

Code of Conduct Policy – Governing Council Member

Introduction

A Code of Conduct is an essential document for a school. It is recognised as a pivotal element in a school's provision of a child-safe environment and is also a requirement under the current *Registration Standards and Other Requirements for Non-Government Schools in Western Australia*.

Schools are required to implement a Code of Conduct for all staff, governing body members, practicum students and volunteers, which:

- (a) is consistent with the *Child Safe Organisations Example Code of Conduct*, published by the Australian Human Rights Commission, and with the *National Child Safe Organisation Principles*.
- (b) requires them to objectively report observable behaviour which breaches or is suspected of breaching the Code, other than those behaviours subject to mandatory reporting obligations, to the principal, a designated senior staff member or the chair of the school's governing body; and
- (c) assures their protection from victimisation or other adverse consequences if they make such reports in good faith.

A Code of Conduct not only makes provision for the safety of the children, but it also helps to safeguard the school, staff, and others from going in a direction that could lead to legal action, a loss of reputation and/or put the school at financial risk.

Child Side Playgroup and School (CSS) is committed to providing and ensuring a respectful and child safe environment that is a positive and supportive place for all children in which learning takes place. CSS expects all school community members to share this commitment to ensure the safety and wellbeing of all children. Our school motto, 'BE SAFE, BE KIND, BE CREATIVE' reminds us of the commitment we make, as members of CSS.

CSS *Child Code of Conduct* assists to guide children to develop self-discipline and consideration for others so that they can contribute to ensuring a respectful and child safe environment that is a positive and supportive place for everyone. The expectation is that adults already have the self-discipline and consideration for others and demonstrates this at all times.

Scope and Application

CSS maintains and enforces an overall Code of Conduct Policy Statement which forms the foundation for all other Codes and guidelines developed for each relevant School Community Group.

The CSS *Code of Conduct* applies to all school staff (paid/unpaid), children, parents/guardians, volunteers, practicum teachers, work experience students and contractors of CSS.

The CSS *Code of Conduct* applies to community groups, visitors and any other individuals who may use or visit the school site.

The CSS Code of Conduct requires that all CSS Community members' actions do not bring the school into disrepute whether they occur within or outside of school activities.

The CSS Code of Conduct underpins all activities and events that are school-related and when representing or acting on behalf of the school.

The use of the word child/children in this policy refers to students in the context of the school environment.

The use of the word Educator/Educators in this policy refers to registered teachers in the context of the school environment.

Related Legislation/Guidelines

- The Teacher Registration Act 2012
- The Teacher Registration (General) Regulations 2012
- Guide to the Registration Standards and other Requirements for Non-Government Schools.
- School Education Act 1999
- Privacy Act 1988
- Child Safe Organisations *Example Code of Conduct*- Australian Human Rights Commission
- National Child Safe Organisation Principles
- Work Health and Safety Act 2000
- Work Health and Safety (General) Regulations 2022
- Commonwealth Disability and Discrimination Act 1992

Related Policies/Guidelines/Documents

- SW Learning Community Association Inc Constitution
- CSS Privacy Policy
- CSS Code of Conduct – ECC and MCC (K-6)
- CSS Code of Conduct – YAC (7-10)
- CSS Code of Conduct – School Staff
- CSS Code of Conduct – Governing Council Member
- CSS Code of Conduct – Parent/Guardian
- CSS Child Protection Policy
- CSS General Duty of Care Policy
- CSS Communication Procedure
- CSS Concerns, Complaints and Disputes Policy
- CSS Whistleblower Protection Policy
- CSS Guiding Children's Behaviour Policy
- CSS Anti- Discrimination and Harassment Policy
- CSS Anti-Bullying Behaviour Policy
- CSS Internet and Electronic Devices Policy
- CSS Use of Children's Photographs and Video Images Policy
- CSS Enrolment Policy
- CSS Excursions Policy
- CSS Incursions Policy
- CSS Sickness and Accident Policy
- Child Side Curriculum Map
- Child Safe Organisation Framework for Child Side School
- CSS Social Media Policy
- CSS Work Health and Safety Policy

Definitions

Child Abuse

Four forms of child abuse are covered by WA law and are defined by the Department of Communities:

- (1) Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or caregiver.
- (2) Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level, and includes sexual behaviour in circumstances where:
 - (a) the child is the subject of bribery, coercion, a threat, exploitation, or violence.
 - (b) the child has less power than another person involved in the behaviour; or
 - (c) there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
- (3) Emotional abuse includes:
 - (a) psychological abuse; and
 - (b) being exposed to an act of family and domestic violence.
- (4) Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care, or nurturance to such an extent that their development is damaged, or they are injured. Neglect may be acute, episodic, or chronic.

Corporal Punishment

Any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm. [UN Committee on the Rights of the Child, General Comment No. 8 (2006)].

