

# The Hutchins School

## Code of Conduct



**INSPIRING GREAT PRACTICE**

## Table of Contents

1. Introduction
2. Purpose of the Code of Conduct
3. Philosophy and values of our school
4. The Hutchins School – a great place to work and learn
5. General responsibilities of employees
6. Duty of care
7. Physical contact
8. Sexual misconduct
9. Respect for people
10. Use of tobacco, alcohol and other drugs and medication
11. Procedures for dealing with breaches of the Code of Conduct

## INTRODUCTION

The Code of Conduct (the Code) has been developed by The Hutchins School in consultation with its staff. The Code of Conduct identifies a set of principles which describe the professional conduct, personal conduct and professional competence expected of our staff. The Code of Conduct describes the philosophy and values of the School which underpin the Code, general responsibilities of staff, duty of care and legal responsibilities to comply with legislation.

The Code of Conduct is based on our school values.

## PURPOSE OF THE CODE

The purpose of the Code is to communicate what is already common practice at The Hutchins School. The Code of Conduct ensures a common understanding of the standards of behaviour expected of all employees of The Hutchins School.

The purpose of the Code is to:

- State the principles that guide our practice and conduct
- Promote the values of The Hutchins School
- Affirm accountability
- Promote community confidence in The Hutchins School

This Code of Conduct applies to all employees of The Hutchins School.

The Code does not attempt to provide an exhaustive list of what to do in every aspect of your work. Instead, it sets out standards of behaviour expected and provides a broad framework that will help you decide on an appropriate course of action if you are faced with an ethical issue. If you are uncertain about the scope or content of the Code of Conduct or a policy, procedure or guideline, you should seek clarification from your Head of School (teaching staff) or supervisor (support staff) or the People, Culture and Safety Team.

The Code of Conduct is based on Tasmanian and national legislation, regulations, standards and policies of The Hutchins School.

This Code of Conduct aims to meet the requirements of the [Schools Registration Board \(Tasmania\) – Registration Handbook](#).

# PHILOSOPHY AND VALUES OF OUR SCHOOL

## Our values and Guiding Statements

### OUR VISION

Hutchins provides an inspirational education where each boy strives to achieve his personal best and is willing to serve his community as an informed and active citizen; locally, nationally and globally.

### OUR MISSION

Hutchins is an Anglican school whose supportive learning community works together to build character of boys.

### OUR GOAL

The Hutchins School aims to **build good men** who act with kindness, integrity, compassion, humility and courage.

### OUR FAITH

A Christian life, as a response to Jesus Christ, is commended and encouraged at Hutchins. We express our Christian values in welcoming and respecting members of all faiths.

### OUR GLOBAL INTENT

The Hutchins School community is committed to being internationally-minded by understanding and embracing diversity in all its forms, and by respecting and celebrating this diversity in order to foster a peaceful, just and sustainable world.

### OUR COMMITMENT

The Hutchins School community is committed to providing an age and stage holistic education with a focus on the wellbeing of boys. We aim to inspire students to be creative and adaptable by providing them with the skills to lead and succeed in their global future.

### OUR MOTTO

**Vivit Post Funera Virtus** – *Character Lives on After Death* – What you do matters.

### OUR VALUES

- Kindness
- Integrity
- Compassion
- Humility
- Courage

## THE HUTCHINS SCHOOL – A GREAT PLACE TO WORK AND LEARN

Hutchins strives to create an environment that is a great place to work and learn. We value relationships that are based on respect, kindness and a willingness to work collegially within our learning community.

### RELATIONSHIPS WITH COLLEAGUES

**COLLEGIALITY IS AN INTEGRAL PART OF THE WAY WE WORK.**

Our staff demonstrate collegiality by:

- treating each other with courtesy and respect;
- respecting and valuing the input of our colleagues;
- using appropriate forums for constructive debate on professional matters;
- sharing expertise and knowledge in a variety of collaborative contexts;
- providing support for each other, particularly those new to our school ; and
- sharing information relating to the wellbeing of learners.

