



CATHOLIC EDUCATION
DIOCESE OF WOLLONGONG

CODE OF CONDUCT

IN THE PROTECTION OF CHILDREN & YOUNG PEOPLE



*Make me to know your ways, O Lord;
teach me your paths.*

Psalm 25:4

A set of *Guidelines for Professional Conduct in the Protection of Children and Young People (NSW Catholic Systemic Schools)* has been developed collaboratively across the Dioceses of NSW and the ACT, under the direction of the Conference of Diocesan Directors of Education. It promotes a common understanding of expected behaviour for all people working in or providing services in Catholic Systemic Schools.

Catholic Education Diocese of Wollongong (CEDoW) has adapted those NSW guidelines as necessary to suit local circumstances, producing this document for Catholic Systemic Schools in the Diocese of Wollongong.

The *Code of Conduct in the Protection of Children and Young People (Catholic Education Diocese of Wollongong)* has been adopted for use in the Catholic Systemic Schools as well as the Catholic Education Office in the Diocese of Wollongong.

The abbreviated term - the **Code** - is used hereafter in this document in referring to:
***Code of Conduct in the Protection of Children and Young People
(Catholic Education Diocese of Wollongong)***

Version Control	Date Approved	Approved by	Implementation Date	Amendment	Review Date
1.0	December 2013	Carolyn Hadley <i>Head of Human Resource Services</i>	Term 1, 2014	Replaces – <i>Code of Professional Standards for Catholic School Employees</i>	December 2015
1.1	March 2014	Margaret Chittick	Term 1, 2014	Update of front cover	December 2015
1.2	December 2014	Carolyn Hadley <i>Head of Human Resource Services</i>	December 2014	Additional reference to <i>Fair Work Act</i> and Ombudsman at #6.4	December 2015
1.3	January 2019	Margaret Chittick	January 2019	Update of agency terminology and links	December 2019
1.4	April 2019	Carolyn Hadley <i>Head of Human Resource Services</i>	April 2019	Incorporates a <i>Social Media Policy</i> and the revised/renamed <i>Use of Technology Policy</i>	December 2020
1.5	March 2020	Carolyn Hadley <i>Head of Human Resource Services</i>	March 2020	Incorporates changes to the NSW Reportable Conduct Scheme	December 2021

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1. Statement of Catholic values and ethics

The mission of the Catholic Church unequivocally commits Catholic education workplaces and every school community to foster the dignity, self-esteem and integrity of every person to whom it provides a service and of every person who works in the Diocese of Wollongong.

Workers in Catholic education uphold the mission by modelling positive relationships and acting in a manner that creates a safe and productive educational and pastoral environment.

Catholic schools and Catholic education workplaces seek to create a caring, life-giving and faith-filled environment where Gospel values inspire and affirm the highest standard of ethical conduct. Workers have a privileged role of service that require prudent judgement and exercise of right relationships. Catholic school communities actively support the development of a culture that does not condone improper conduct, violation of relationships such as through intimidation, bullying, harassment and breach of professional boundaries, or abuse of power.

The Code is founded in the person of Jesus Christ, particularly focusing on the Gospel values of:

- respect – upholding the dignity of each person, created in the image of God
- love – the gift of sincere care, concern, empathy and compassion for each person
- service– generous care for the needs of others
- justice – the proper exercise of power and authority

These values are demonstrated by:

- acting in accordance with the principles of child protection as a fundamental responsibility
- acting with integrity in all relationships and situations
- maintaining relationships that develop within the context of gospel values
- honouring the equality of women, men and children and young people
- resolving disputes respectfully
- behaving and speaking in ways that indicate a respect for the dignity of the person
- providing quality services to Catholic education, whether in the classroom, the office or the community
- being consistently honest, trustworthy and accountable
- being committed to social justice by opposing prejudice, injustice and dishonesty
- maintaining and developing our professional and work practices
- working collaboratively with colleagues
- maintaining right and healthy relationships with:
 - students
 - parents and carers
 - colleagues
 - school and Church community

2. Introduction

The Code draws on the statement of Catholic Values and Ethics which guides our work in Catholic education.

The Code embraces the principles and values inherent in *Integrity in Ministry*¹ and *Integrity in the Service of the Church*².

The Code is underpinned by relevant legislation and industrial instruments.

If there is any conflict between the Code and legislation, the provisions of legislation take precedence.