Degrading Punishment

Any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares, or ridicules the child [UN Committee on the Rights of the Child, General Comment No. 8 (2006)].

Grooming

The use of a variety of manipulative and controlling techniques with a vulnerable subject to establish trust or normalise sexually harmful behaviour with the overall aim of facilitating exploitation and/or avoiding exposure. Refer to the CSS *Child Protection Policy* and associated appendices and *CSS Protective Behaviour Curriculum* for information on recognising grooming behaviour.

Psychosocial Wellbeing

Psychosocial wellbeing is the state in which an individual, family or community has cognitive, emotional and spiritual strengths combined with positive social relationships. People that have psychosocial wellbeing are confident, have self-esteem, feel safe, and are able to solve problems, make decisions, work together and resolve conflicts.

Restorative Justice

The Restorative Justice practice is a whole school teaching and learning approach that encourages behaviour that is supportive and respectful. It puts the onus on individuals to be truly accountable for their behaviour and to repair any harm caused to others as a result of their actions.

Policy Statement

All school staff (paid and unpaid) including volunteers, practicum teachers and work experience students of CSS are responsible for the safety and wellbeing of children who engage with CSS. All school staff (paid and unpaid) are expected to act in accordance with this Code of Conduct in their physical and online interactions with children and young people under the age of 18 years.

CSS expects school staff (paid and unpaid), parents/guardians, governing council members and children to behave in a manner that is consistent with our commitment to being safe, kind, and creative through our words and our actions. The School Motto, 'BE SAFE, BE KIND, BE CREATIVE' is clearly displayed in and around the school site and within our school documentation including our Parent/Guardian and School Staff Information Packages, as a constant reminder of the commitment we all make to the school.

CSS expects that everyone within the school community will practice courtesy, respect, and thoughtfulness in their behaviour towards themselves, others, and their environment. Particularly, and importantly, adults will model this behaviour within the school in their interactions with each other.

CSS explicitly forbids the use of any form of child abuse, corporal punishment or other degrading punishment as defined and provides clear guidance to all members of the school community about what forms of behaviour management, discipline or punishment are permitted.

Work health and safety is of fundamental importance to the school. Maintaining a safe work environment requires everyone's continuous cooperation.

All Community Members, including school staff (paid and unpaid), parents/guardians, governing council members and children, are responsible for ensuring their capacity to perform their duties is not impaired by the use of alcohol or drugs and that the use of such substances does not put at risk their or any other person's health and safety.

The use of illegal substances on the school property is strictly forbidden.

Alcohol must not be consumed during school hours or at any school function at any time school children are present, including those events conducted outside school premises unless expressly permitted to do so by the Co-Principals. A school function is any occasion organised by the school and/or in the school's name, including but not limited to, social gatherings, excursions, camps, sporting activities and fund-raising events.

Smoking (inclusive of all tobacco products, Vapes and E-cigarettes) is not permitted at any time on School grounds. This includes all buildings/sheds, gardens, sports fields, cars, and or car parks. Smoking is not permitted at any school function even if it is not on the school site. This includes but is not limited to camps, sporting activities, excursions, fund raising events and social gatherings.

Child Side Playgroup and School designated Staff to whom suspected Code of Conduct breach reports must or can be made:

- Co-Principal (Business Manager and Administrator)
- Co-Principal (Curriculum Design)
- Continuity and Cohesion Educator, and or
- Chair of the Governing Council

CSS implements a Code of Conduct for all staff, including practicum students and volunteers, governing council members, and parents/guardians, which:

- (a) is consistent with the *Example Code of Conduct*, published by the *Australian Human Rights Commission*, and with the *National Child Safe Organisation Principles*;
- (b) requires them to report objectively observable behaviour which breaches or is suspected of breaching the Code, other than those subject to mandatory reporting obligations, to the Principal, a designated senior staff member or the chair of the governing body; and
- (c) assures their protection from victimisation or other adverse consequences if they make such reports in good faith.

The *CSS Code of Conduct Policy* is a foundation document for each school groups' policy. Each document includes the overarching policy statement and specific guidelines relevant to each group:

- Code of Conduct – School Staff
 - Code of Conduct - Governing Council Members
 - Code of Conduct – Parents/Guardians
- Please note:** CSS has separate Codes of Conduct Policies for Children:
- Code of Conduct – ECC and MCC (K-6)
 - Code of Conduct – YAC (7-10)

CSS, in consultation with its students, develops and regularly reviews a student code of conduct and guidelines on how to comply which:

- (a) sets out minimum standards of conduct,
- (b) prohibits bullying, harassment and other forms of peer-to-peer abuse, and
- (c) requires respect for the privacy and human dignity of other students where relevant.