### RELATIONSHIPS WITH PARENTS/CARERS AND FAMILIES

Our staff should be respectful of, and courteous to, parents and carers by:

- considering parents/carers perspectives when making decisions which have an impact on the education or wellbeing of our learners;
- communicating and consulting with parents/carers in a timely, understandable and sensitive manner; and
- taking appropriate action when responding to parent/carer concerns.

## GENERAL RESPONSIBILITIES OF EMPLOYEES

As an employee of The Hutchins School, you should be aware of the School's policies, procedures and guidelines that help to make our school a great place to work.

Our policies, procedure and guidelines are made available online through our employee intranet (Hutchins Central). If you are uncertain about the scope or content of a policy, procedure or guideline, you should seek clarification from your Head of School (teaching staff) or supervisor (support staff) or the People, Culture and Safety Team.

General responsibilities of employees of The Hutchins School include but are not limited to:

- acting in accordance with The Hutchins School's Code of Conduct, Guiding Statements and values ;
- performing your duties to the best of your ability and being accountable for your performance;
- addressing issues of bullying, harassment and victimization;
- avoiding and preventing discrimination;
- acting with care and diligence;
- maintaining privacy and confidentiality;
- appropriately using the property of The Hutchins School;
- supporting the School's commitment to health, safety and wellbeing;
- following reasonable instructions given by your supervisor; and
- complying with the law.

In addition to the above, teachers must

- Adhere to the Teachers Registration Board's [Code of Professional Ethics for the Teaching Profession in Tasmania](#)

Great staff at Hutchins:

- Work collegially with colleagues to ensure continuous improvement of our school
- Are familiar with and actively demonstrate behaviours consistent with the School's Code of Conduct, Guiding Statements and value
- Are proactive in intervening and reporting bullying, harassment and discrimination
- Are proactive in seeking assistance where they are not clear of the requirements of the Code of Conduct, policies, procedure and guidelines

Effective leaders at Hutchins:

- Promote collaboration and a collegial workplace by developing a positive working environment in which employees can contribute to the ongoing improvement and success of the School
- Provide ongoing support and feedback to your staff
- Model the professional behaviour you would expect of your employees
- Establish systems within your area of responsibility which support effective communication and consultation with your staff
- Take appropriate action if a breach of the Code of Conduct or School policies may have occurred

The following school policies, procedures and guidelines are available to support employees:

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- [The Hutchins School Guiding Statements](#)
- [Grievance Policy and Procedures](#)
- [Anti-Discrimination Policy](#)
- [Anti-Bullying Policy - Staff](#)
- [Privacy Policy](#)
- [Work Health and Safety Policy](#)
- [Work Health and Safety Procedures](#)
- [Employee Role Descriptions](#)

## DUTY OF CARE

Duty of care is essentially a duty to do everything reasonably practicable to protect others from foreseeable harm. While this applies in all aspects of an employee's work, it is particularly important for those employees who have interaction with and responsibility for students.

All students have a basic and expected right to a physical and emotional environment that is free from unreasonable risk of harm. Harm includes any significant detrimental effect to the student's physical, psychological or emotional wellbeing by any cause and includes minor harm that is cumulative in nature and which would result in a detrimental effect of a significant nature to the student if allowed to continue. Amongst other things, harm can be caused by:

- physical, psychological or emotional abuse or neglect;
- sexual abuse or exploitation;
- domestic or family violence;
- student bullying; or
- one's own actions.

A duty of care to students applies during all activities and functions conducted or arranged by the School. The risks associated with any activity need to be assessed and managed before the activity is undertaken.

### Work health and safety

Under the Work Health and Safety Act, employees are defined as workers and have the following responsibilities:

- take reasonable care for their own health and safety;
- take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons;
- comply, so far as they are reasonably able, with any reasonable instruction that is given by the School to allow the School to comply with the Work Health and Safety Act; and
- co-operate with any reasonable policy or procedure of the School relating to health or safety at the School that has been notified to employees.

Employees must actively seek to maintain a safe teaching/working environment for themselves, fellow staff members and students in accordance with the Work Health and Safety Act 2012. Considerations of safety relate to both physical and psychological wellbeing of individuals.

You should ensure that you are aware of and the School's [Work Health and Safety Policy](#).