The Code document should be read in conjunction with other relevant policies, including (but not limited to) the following CEDoW policies, as well as local school policies:

[Care Wellbeing and Protection of Children](#)

[Complaints and Difficult Issues](#)

[Conflict of Interest](#)

[Dress Code Policy](#)

[Expectations of a Catholic Employer](#)

[General Terms of Employment - School Staff](#)

[General Terms of Employment – CEO Staff](#)

[Maintaining Right Relationships](#)

[Path to Life: A framework for pastoral care and wellbeing](#)

[Preventing Harassment in the Workplace](#)

[Preventing Sexual Harassment](#)

[Preventing Workplace Bullying](#)

[Privacy Manual for Schools \(CSNSW\)](#)

- [Privacy & Exchanging Personal Information \(CSNSW\)](#)

- [Protocol for Exchange of Information \(CEDoW\)](#)

[Professional Boundaries and Arena of Safety](#)

[Professional Conduct: The way to effective child protection](#)

[Professional Conduct and Child Protection: Responding to allegations involving school personnel](#)

[Social Media Policy](#)

[Staff Attendance Policy](#)

[Staff Relations Policy](#)

[Staff Responsible Use of Technology Policy](#)

[Supervision Policy](#)

[Whistleblowing Policy](#)

[Work Health and Safety \(WHS\) policies and procedures](#)

Updated CEDoW policies are available on the CEDoW public website www.dow.catholic.edu.au or on the CEDoW intranet site available to staff - Gateway <https://gateway.dow.catholic.edu.au/>

¹ National Committee for Professional Standards, 2004 (A Committee of the Australian Catholic Bishops Conference and the Australian Conference of Leaders of Religious Institutes)

² National Committee for Professional Standards, 2011 (A Committee of the Australian Catholic Bishops Conference and the Australian Conference of Leaders of Religious Institutes)

3. Purpose

The purpose of the Code is to promote a common understanding and consistency in expected standards of behaviour for workers, religious and all those working and/or volunteering in schools.

The Code is not intended to be exhaustive and do not identify every potential scenario of concern in the workplace.

The Code assists to:

- clarify the parameters of appropriate and inappropriate conduct for workers who work in child related employment
- create a safe and supportive school environment for students, workers and the school's broader community
- promote the mission in accordance with Catholic values and ethics.

The Code is aimed at modelling and building a contemporary Catholic workplace that is faith-filled, collaborative, consultative and lawfully compliant.

The Code requires:

- workers to take responsibility for their own conduct with students, staff and the wider school community
- workers to conduct themselves in a manner that is professional, cooperative and consistent with the Code
- principals/supervisors/managers and leaders to provide workers with guidance, training, support and supervision

4. Application – to whom the Code of Conduct applies

The Code applies to all people engaged to work in, or provide services to, Catholic Systemic Schools (schools) in the Diocese of Wollongong. This includes workers in the Catholic Education Office in the Diocese of Wollongong.

For the purpose of the Code, those working in, or providing services to, Catholic Systemic Schools are referred to as 'workers'.

Workers include:

- all paid employees of schools and the Catholic Education Office, whether employed on a permanent, temporary or casual basis
- religious, volunteers, contractors, consultants and students on tertiary practicum placements working with the schools and Catholic Education Office

4.1 Workers in a school or the Catholic Education Office are required to be aware of and comply with the Code. There may be consequences for a breach of the Code.

4.2 While contractors, consultants, students on tertiary practicum placements and volunteers are not usually subject to disciplinary action, conduct that would be assessed as being a breach of the Code may result in their engagement being terminated.

5. Expectations of workers

5.1 Workers are expected to:

- i. be aware of the policies and procedures that apply to the work and in the workplace. If workers are uncertain about the scope or content of a policy with which they are required to comply, they should seek clarification from their principal/supervisor/manager
- ii. be familiar with the legislation under which they are employed, as this may specify requirements for mandatory compliance.
- iii. undertake duties in a professional, competent and conscientious manner
- iv. take up suitable opportunities to improve their knowledge and skills, including participation in relevant professional development/training
- v. be mindful of their duty to the safety of themselves and others
- vi. be aware that if their conduct has the potential to damage the school's reputation, even if it is in a private capacity, this could lead to disciplinary action
- vii. act in good faith by not making unfounded complaints with malicious, frivolous or vexatious intent against another person
- viii. model effective leadership and respect in interactions with students, colleagues and others
- ix. treat others with care. Rude or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening or derogatory language and physical abuse or intimidation towards others is unacceptable