CSS provides appropriate and purposeful induction in relation, but not limited to, *CSS Code of Conduct*, child protection, processes to manage concerns, complaints and disputes and whistleblower protection for all community members. In particular it provides all new staff as soon as practicable following their appointment, induction covering at least:

- (a) the *CSS Code of Conduct*, including staff obligations to report objectively observable behaviour which is not permitted by the Code.
- (b) the school's policies, procedures and practices that aim to ensure students' safety and wellbeing at school and during school-related activities; and
- (c) the law with respect to mandatory reporting of child sexual abuse.

Parents and guardians receive information about the *CSS Protective Behaviours Curriculum*, the *CSS Code of Conduct*, the *CSS Child Codes of Conduct* and when, how and whom to tell when they have concerns about grooming, child abuse or other behaviour which is not permitted by either codes.

CSS has an accessible, child focused *Concerns, Complaints and Disputes Policy* which clearly outlines the roles and responsibilities of leadership, School staff, and volunteers; approaches to dealing with different types of complaints; breaches of relevant policies or the *CSS Code of Conduct*; and obligations to act and report.

CSS regularly reviews, evaluates, and improves child safe practices. Complaints, concerns, and safety incidents are analysed to identify causes and systemic failures so as to inform continuous improvement. CSS reports on the findings of relevant reviews to staff, volunteers, community, families, and children and young people.

CSS responds appropriately to complaints and allegations of grooming, child abuse and breaches of the codes of conduct or child codes of conduct in the best interests of children and in accordance with policies and procedures which at least require that:

- (a) the complainant is informed about the services, including advocacy and support services, which may be available; and
- (b) the matter is reported promptly to the responsible government authorities and their direction is sought and complied with as to when, what and by whom information related to the matter and its investigation may be given to the person against whom he complaint or allegation is made, the complainant and their parents/guardian, other affected children and their parents and guardians, and the wider school community.

CSS has and implements a *Critical and Emergency Incidents Policy and Procedures* which:

- (a) include all reportable incidents as well as other critical and emergency incidents.
- (b) enable and require incidents to be managed in such a way as to minimise trauma and distress to students and staff and damage to property and ensure the education program is maintained or resumed, while giving highest priority to the best interests of the student or students affected.
- (c) require all incidents to be reported and documented, and
- (d) enable and require the Co-Principal/s to notify the governing body of all incidents.

Further, the governing body ensures the Director General is notified of every reportable incident as soon as practicable, and in any event within 48 hours of the incident, using the form published by the Director General for this purpose.

Within the context of code of conduct, school leadership is required to contact the Director General with the following matters deemed as a reportable incident:

- The receipt of a complaint or allegation of child abuse, including but not limited to sexual abuse, committed against a student by:
 - (a) a staff member or another student; or
 - (b) another person on the school premises or during a school-related activity; whether the abuse is alleged to have occurred recently or in the past.
- Issuing a formal warning, a suspension or ceasing the employment of a staff member for a breach of the school's Code of Conduct involving suspected grooming behaviour.

Policy Review

All policies are reviewed and amended in accordance with the *CSS Policy on Policies* and the *CSS Policy, Guidelines, Procedures and Frameworks Register*.

The *CSS Code of Conduct – School Staff* and associated guidelines will be reviewed annually; provided that an earlier review is undertaken whenever a matter or other information becomes evident regardless of indicators or not, there has been a policy or procedural failure.

All other Codes of Conduct and associated guidelines will be reviewed biennially; provided that an earlier review is undertaken whenever a matter or other information becomes evident regardless of indicators or not, there has been a policy or procedural failure.

Appendices

Appendix 1	CSS Code of Conduct Guidelines – Governing Council Member
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Version Management

VERSION	DATE REVIEWED	DATE RATIFIED	CHANGES MADE	AUTHOR OF CHANGES	NEXT REVIEW DATE
1	Oct 2011	26/10/2011	Policy formulated	KM	
2	March 2013	20/3/2013	Name changes - GC	KM	
3.	May 2016	29/6/2016	Remove reference to FLA	KM	
4.	March 2017	29/3/2017	Include reference to Child Side School Staff Code of Conduct	KM	
5.	September 2018	28/11/2018	Reviewed and Re-formatted for consistency. Enrolment process added, more specific detail in child code.	KM	
6.	Feb 2019	27/2/2019	Code of conduct for each school group separated from overarching policy	KM	Term 1 - 2022
7.	June 2022	20/07/2022	Added standard reference to regular review of policy and the use of the word "children" in the scope	LF	Term 2 - 2023
8.	Oct 2022	09/11/2022	Reference to Child CoC separated in 2 one for kindy-year6 and one for Young adolescence.	KM	Term 3 - 2024
9	April 2024	12/06/2024	Minor Formatting changes. Update to meet 2024 Registration Requirements. Changed the name of all Code of Conduct Policies. Code of Conduct – ECC and MCC (K-6) Code of Conduct – YAC (7-10) Code of Conduct – School Staff Code of Conduct – Governing Council Code of Conduct – Parent/Guardian Overarching Policy added to each individual groups Code of Conduct guidelines which eliminates needing to refer to 2 documents. Update to meet the 2024 Reportable Conduct Requirements. Update to meet the 2024 Reportable Conduct Requirements. Added explicit reporting obligations and child protection compliance requirements. Added reference to use of alcohol, drugs and tobacco use by Parents and GC Members. Added clarification about tobacco products to include vaping and e-cigarette usage.	JM	Term 2 - 2025
10	Feb 2025	26/02/2025	Minor formatting changes Addition of related policy and legislation Added definition for psychosocial wellbeing Added definition for restorative justice	JM	Term 2 2027

