of alcohol' where in the opinion of the Rector or Senior Leadership Team their ability to exercise appropriate behaviour, judgement or discretion is impaired by his/her consumption of alcohol.

6.2 Drugs

Staff must comply with the law and must not take, be under the influence of, or be in the possession of illegal drugs.

Staff 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 a staff member is using medication that may affect his/her performance at work, the staff member must notify the College Rector.

Staff must never purchase or provide students or other staff with illegal drugs. Staff must not encourage or condone the use of illegal drugs by students or other staff.

6.3 Smoking

Staff must comply with all laws in relation to the use and supply of tobacco and smoking products, including the [*Tobacco and Other Smoking Products Act 1998*](#).

Staff are legally banned 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. Staff are also legally banned from smoking at or near an underage sporting event or at an outdoor swimming area.

Staff must never purchase or provide students with smoking products or encourage or condone the use of smoking products by students.

7.0 Legislative Obligations

We are committed to a workplace free from discrimination and workplace bullying. We aim to ensure that all staff receive equitable treatment in all aspects of their employment relationship. The equitable treatment of staff is fair and just treatment, not necessarily the same treatment.

Padua College believes the quality of work life is about Joy, Courtesy, Humility, Simplicity and Peace and respect for other people. We recognise the need to respect and value diversity of our staff and are committed to the prevention and elimination of workplace bullying, harassment and discrimination.

7.1 Sexual Harassment

Sexual harassment at Padua College is an unacceptable form of behaviour which will not be tolerated under any circumstances. The College is committed to providing safe, inclusive and respectful workplaces, which are free from sexual harassment.

No person at Padua College must ever engage in behaviour which could be regarded as Sexual Harassment. Sexual harassment is unwelcome conduct of a sexual nature towards another person which could reasonably be expected to make that other person feel offended, humiliated or intimidated.

A single incident is enough to be considered sexual harassment - it does not have to be repeated behaviour. Staff members should familiarise themselves with Padua College's Anti-Discrimination, Sexual Harassment and Bullying Policy.

7.2 Workplace Harassment and Bullying

Padua College is committed to providing a workplace that is free from bullying. All staff have a right to work in an environment free from bullying, and to be treated with dignity and respect.

A worker is bullied at work if:

- a person or group of people **repeatedly** act **unreasonably** towards them or a group of workers; and
- the **behaviour** creates a risk to health and safety.

Unreasonable behaviour includes victimising, humiliating, intimidating or threatening. Whether a behaviour is unreasonable can depend on whether a reasonable person might see the behaviour as unreasonable in the circumstances.

The following behaviours do not constitute bullying:

- Reasonable management practices, including performance management and disciplinary procedures;
- A direction to carry out reasonable duties and instructions; and
- A direction to comply with College rules, resolutions and policies.

Staff must not engage in workplace harassment or bullying and must abide by the College's [Workplace Harassment Prevention Policy](#)

7.2 Discrimination

Discrimination (direct or indirect) occurs when a person is treated, or is proposed to be treated, less favourably than others because of an attribute protected by law. Staff must not unlawfully discriminate against any person.

Except where exempted by law (*Anti-Discrimination Act 1991*), it is unlawful to directly or indirectly discriminate against a person based on the following attributes:

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

8.0 Conflicts of Interest

Private interests can, or have the potential to, influence a staff member's capacity to perform their duties and in turn compromise their integrity and that of Padua College. When faced with a situation in which a conflict of interest may be present, a Padua College staff member should report any potential or real conflict to the College Rector.

As an individual, staff members have the right to participate in political and community activities and to pursue personal interests, provided that any conflict that arises is recognised and adequately managed.

Padua College staff members should also report situations where a senior staff member or colleague who has an identified conflict is, or may be perceived as, unduly influencing a decision.

Padua College staff members should not use their position, contacts or confidential information to benefit themselves, their family, their friends or associates.

Examples where a conflict of interest could arise and must be reported to the College Rector include:

- A staff member taking on additional employment that conflicts or compromises the staff member's employment with Padua College.
- A staff member working or coaching in another school.
- A staff member tutors or coaches students from Padua College in return for payment.
- A staff member uses information gained at work, such as student and family contact details, for personal use.
- A staff member takes part in recruitment or the appointment of a contractor where a potential contractor is a relative or close friend.

9.0 Responsibility to Parents, Guardians and Families of Students

In relation to parents, guardians and families, the College has a responsibility when collecting and recording information. The primary purpose of collecting and recording information is to support the students enrolled at the College, exercise its duty of care, and perform necessary associated administrative activities, which will enable students to take part in all the activities in the tradition of Padua College.

In addition, some of the information we collect, and record is to satisfy the College's legal obligations, particularly in relation to our duty of care to students and parents/guardians

Padua College staff are to respect:

- Family privacy and treat information with an appropriate level of confidentiality evidenced by the ability to:
 - maintain confidentiality of information unless disclosure serves a compelling professional purpose or is required by law, or unless the personal safety of a student or staff member is at risk; and
 - discern the appropriate level of confidentiality in any situation and seek advice from an appropriate senior staff member if clarity is required.

Parents' and guardians' rights of inquiry, consultation, and information regarding their son evidenced by:

- use of professional honesty and discretion in presenting facts regarding the educational development of their son
- sharing general knowledge of child development
- being sensitive to legal implications of differing family structures, respecting the characteristics and uniqueness of each student's family background based on:
 - respecting cultural diversity;
 - considering the family perspective; and
 - respecting family values and opinions while enabling students to examine a variety of viewpoints.

10.0 Maintaining Professional Knowledge

Padua College staff should strive to maintain a current understanding of legal, professional ethics, delegations, policies and procedures and other codes of practice to a standard that enables them to competently perform their work duties. The law will prevail over a policy to the extent of any conflict.

Padua College staff must take responsibility for developing their skills and knowledge, remaining abreast of advances and changes within their work area, and fields of expertise. The College Leadership Team of Padua College must provide fair and equitable access to training for staff and assist them in meeting these objectives.