5.2 A principal/supervisor/manager, in addition to the above responsibilities, is expected to:

- i. promote collaborative and collegial workplaces
- ii. exercise leadership by working with workers to implement performance and development processes that are consistent with the worker's conditions of engagement
- iii. provide ongoing support and feedback to workers
- iv. establish systems within their area of responsibility which support effective communication
- v. consult with and involve their staff in appropriate decision-making
- vi. inform workers of the Code and all relevant policies and make the documents accessible to them
- vii. take appropriate action if a breach of the Code may have occurred

5.3 Whilst different arrangements for engagement may apply for religious, volunteers, contractors, consultants and students on tertiary practicum placements, these persons are expected to conduct themselves consistent with the principles underpinning the Code.

6. Breach of the Code of Conduct

Workers hold a position of trust and are accountable for their actions.

- 6.1 If a worker's actions are inappropriate or appear to breach the standards of the Code, the principal/supervisor/manager has a responsibility to address any possible breach as soon as they become aware of it.
- 6.2 An alleged breach of the Code may require a report to be made internally and may need to be referred to external authorities under relevant legislation.
- 6.3 An alleged breach of the Code may be investigated.
- 6.4 In investigating an alleged breach of the Code, the rules of procedural fairness consistent with the *Fair Work Act* and the relevant NSW *Children's Guardian* guidelines apply.
- 6.5 Each case will be determined on the facts and circumstances when deciding on the appropriate action to be taken. Appropriate action is determined by considering:
 - i. the nature and seriousness of the breach; and
 - ii. any prior breaches; and
 - iii. an assessment of risk
- 6.6 Appropriate actions may include:
 - i. informal counselling
 - ii. performance management
 - iii. professional learning/development
 - iv. increased supervision or monitoring
 - v. coaching or mentoring
 - vi. directive counselling
 - vii. specialist assessment
 - viii. informal or formal disciplinary action
 - ix. demotion
 - x. termination
- 6.7 If workers become aware of a possible breach of the Code by any person, they must report this to their principal/supervisor/manager.
 - Workers who are concerned about an alleged breach of the Code by their principal/supervisor/manager, should report this to the next in line of Leadership within the school or CEDoW.
 - Workers must promptly report to the principal/manager any child protection allegation they become aware of that involves a CEDoW worker; the principal/manager must advise CEDoW in accordance with CEDoW policy – [Professional Conduct and Child Protection: Responding to allegations involving school personnel](#).
 - If workers become aware that a serious breach of the Code is not being addressed, they should report their concern to the *Head of Human Resource Services* or to the *Safety Wellbeing and Professional Services Team* at CEDoW.

7. Reporting concerns about workers' conduct

7.1 Child protection laws require workers to report certain matters of concern, including:

- i. informing the employer if they are charged or convicted of an offence relevant to working in child-related employment, or if they have had any reportable allegation made against them
- ii. promptly reporting to the employer any allegations or convictions of reportable conduct involving any worker (including yourself), as required by the Head of Relevant Entity (HRE) pursuant to [Part 4](#) of the [Children's Guardian Act 2019](#), in accordance with CEDoW policy and procedures

The *Children's Guardian Act 2019* requires all workers who are captured by the Reportable Conduct Scheme to 'give a **report**' about any 'reportable allegation' they become aware of, and this report must be made **as soon as practicable**.

'Giving a report' means reporting up in the school/CEDoW all relevant information for the *head of relevant entity* (the HRE) about a reportable allegation or conviction against another employee of the organisation (or yourself). Employees are to follow CEDoW established processes for internal reporting and for [Responding to allegations involving school personnel](#).