Child Side Playgroup and School Code of Conduct – Governing Council Member Guidelines

- New Governing Council (GC) Members receive *CSS Code of Conduct* information during initial induction discussions and as a part of the pre-membership documentation.
- All GC Members participate in an annual induction where the *CSS Code of Conduct Policy*, *CSS Concerns, Complaints and Disputes Policy* and the *CSS Whistleblower Protection Policy* obligations are discussed.
- All GC Members receive annual professional learning in relation to Child Protection and Mandatory reporting.
- All GC Members are required to sign a *GC Member Code of Conduct Agreement* (which reflects this policy and guidelines) annually.
- All GC Members are reminded of their obligations during GC Meetings and via school communications from both school leadership and Governing Council leadership.
- All GC Members have access to copies of school policy and guidelines including the *Child Protection Policy*, *CSS Code of Conduct Policy*, *CSS Concerns, Complaints and Disputes Policy* and the *CSS Whistleblower Protection Policy* via the GC SharePoint and or as a part of the *GC Charter and Resource File*.

Under the *CSS Code of Conduct* all CSS Community members have an obligation to objectively report observable behaviour which breaches or is suspected of breaching the Code, other than those behaviours subject to mandatory reporting obligations to a designated staff member.

Child Side Playgroup and School Designated Staff to whom reports must or can be made:

- Co-Principal (Business Manager and Administrator)
- Co-Principal (Curriculum Design)
- Continuity and Cohesion Educator, and or
- Chair of the Governing Council

In addition to the responsibilities outlined in the *CSS Code of Conduct Policy*, all Governing Council Members are expected to:

- Accept and comply with the *Governing Council Code of Conduct Agreement* which is tabled and signed annually at the GC induction Meeting.
- Act with honesty, integrity, and diligence in making decisions in the best interests of the school.
- Educate themselves as much as possible in the 'Child Side Way' particularly looking at elements of Reggio and Big Picture Education and Louise Porter's Guiding Children's Behaviour, so that they are able to communicate effectively with Educators and are able to better understand decisions that are consistent with these philosophies and approaches more effectively.
- Ensure that policies, procedures, and guidelines of the school are administered appropriately and fairly.

- Respect and maintain confidentiality in respect to information discussed in confidence in Child Side School Governing Council meetings, or that they may be given in the course of their work as GC members. Ensure that any record of this information is secured appropriately.
- Understand and comply with the processes available to have issues raised and decisions reviewed. (*Concerns, Complaints and Disputes Policy, Whistleblower Protection Policy*)
- Understand and comply with school policy which supports Child Protection practices and Privacy matters including but not limited to, the *Internet and Electronic Devices Policy* (which includes the use of mobile phones), *Staff Use of Social Media Policy*, and the *Use of Children's Photographs and Video Images Policy*.

What do I do if I see someone breach the Code of Conduct?

- Act to prioritise the best interests of children.
- Take actions promptly to ensure that children are safe.
- Promptly report any concerns to the Co-Principal's and or designated Staff member.
- Follow CSS policies and procedures for receiving and responding to complaints and concerns, reports and/or allegations.
- Comply with legislative requirements on reporting if relevant, and with CSS policy and procedure on internal and external reporting.

CSS will not tolerate victimisation or other adverse consequences that are directed towards any person who makes such reports in good faith.

Breach of this Code

If an individual or group breaches this code for the first time, they will be verbally reminded of their agreement to this code.

If the breach continues, occurs again or is of a serious nature, under section 16 and 17 of the South West Learning Community Association inc. (SWLCA) Constitution, they will be informed in writing by the Child Side School Governing Council that it has been determined that a breach has occurred and of the consequences that will be applied for breaching the code.

The Child Side School Governing Council will have the final say on whether a breach has occurred.

Further action may be taken and if the breach is not resolved a request or requirement to leave the school premises or school community may be made.

Section 18-22 of the SWLCA Constitution outlines an individual's rights in relation to disputes between Members and Members and the Association.