## Supervision of students

Employees with student supervisory responsibilities:

- You should take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury
- You should be familiar with and comply with the School's work health and safety procedures, including but not limited to excursion and tour procedures, evacuation and lockdown procedures, injury and hazard reporting procedures
- You should be punctual to class and allocated supervision
- You should remain with students at after school activities until all students have been collected. In the event that a student is not collected you should remain with the student until collected, contact the student's parent/carer and where deemed appropriate (no response from parent/carer) take the student to the School's boarding house so that the student can safely await the arrival of their parent/carer. Your Head of School can provide advice should you need assistance

The following school policies, procedures and guidelines are available to support employees:

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- [Safeguarding Children and Young People Policy](#)
- [Work Health and Safety Policy](#)
- [Work Health and Safety Procedures](#)
- Practice Behaviour Guidelines (under development)
- Safeguarding Children and Young People Online Training

## PHYSICAL CONTACT

### Physical contact with children and young people

As a general rule, physical contact between staff and students should be avoided, since it can be misinterpreted in certain situations. That said, it is often:

- ❖ A necessary consequence of working with young children who may require adult assistance in a range of situations.
- ❖ A means of communication on certain occasions, particularly as staff and students develop a more productive working relationship. As such, it should take place:
  - in a public area;
  - in the presence of others; and
  - with all involved being clothed appropriate to the School activity being undertaken.

Appropriate physical contact may include:

- Assisting a student (most likely in the Early Learning Centre) who has had a toileting accident and requires help with being cleaned (for example in the shower) and then changing into fresh clothes.
- A member of staff making the decision to physically move or restrain a student when the student is perceived by the adult to be in a situation that could potentially cause harm to themselves or others (for example acts of aggression against other students or members of staff).
- Performing first aid.
- A pat on the back for encouragement (e.g. during class; after a shared joke or agreed decision in a public area); as a means of demonstrating technique, showing collaborative understanding or providing positive feedback during a practical session or demonstration.
- An arm around a shoulder, for example, when posing for an informal group photo in a public area in such situations as: during or at the end of a school trip, as a member (e.g. coach) of a school sporting team or mentor group.

Under no circumstances should any of our staff have contact with children or young people that:

- involves touching:
  - of genitals
  - of buttocks
  - of the breast area (female children)

that is other than as part of delivering medical or allied health services;

- would appear to a reasonable observer to have a sexual connotation;
- is intended to cause pain or distress to the child or young person – for example corporal punishment;
- is overly physical – as is, for example, wrestling, rough or boisterous play, tickling or other roughhousing;
- is unnecessary – as is, for example, assisting with toileting when a child does not require assistance; or
- is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child/young person or to others, in which case:
  - physical restraint should be a last resort
  - the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child or young person to prevent harm to themselves or others
  - the incident must be reported to management as soon as possible.

Our staff are required to report to management any physical contact initiated by a child or young person that is sexual and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the child or young person, our staff and any other participants.

*As an additional guideline, physical contact with children and young people should be based on the needs of the child or young person (such as to assist or comfort a distressed young person) rather than on the needs of our staff.*

The following school policies, procedures and guidelines are available to support employees:

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- [Safeguarding Children and Young People Policy](#)
- [Work Health and Safety Policy](#)
- Practice Behaviour Guidelines (under development)
- Safeguarding Children and Young People Online Training

## SEXUAL MISCONDUCT

All children and young people have a right to a safe physical and emotional environment.

Employees' interactions with students must be, and be seen to be, professional at all times.

Under no circumstances is any form of 'sexual behaviour' to occur between, with, or in the presence of, children or young people participating in any of our school programs or services. Engaging in sexual behaviour while participating in our programs/services is prohibited even if the young persons involved may be above the legal age of consent.

'Sexual behaviour' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution; and
- 'non-contact behaviour', such as flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

The following behaviour constitutes either misconduct or sexual misconduct:

- unwarranted and inappropriate touching of students;
- suggestive remarks or action of a sexual nature;
- sexual exhibitionism;
- obscene gestures, language, jokes containing sexual references or deliberately exposing students to the sexual behaviour of others in any form, other than in the case of prescribed curriculum material in which sexual themes are contextual;
- inappropriate conversations of a sexual nature;
- comments that express a desire to act in a sexual manner;
- personal correspondence (including electronic communication) with a student in respect of the adult's sexual feelings for a student;
- deliberate exposure of students to sexual behaviour of others including display of pornographic material;
- flirtatious behaviour directed at a student;
- dating a student;
- spending significant time alone with a student other than to perform one's professional duties, or without other reasonable explanation; and
- expressing romantic feelings towards a student in any way.