The NSW Office of the Children's Guardian advises that "*the simplest way of complying with this requirement is to ensure you **report any allegation, disclosure, complaint, concern, incident or observation that may be reportable conduct** [see [Fact Sheet 1 Identifying reportable allegations](#)]*"

In some circumstances, a failure to make a report could also constitute:

- a reportable allegation (of neglect) against the employee who fails to report, and/or
- a criminal offence under [s43B](#) of the *Crimes Act* (*failure to protect*), and/or
- a criminal offence under [s316A](#) of the *Crimes Act* (*failure to report child abuse*)

- iii. reporting to their principal/supervisor/manager any information or concerns about inappropriate behaviour by any worker that involves a student or other child or young person
- iv. fulfilling their legal obligation to report risk of significant harm, or to report possible criminal activity, in accordance with CEDoW policy and procedures
- v. maintaining confidentiality of all parties concerned. In any matters where workers are in doubt as to the requirements of confidentiality, they should seek advice from their principal/supervisor/manager or their delegate, without discussing the matter with others
- vi. in special cases where a serious concern involves their principal/supervisor/manager, it is more appropriate that the worker take the matter of concern directly to a person in a higher position in the organisation

7.2 Workers must not take, or threaten to take, detrimental action against the complainant or person who reported the information. This includes any action or adverse treatment of a person that could reasonably be perceived to be detrimental action in reprisal. To do so may be regarded as serious misconduct and may result in disciplinary action.

8. Record keeping

All workers have an obligation to maintain appropriate records and data in relation to their professional practice in the care and protection of children and young people.

A record serves an essential administrative, legal and historical purpose. Records can include class rolls, student assessment records, emails, electronic documents, digital image and audio recordings, correspondence, statements, records of interviews, files, forms, plans, drawings, notes, photographs and films.

Workers:

- 8.1 have a responsibility to create and maintain appropriate records of their professional activities and decisions in the care and protection of children and young people, including contemporaneous records of any disclosure, observations and discussions including any breach of the Code
- 8.2 should be mindful of the need to retain such records securely and confidentially
- 8.3 should seek appropriate advice regarding the retention/destruction of such records

The principal/supervisor/manager has a responsibility to ensure that the workers reporting to them comply with their records management obligations.

9. Duty of care

Workers have a legal and moral obligation to take reasonable care for their own safety and the safety of students and others with whom they come into contact as part of their employment.

9.1 These obligations will arise from the specific role and responsibilities of the worker and may include the following:

- i. providing adequate supervision
- ii. ensuring grounds, premises and equipment are safe for students' use
- iii. implementing strategies to prevent bullying from occurring in school
- iv. following procedures relating to student safety, welfare and wellbeing, for example, reporting risk of significant harm
- v. providing medical assistance (if competent to do so), or seeking assistance from a medically trained person to aid a student who is injured or becomes sick at school
- vi. complying with legislative and other prescribed obligations under the [Work Health and Safety Act 2011](#) and [Regulations](#)
- vii. complying with relevant child protection legislation and regulations

9.2 Workers have a duty to take reasonable care for the safety and welfare of the students in their care. That duty is to consider and take all reasonable action to protect students from known hazards or risk of harm that can be reasonably predicted. The standard of care that is required needs to take into consideration various factors, such as a student's maturity and ability.

9.3 Duty of care to students applies during all activities and functions conducted or arranged by schools where students are in the care of workers. The risk associated with any activity needs to be assessed and managed before the activity is undertaken.

9.4 A single serious failure to exercise appropriate duty of care, or persistent repeated failures, may constitute neglect or negligence according to the law if actual harm is caused, or there is the potential to cause significant harm to a child or young person.

Neglect includes either action or inaction, by a person who has care responsibilities, towards a child, which may include:

- Supervisory neglect (failure to adequately supervise)
- Carer neglect (grossly inadequate care of a student)
- Failure to protect a child from abuse (unreasonable failure to respond to information that may result in harm to a student)
- Exposing a child to a harmful environment
- Reckless acts or failure to act (gross breach of professional standards that may result in harm to a student)

See: *NSW Office of the Children's Guardian Fact Sheet 1: [Identifying reportable allegations](#)* in relation to 'Neglect'

10. Professional relationships between workers and students

All students have a right to a safe physical and emotional environment.

It is expected that workers will be caring, compassionate adults who take an interest in their students and who set appropriate boundaries within those worker-student relationships.

Workers must be aware that their interactions with students are based on a trusting relationship arising from the nature of their role in the workplace, and that those relationships are open to scrutiny.

Workers must always treat students with respect.

Workers are expected always to behave in ways that promote the safety, welfare and well-being of children and young people.

Workers may need to consider and negotiate individual behaviour/education plans in relation to particular children or young people and comply with those plans.

While not all workers are required to manage and supervise students, it is important for all workers to understand and observe child protection policies.

