

# **CODE OF CONDUCT**

## **For Staff Employed in Catholic Education South Australia**



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## 1 Purpose

This Code of Conduct provides a framework for decisions and actions and articulates the standards of conduct required of all staff employed by, and others associated with, Catholic Education SA. This document explains the principles covering appropriate conduct in a variety of contexts and outlines the minimum standard of behaviour expected from staff.

The standards of conduct required to be met under the Code exist alongside, and are separate to, requirements set out in a staff member's letter of appointment and Position Information Document (PID).

## 2 Scope

This Code of Conduct applies to all Staff employed in Catholic Education SA (CESA) and others (as defined in Section 3) during working hours and outside of working hours in so far as the conduct outside of working hours has the potential to, or does impact on or reflect on their employment or role within Catholic Education SA, their colleagues, their employer, the Catholic Church or the School or CEO community.

This Code of Conduct applies to all conduct, including conduct involving any information or telecommunication device or social networking application.

By working in or with a CESA school or office, staff are required to be aware of and comply with this Code of Conduct. The Code requires staff to take responsibility for their own conduct, therefore, if a staff member is unsure about the appropriate action to take in a particular situation, they should discuss the matter with their leader, as appropriate.

If a person to whom this Code of Conduct applies considers they may have breached the Code of Conduct they should, as soon as practicable, report the details to their leader, as appropriate.

It is recognised that some separately governed schools may have their own Code of Conduct.

## 3 Definitions

**Conduct**, for the purpose of this policy, is the manner in which a person behaves in a work-related situation.

**School or CEO** includes all Catholic Schools in South Australia and the Catholic Education Offices at Adelaide and Port Pirie (CEO), as well as sites on which staff employed in Catholic Education SA or others engaged in duties or activities such as excursions or conference attendance sanctioned by their school or CEO.

**Staff** means staff employed by any Catholic School or Catholic Education Office.

**Others** includes children and young people, contractors, volunteers, members of the school community or people outside of the school community.

**Confidential information** relates to privileged communication shared only between authorised people for legitimate, authorised purposes.

## 4 Responsibilities

### 4.1 Leaders

Leaders, in addition to adhering to the conduct requirements outlined below, have a responsibility to:

- set a good example for staff and others;
- effectively implement, promote and support the Code of Conduct in their areas of responsibility and ensure staff and others understand and follow the provisions outlined;
- take appropriate action if a breach of the Code of Conduct is found to have occurred; and
- make decisions fairly, impartially and promptly, considering all available and applicable information and requirements.
- provide opportunities for Staff and Others to participate in decisions which affect them, as appropriate.

### 4.2 Staff

All staff are responsible for adhering to the conduct requirements outlined below as well as:

- undertaking their duties in a manner that is consistent with the provisions of the Code of Conduct; and
- reporting suspected unlawful corrupt conduct and/or reporting any departure from the Code of Conduct by themselves and others.

The conduct required of staff under this policy is in addition to any professional code of conduct or standards that may apply to staff in a particular profession or arising from membership of a professional organisation.

## 5 Code of Conduct

Catholic Education South Australia (CESA) is committed to strengthening, transforming and promoting Catholic education in South Australia by creating an educational environment which matters to students and their families. We value:

- openness to God's Spirit at work in our midst;
- respect for the dignity of each person;
- commitment to processes of learning that are formative, challenging, engaging, life-long and life-wide;
- inclusivity of those at the edges; and
- sensitivity, justice and compassion.

The Code of Conduct underpins the behaviours and expectations that CESA requires from its staff to ensure our vision and values are upheld.

## 5.1 Personal and Professional Conduct

Staff are expected to take all action reasonably necessary to maintain and enhance the reputation of CESA at all times, and must not do anything (including refraining from doing something) that may damage or destroy the reputation and/or educational or business interests of CESA and those associated with it.

All staff are required to:

- Obey any lawful and reasonable direction from a person who has the authority to give that direction.
- Behave honestly, ethically and with integrity and respect the rights and duties of others at all times. This includes a duty to report others who are behaving dishonestly or unprofessionally, or breaching the code.
- Carry out tasks and duties in a professional, collegial and competent manner, to an appropriate standard of work, and be accountable for their performance.
- Demonstrate equity and fairness in dealing with colleagues, students, parents/carers, contractors, visitors and members of the public.
- Support the aims of, and act consistently with, the Catholic ethos of the school or CEO in which they are present.
- Present to work in a timely manner, in professional attire (appropriate to the role or function of the relevant staff member) and in a fit state to work including being in sufficient physical and mental health to be capable of complying with their duty of care to themselves, students, colleagues and others.
- Conduct themselves in a manner that will not damage or discredit the reputation of the school or CEO in which they are employed and/or the Catholic Church.
- Treat staff and others with honesty, respect and courtesy, at all times, and refrain from persistent negativity, gossip, spreading rumours or making inappropriate comments through any form of communication, including electronic communication and social media forums.
- Comply with all international, Federal, State and local laws, as applicable.
- Observe confidentiality in relation to confidential information encountered or received in the course of their employment and disclose such information only to authorised staff, authorised others, or as required by law;
- Comply with all applicable work health and safety legislation, policies and requirements including taking reasonable care to ensure their own health and safety at work and avoiding adversely affecting the health and safety of others.
- Not use, possess or distribute offensive materials. This includes electronically, and online in social media forums.
- Refrain from behaviour which constitutes bullying, discrimination or any form of harassment.
- Act in good faith by not making unfounded complaints with malicious, frivolous or vexatious intent, against another person or persons.
- Refrain from improperly using information gained in the course of their employment for personal or commercial gain for themselves or others.
- Maintain the currency of employment related requirements (e.g. teacher registration, Working with Children Check, RAN-EC training, etc.) and any other required accreditation requirements (e.g. Graduate Certificate in Catholic Studies) applicable to their employment.