### Grooming

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Created by: People, Culture and Safety Team

Date of First Issue: 24 July 2017

Doc. No. & Title: Code of Conduct

Status: Ver 3

Last Review Date:

Page 12 of 19

1 Oct 2018

Next Review Date:

Oct 2020

Sexual misconduct can also include grooming behaviour. Grooming behaviour is a process whereby sexual offenders condition and build rapport with children or young persons in order to reduce their resistance to, and increase compliance with, sexual abuse. The grooming process can include:

- gaining the child's trust by making promises and giving gifts;
- lavishing a child or young person with attention and praise so that they enjoy spending time with the perpetrator;
- engaging with the child in various forms of close physical contact, such as roughhousing, tickling, patting, so that they become comfortable with close physical contact;
- gaining the trust of the child's parent/carer support;
- assisting and ingratiating themselves with the family and the child, for example, by offering to babysit, or to provide financial assistance or tutoring;
- trying to isolate the child or young person from their parent/carer, thereby creating a situation where the child or young person wants to spend time with the perpetrator instead
- spending time exclusively with the child;
- providing cigarettes, drugs or alcohol to a child or young person;
- making sexual comments or jokes; and
- using pornography to open sexual discussions with children and young people.

Employees must not provide or exchange personal contact details such as telephone numbers or email addresses with students, unless there are specific work-related reasons. Similarly, employees must not enter into unauthorised electronic communication (communication that does not have a valid educational context) with students such as social media, text messaging, podcasting and chat rooms.

Employees must discourage and reject any advances of a sexual nature initiated by a student. Should such a situation arise then employees must report such instances immediately to the Headmaster to assist in preventing repetition and avoiding subsequent allegations. Allegations will be investigated thoroughly and may involve the Police.

The following school policies, procedures and guidelines are available to support employees:

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- [The Hutchins School Guiding Statements](#)
- [Safeguarding Children and Young People Policy](#)
- [Work Health and Safety Policy](#)
- [Employee Role Descriptions](#)
- Practice Behaviour Guidelines (under development)

## RESPECT FOR PEOPLE

The Hutchins School expects employees to treat each other with respect and courtesy. How we interact with each other reflects on the School's reputation. All employees are expected to be approachable, courteous and prompt in dealing with others, including students, parents/carers, other employees and members of the community.

The Hutchins School strives to create a workplace that is free from discrimination, bullying and harassment.

Employees must not discriminate against, or harass for any reason, any employee, contractor, student or parent/carer.

If you believe you are being unlawfully harassed, discriminated against or bullied, you should:

- a) ask the person to stop, or make it clear that you find the behaviour offensive or unwelcome if you feel comfortable to do so;
- b) raise the matter with your Head of School (teaching staff) or supervisor (support staff) or the School's People, Culture and Safety Team to seek guidance on the matter; or
- c) raise the issue as a grievance in accordance with the School's Grievance Policy as soon as possible after the incident(s) have occurred.

The School takes reports of unlawful discrimination, harassment or bullying seriously and will take all necessary action it considers appropriate if such conduct is found to have occurred, including disciplining or dismissing offenders.

Equally, if it is found that the complainant lies about or exaggerates a complaint, the School will view this as a very serious matter, and they may be disciplined or dismissed.

### Definitions:

**Workplace Discrimination** is denying any person equality of treatment in employment matters for any grounds other than those directly related to the requirements of the job.

Discrimination can occur directly or indirectly:

**Direct discrimination** occurs when a person or group of people are treated in an unfair or less favourable way because of an attribute such as age, gender, race, religion, sexual orientation, nationality, disability, familial status.

**Indirect discrimination** occurs when an organisation's practices, policies or procedures have the effect of disadvantaging people who share certain attributes.