In addition to the following principles and practical examples, refer to current guidelines issued by the *Office of the Children's Guardian* about the [NSW Reportable Conduct Scheme](#), including:

- [Fact Sheet 1: Identifying reportable allegations](#)
- [Fact Sheet 9: Information for employees](#)
- [Fact Sheet 10: Information for employers](#)

10.1 Workers must not:

- engage in **inappropriate physical contact/force** with students including physical/corporal punishment of a student in the course of their professional duties, and/or
- act in ways which may cause a child or young person to reasonably fear that unjustified force will be used against them, even if this is not their intention.

In addition, workers must not act recklessly in this regard.

Examples of **inappropriate physical contact/force** include:

- intentional and unjustified use of physical force;
- using an object, such as a ruler, book, whiteboard eraser or marker to gain a child's attention in a hostile or an inappropriate physical manner;
- restraining/holding a student for any purpose other than a student's actions that may cause imminent risk of harm to self or others;
- hitting or kicking a student;
- pushing, pulling, shoving, grabbing, pinching or poking a student;
- shaking or throwing a student;
- actions which may be perceived as a threat to engage in inappropriate physical contact/force

Examples of conduct that involves the **reasonable** use of physical contact/force for the purpose of exercising appropriate control over a child include:

- disarming a student who is seeking to harm themselves or another
- separating students who are in the act of fighting
- moving a student out of harm's way
- reasonable use of physical force for the protection of self or others

- 10.2 Workers must not behave in a manner which may cause **emotional or psychological harm** to a student. There is no place for sarcasm, derogatory remarks, offensive comments or any other inappropriate conduct that may cause students to become distressed.

Note: **Psychological harm** can include the exacerbation or aggravation of an existing psychological condition, such as anxiety or depression

- 10.3 Workers must not correct or discipline a child or young person in excess of what is reasonable or appropriate for the situation. Discipline may be considered excessive if it is a disproportionate response to a child or young person's behaviour. Discipline can be considered inappropriate if it is unsuitable for a specific reason such as the child or young person's age, physical ability, developmental level or if the discipline violates community standards. What may be considered excessive or inappropriate is not restricted to physical punishment. Any punishment which makes excessive or unreasonable demands on a child or young person may be considered **ill treatment**.

Examples of **ill-treatment** include:

- locking a student in a cupboard as punishment
- tying a student to a chair
- keeping students on detention during the whole of lunch without allowing them to eat or go to the toilet
- malevolent acts towards children
- inappropriate and hostile use of force against a child

- 10.4 Workers must not engage in **sexual misconduct** - that is, conduct with, towards or in the presence of a child that is sexual in nature (but is not a sexual offence).

Workers must not engage in **crossing professional boundaries**, through behaviour that can reasonably be construed as involving an inappropriate and/or overly personal or inappropriately intimate:

- relationship with;
- conduct towards; or
- focus on;

a child or young person, or a group of children or young people.

Note - *crossing professional boundaries* comes within the scope of 'reportable conduct' to the extent that the alleged conduct meets the definition of 'sexual misconduct'. That is, conduct with, towards or in the presence of a child that is sexual in nature (but is not a sexual offence). A single serious 'crossing of the boundaries' of this kind by workers, or persistent less serious breaches of professional conduct in this area, may constitute sexual misconduct, particularly if workers either knew, or ought to have known, that their behaviour was unacceptable.

- 10.5 Workers must not engage in **grooming behaviour**. Grooming behaviour involves a pattern of conduct that is consistent with grooming a child for sexual activity, where there is no other reasonable explanation for it.

Examples of **grooming behaviours** include (but are not limited to) the following:

- Persuading a child or group of children that they have a 'special' relationship, for example by:
 - spending inappropriate special time with a child
 - inappropriately giving gifts
 - inappropriately showing special favours to them but not other children
 - inappropriately allowing the child to overstep rules
 - asking the child to keep this relationship to themselves.
- Testing boundaries, for example by:
 - undressing in front of a child
 - encouraging inappropriate physical contact (even where it is not overtly sexual)
 - talking about sex
 - 'accidental' intimate touching.
- Inappropriately extending a relationship outside of work (except where it may be appropriate - for example where there was a pre-existing friendship with the child's family or as part of normal social interactions in the community).
- Inappropriate personal communication (including emails, telephone calls, text messaging, social media and web forums) that explores sexual feelings or intimate personal feelings with a child.
- Workers requesting that children/young people keep any aspect of their relationship secret, or using tactics to keep any aspect of the relationship secret, would generally increase the likelihood that grooming is occurring.

- 10.6 Workers must not make **sexually explicit comments** or engage in **other sexually overt behaviour** towards or in presence of students. This may constitute sexual misconduct.

Examples of **overt sexual behaviours** include:

- sexualised behaviour with or towards a child (including sexual exhibitionism)
- descriptions of sexual acts without legitimate reason to provide the descriptions
- sexual comments, conversations or communications
- comments to a child that express a desire to act in a sexual manner towards the child, or another child
- unwarranted and inappropriate touching involving a child
- personal correspondence and communications (including emails, social media and web forums) with a child or young person in relation to the adult's romantic, intimate or sexual feelings for a child or young person
- exposure of children and young people to sexual behaviour of others including display of pornography
- watching children undress in circumstances where supervision is not required or justified and it is clearly inappropriate

- 10.7 Workers must not have an intimate or romantic or **sexual relationship** with any student regardless of their age. It is irrelevant whether the relationship is consensual or non-consensual or condoned by parents or caregivers.

- 10.8 Workers must not commit a **sexual offence**. This encompasses all criminal offences involving a sexual element that is committed against, with or in the presence of a child.

Sexual offences include (but are not limited to) the following:

- sexual touching of a child
- sexual touching within a special care relationship (child aged 16 or 17)
- sexual act and aggravated sexual act
- sexual assault and aggravated sexual assault
- sexual intercourse and attempted sexual intercourse
- offence of grooming a parent or carer to access a child
- offence of grooming children
- offence of persistent sexual abuse of a child
- possession/dissemination/production of child abuse material (CAM)
- using children to produce child abuse material (CAM)
- procuring children under the age of 16 years for unlawful sexual activity

- 10.9 Where there are existing personal relationships, such as a family relationship or close friendships that involve a worker and a student(s), the worker needs to behave in appropriate ways that are transparent and prudent, and to be mindful of any perceived conflict of interest, ensuring that the worker does not breach any law, the Code or any other relevant policy. Extreme care needs to be taken by workers in situations where such family relationships or close friendships with children may raise questions about perceived conflict of interest or other concerns about the worker or the relationships/friendships.

In circumstances where the worker or the worker's personal relationships, such as a family relationship or close friendships that involve a worker and a student(s), may appear to be questionable or inappropriate or may appear to be in breach of any law, the Code or other relevant policy, the worker must report such family relationships or close friendships to their principal/supervisor/manager and any potential or perceived conflict must be managed carefully.

- 10.10 Workers' professional relationship may be compromised if they:
- i. invite students to join their personal electronic social networking site or accept students' invitations to join theirs³
 - ii. attend parties or socialise with students
 - iii. invite the student/s to their home or attend a student's home without an appropriate professional reason and without the parents/carers' consent
 - iv. transport students in their car without prior approval from a supervisor and the parent or carer.
- 10.11 The boundaries of the professional relationship will be breached if workers:
- i. have a sexual relationship or develop an overly personal or intimate relationship with a student
 - ii. use sexual innuendo or inappropriate language and/or material with students
 - iii. hold conversations of an intimately personal nature, where they disclose private information about themselves or encourage disclosure of such private information by the student
 - iv. have contact with a student via written or electronic means including email, letters, telephone, text messages or chat lines, unless for matters directly related to education/school or other valid reasons approved by their principal/supervisor/manager
 - v. give to, or accept from, students, gifts that may encourage the student to think they have a special relationship with the worker.
- 10.12 Workers need to recognise the special position of trust and influence that teachers or other school workers may have in respect of students. This position of trust may continue after students have left the school. It may also continue after students have turned 18 years of age. Extreme care must be taken in any relationship between a teacher or other school worker and former students, even if the students are over 18 years of age.

Before entering into a personal, intimate or sexual relationship with any former student, workers should consider a range of factors, including:

- the special relationship of trust and influence which is created between workers and any student, arising from the nature of their special role
- age and maturity of the former student
- time elapsed since the student left the school
- expectations that workers not act contrary to Catholic values and ethics
- community perception of such a relationship
- the potential impact on the reputation of the school, Catholic education and the profession, because of the relationship

³ See section 12 of the Code and also refer to CEDoW policy – [Social Media Policy](#)

A personal or sexual relationship with a former student entered into by any worker may be considered sexual misconduct if it is established that the worker used his or her position to develop and maintain an inappropriate personal or intimate relationship with the student before the student left the school.