**Attributes** include race, colour, sex, sexual preference, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or social origin.

The following school policies, procedures and guidelines are available to support employees:

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- [Anti-Discrimination Policy](#)
- [Anti-Bullying Policy - Staff](#)
- [Grievance Policy and Procedures](#)

## USE OF TOBACCO, ALCOHOL AND OTHER DRUGS AND MEDICATION

The Hutchins School is committed to providing a productive, safe and healthy workplace.

All staff 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 you or any other person's health and safety.

### Use of tobacco, alcohol and other drugs and medication

- The Hutchins School is a smoke free workplace. Smoking is not permitted in school facilities and grounds. Smoking is not permitted whilst staff members have direct responsibility for or contact with students.
- Employees have a work health and safety obligation, in accordance with the Work Health and Safety Act 2012, to ensure that their use of alcohol and drugs, whether illicit, prescribed, over-the-counter or prescribed as medication, does not adversely affect their work performance or endanger the health and safety of others.
- Employees must not consume or be affected by alcohol and/or the illicit use of drugs in any circumstances where they are responsible for students. This includes camps, retreats, excursions and other such activities.
- The illicit use of drugs at any time within a professional context, particularly in association with the supervision of students, is strictly prohibited.
- Employees must not provide students with alcohol and must not encourage or condone the illegal use of alcohol (including underage drinking) or the excessive consumption of alcohol.
- Employees should reasonably endeavour to avoid direct social contact with students where student consumption of alcohol or the illicit use of drugs occurs.
- Employees must not give students or other employees illegal drugs or restricted substances or encourage or condone their use.
- Employees suffering from a drug or alcohol problem that adversely affects their work performance must actively seek professional assistance to correct the problem. In this regard employees are encouraged to access our School Counsellors or our Employee Assistance Program (EAP).

### Great staff at Hutchins:

- immediately notify a supervisor other employees who may be affected by drugs or alcohol; and
- support and encourage employees who may have an alcohol or drug problem to access support services such as School Counsellors and/or the Employee Assistance Program (EAP).

### Effective leaders at Hutchins:

- actively support employees that seek support for an alcohol or drug related problem by referring them to the School Counsellors or Employee Assistance Program (EAP).

The following school policies, procedures and guidelines are available to support employees:

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- [The Hutchins School Guiding Statements](#)
- [Safeguarding Children and Young People Policy](#)
- [Work Health and Safety Policy](#)
- [Employee Role Descriptions](#)
- Practice Behaviour Guidelines (under development)

## PROCEDURE FOR DEALING WITH ALLEGATIONS AND APPARENT BREACHES OF THE CODE OF CONDUCT

Potential breaches of the Code, including apparent breaches and allegations, will be dealt with in accordance with the principles of procedural fairness and natural justice<sup>1</sup>.

The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach.

Employees should report possible breaches by colleagues to their supervisor or the **Headmaster**. If the possible breach is by their supervisor then it should be reported to the **Headmaster**.

Factors the School may consider when deciding what action to take may include:

- a) the seriousness of the breach;
- b) the likelihood of the breach occurring again;
- c) whether the employee has committed the breach more than once;
- d) the risk the breach poses to employees, students or any others; and
- e) whether the breach would be serious enough to warrant formal disciplinary action.

Actions that may be taken by the School in respect of a breach of the Code include:

- (a) management or remedial action;
- (b) training; or
- (c) disciplinary action ranging from a warning to termination of employment.

The School will reserve the right to determine in its entirety the response to any breach of this Code.

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<sup>1</sup> Procedural fairness requires a fair and proper procedure be used when making a decision. Employees will be afforded a fair and reasonable opportunity to respond to matters or evidence of alleged breaches of the Code of Conduct. Procedural fairness is sometimes called 'natural justice'.

## Review Details

Date	Version	Description of changes
Oct 2017	1	Document created by Deputy Headmaster and Director of Staff Performance
24 July 2017	2	Significant review and rewrite of the Code. Review Committee established and staff consultations sessions held.
1 Oct 2018	3	Code reviewed. Anti-Bullying Policy – Staff added to pages 7 and 15. Guideline for Parents and Staff in Dealing with Harassment and Bullying removed.