10.13 Workers are reminded of the law and criminal offences:

- i. prohibiting sexual relations between a teacher and a student of the school, under the age of 18 years. (ie: example of a *special care relationship*) [Also refer to #10.7]
- ii. prohibiting child abuse material (CAM) and the use of unauthorised images for offensive purposes

There are a number of criminal laws that address the taking and use of **unauthorised images for offensive purposes**, including:

- use of surveillance devices to record a 'private activity' without consent
- filming for indecent purposes
- making an image of a child engaged in a private act for prurient purposes
- making indecent visual images of a child under the age of 16
- committing indecent or offensive acts in a public place
- child abuse material (CAM) offences, and
- using a telecommunications network or carriage service to facilitate certain offences

See: Australian Law Reform Commission

For Your Information: Australian Privacy Law and Practice (ALRC Report 108) /69. Particular Privacy Issues Affecting Children and Young People Taking photographs and other images

10.14 Workers are reminded of strict requirements relating to **photographing or filming** students. Secretly taking photographs or other images of children or young people is strictly prohibited. Workers in schools are not to photograph/film students, other than for approved educational/school purposes.

"The taking of photographs and other images of children and young people without consent has raised significant concerns in recent times. ...

Mobile phone cameras and mobile phone video cameras appear to have heightened these concerns, due to their small size and availability. The issue of unauthorised taking of images, however, extends beyond any one type of technology. ... Most recently, the concerns about unauthorised images have exploded with the ease and accessibility of online publication."

See: Australian Law Reform Commission

For Your Information: Australian Privacy Law and Practice (ALRC Report 108) /69. Particular Privacy Issues Affecting Children and Young People Taking photographs and other images

11. Responsible use of electronic information and communication technology (ICT)

The employer provides ICT facilities for its students and workers for educational and/or administrative purposes. The employer has the right to monitor and view any data used, stored or transmitted using the employer's ICT facilities. It is critical to remember that by its nature, electronic communication is a fast and often, informal way of communicating. However, once a document or image has been created, sent or saved, it exists forever.

11.1 Workers must comply with all relevant policies or procedures relating to the use of ICT and act consistently with Catholic Values and Ethics. Refer especially to the relevant CEDoW policy – [Staff Responsible Use of Technology Policy](#) and [Standards](#).

11.2 When using ICT and employer networks, it is expected that workers will:

- i. exercise good judgment
- ii. use appropriate language and images
- iii. communicate with students in a manner consistent with their role and responsibilities and in relation to educational/school matters
- iv. not upload, download, send, circulate, display or respond to any of the following materials:
 - sexually related or pornographic messages or material containing thoughts and feelings with overly familiar or sexual connotations
 - 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
- v. report any situations where workers become aware of the inappropriate use of ICT by another worker.

11.3 Be aware that in certain circumstances electronic files or communication may be accessed for viewing or produced in Court.

11.4 If there are reasons for workers to communicate with students or their families using ICT for reasons other than educational/school purposes, it is important to discuss this with the principal/supervisor/manager.

12. Appropriate use of social media

Workers must comply with all relevant policies or procedures relating to the use of social media and act consistently with Catholic Values and Ethics. Refer especially to the relevant CEDoW policy – [Social Media Policy](#).

- 12.1 Workers should not use social media in a manner which would bring the employer, school or Catholic workplace into disrepute. Identifying the employer in personal social media may increase this risk.
- 12.2 Workers must not invite or accept students into their personal social networking sites/pages/groups and are not to 'follow' students on social media.
- 12.3 Workers must not interact on personal social media with known current or former students of CEDoW schools for at least five years after the student has completed school, unless there is a valid context or circumstance and that has been approved by the Principal.
- 12.4 Workers are to use extreme care before inviting or accepting parents of current students as friends on social media.
- 12.5 Workers are encouraged to use school approved online learning communities with their students in order to achieve educational outcomes. In doing so, the following is expected:
 - i. the sites used are age and developmentally appropriate for the students
 - ii. students are provided training and information around appropriate use of the technology
 - iii. parent/carer permission must be obtained for students to register with online learning communities
 - iv. personal social networking sites, as opposed to approved online communities, must not be used by workers as learning tools for students

If workers feel they have become an online target of inappropriate communication from students or any member of the school community, alert the principal/supervisor/manager.

13. Use of alcohol, drugs and tobacco

- 13.1 Workers 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 these substances does not put them or any other person's health and safety at risk.
- 13.2 Being under the influence of alcohol or drugs while the worker is 'on duty' could affect their ability to work safely and efficiently, especially when they have a responsibility to supervise students or work in close proximity to them.
- 13.3 Workers must not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances.
- 13.4 Workers who are required to take medication (including prescription medication) which may impair their work performance, conduct or ability to exercise duty of care, must notify their principal/supervisor/manager.
- 13.5 Workers must not purchase for, offer, supply, give or administer to students, including those over the age of 18:
 - i. illegal drugs
 - ii. restricted substances
 - iii. prescribed or non-prescribed medication (unless dealing with or administering medication in accordance with relevant policy)
 - iv. alcohol
 - v. tobacco
- 13.6 Workers must not encourage or condone the use of, or use by students of:
 - i. illegal drugs
 - ii. restricted substances
 - iii. alcohol
 - iv. tobacco
- 13.7 Workers must not take to school or consume at school, school-related activities or workplace, any illegal drugs or restricted substances.
- 13.8 Workers must not consume tobacco on school premises or at any school-related activity where students are present.

13.9 Alcohol is not to be consumed during school hours on school premises or at any school-related activity, whenever students are present at the school or at the activity.

In any other school-related event where alcohol may be consumed, workers (including volunteers) should be mindful of the following:

- safety of self and others
- duty of care towards others
- professional boundaries with colleagues and school community members
- modelling appropriate behaviour
- work health and safety
- not driving under the influence of alcohol
- reputation of the school and CEDoW
- professional reputation

13.10 Workers who are concerned about any person at work that may be affected by alcohol or drugs, or may have engaged in the behaviours outlined above, should consult their principal/supervisor/manager.

Children and young people have a greater vulnerability to alcohol than adults.
To provide alcohol to any person under the age of 18 years is against the law.

14. Maintaining integrity and managing competing interests

Personal views or private interests can influence, or have the potential to influence, a worker's capacity to perform their duties with integrity, and in turn, may compromise the integrity of the school and CEDoW.

14.1 Workers need to be mindful of the requirement to act with **integrity**, and consistently strive to do what is right and just. It is expected that workers will:

- i. not succumb to improper pressure that may affect, or be perceived to adversely affect, their ability to fulfil their obligations and to act in accordance with Catholic values and ethics
- ii. not accept gifts, benefits or favours that could be considered inappropriate or excessive and:
 - lead to, or be perceived to lead to, compromised values, corruption, loss of impartial decision-making or impartial treatment of others, or
 - call into question the ethics and integrity of the worker and CEDoW mission and ethos

14.2 It is the worker's responsibility to use sound judgement in making decisions that affect the organisation's ability to maintain its capacity and reputation for independence, fairness and justice. Workers should review the situation carefully from perspectives other than their own, and assure themselves that their conduct does not give rise to an actual, or perceived, conflict of interest.

14.3 As an organisation which provides education services to children and young people, it is expected that workers will:

- i. inform the principal/supervisor/manager of any conflict of interest, or perceived conflict of interest, that arises from the workplace
- ii. work in an objective and impartial manner, and be seen to do so

Examples of competing interests:

- a teacher referring their students to attend private tutoring sessions in which they or a relative or friend has a financial/ business interest
- an employee mentoring, tutoring or coaching students from their school or workplace in return for payment
- an employee running a local dance school with students from their school

15. Confidentiality and privacy

The school and Catholic Education Diocese of Wollongong collects and stores confidential and personal information about students, their families and workers. Any misuse of confidential or personal information, whether intentional or reckless, is inconsistent with the school and CEDoW mission and ethos. It may harm individuals and the reputation and credibility of our Catholic schools. It may also be unlawful.

15.1 It is expected that workers will:

- i. treat confidential and personal information about students, their families or other staff respectfully
- ii. exercise caution and sound judgement in discussing other people's confidential and personal information
- iii. comply with relevant laws and regulations regarding the collection, dissemination, use and security of all such information
- iv. only use such information for work-related purposes
- v. only communicate such information to those who need to know in order to perform their role

15.2 Sharing of confidential and personal information with external persons or agencies may only occur:

- i. within the established guidelines for such communication, or
- ii. in accordance with any relevant legislation relating to the provision of such information.