## 5.2 Child Safeguarding

Staff have a legal and professional obligation to safeguard the safety, welfare and wellbeing of all children and young people with whom they come into contact as part of their employment. This obligation applies to all children and young people including Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, and children with particular vulnerabilities, for example, children who can't live at home.

All staff must understand and observe child protection legislation and follow all relevant policies, procedures, standards and instructions with regard to the safety of children and young people, and maintain appropriate professional boundaries in their behaviour towards children and young people.

Key documents requiring demonstration of compliance are listed in Section 7.

## 5.3 Conflict of Interest

Personal views or private interests or relationships can influence, or have the potential to influence, a staff member's capacity to perform their duties with integrity and may compromise the integrity of the school or CEO. It is therefore expected that all staff will:

- not act in a way 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;
- not accept gifts, benefits or favours that could be considered inappropriate or excessive, or 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 a staff member and CESA's nature and purpose;
- act in the best interests of the school/CEO when carrying out their duties and not allow their own interests or the interests of others to interfere with that obligation; and
- avoid, or disclose conflicts of interest and inform their leader of any conflict of interest, or perceived conflict of interest, in the workplace or in a work-related context.

## 5.4 Intellectual Property and Copyright

All staff:

- assign to the school/CEO all existing and future Intellectual Property Rights where it is in any way related to or arising from their employment with the school/CEO and agree to do all things necessary to assist the school/CEO to identify, document and protect its Intellectual Property Rights.;
- acknowledge that this obligation extends beyond termination of their employment.

"Intellectual Property Rights" means copyright, trademark, design, patent, process or any other matters capable of legal protection.

All staff who reproduce and/or communicate copyright material have an obligation to develop their knowledge and understanding of the relevant requirements of the Copyright Act 1968 as amended, and to ensure that any content downloaded from the internet or uploaded to school/CEO hosted servers does not infringe copyright

The school / CEO owns any intellectual property rights, including but not limited to teaching resources and materials created as part of the employment position, unless otherwise agreed in writing.

A staff member nearing completion of, or in preparation of, their employment arrangement ending is required to seek permission from their leader before deleting work files or removal of resources.

## **5.5 Public Comment**

Individuals have a right to their personal opinions on political and social issues in a private capacity as members of the community. Staff must not, however, make public comment on matters relating to the school, CEO, CESA or the Catholic Church unless they are:

- authorised to do so by the Director (or delegate);
- giving evidence in court; or
- otherwise authorised or required to by law.

Staff cannot discuss or release the contents of privileged knowledge unless they have the authority to do so. This includes making comment on and/or sharing/liking information on social media forums.

Non-diocesan staff must also comply with the directives and delegations of their Governing Authority, so named, which includes working in collaboration with the Director (or delegate).

## **5.6 Fitness for Work**

### **General Health**

All staff have a duty to take reasonable care for their own health and safety and ensure they don't adversely affect that of others. This means they must be fit and well enough to carry out their duties in a safe and responsible manner and not be impaired by alcohol or drugs, while at work.

Staff are not to present themselves for work if they are not sufficiently physically or mentally well or if they are impaired by alcohol and drugs to an extent that they cannot perform their work safely or fulfil the requirements of their role. Additionally, staff should not remain at the workplace if they become unwell or are affected by alcohol and/or drugs and are unable to fulfil the requirements of their role. Staff are not to return to the workplace until such time they are able to satisfy the "fitness for work" requirements.

Staff who are concerned about another staff member at work or at a work-related event who are not sufficiently physically or mentally well or are impaired by alcohol and/or drugs (of any kind) should inform their leader or someone in authority.

An employee may be required to undergo a medical assessment, and/or drug or alcohol testing where there is a reasonable belief that they are not sufficiently physically or mentally well or are impaired by alcohol and/or drugs and may be putting themselves or others at risk.

An employee who is considered unfit for work because they are a safety risk or because their work performance is impaired, will be removed from the workplace (on paid/unpaid leave or suspension from duties, as applicable) until such time they can demonstrate their fitness for work.

CESA encourages any staff member who is having difficulty controlling their use of drugs or alcohol to seek qualified help and assistance in dealing with their circumstances. CESA's Employee Assistance Program (ACCESS), offers free, confidential, professional counselling support, and is available to all CESA staff and their immediate families.

## Drugs

Staff are responsible for ensuring their capacity to perform their duties is not impaired by the use of drugs of any kind and must not attend work under the influence of illegal and/or non-prescribed drugs or any other substances (including synthetic and herbal substances) that may impact their behaviour and/or performance. This includes a requirement to be drug-free at work-related events, activities and work-provided accommodation.

Staff must also exercise responsible judgement about consumption of products which contain substances that have potential to influence their behaviour (e.g. energy drinks, over-the-counter medication).

Staff who are required to take medication (including prescription medication) which may affect and/or impair their work performance, conduct or ability to exercise their duty of care, must notify their leader of the applicable details.

## Alcohol

Staff are responsible for ensuring their capacity to perform their duties is not impaired by alcohol.

Moderate and responsible consumption of alcohol may be permitted at work functions on the condition that staff are mindful of the following:

- duty of care and safety of self and others;
- professional boundaries with others;
- modelling appropriate behaviour;
- not driving under the influence of alcohol and/or drugs of any kind; and
- reputation of the school / CEO as well as their professional and personal reputation.

## Smoking

Schools and CEOs are smoke-free environments and smoking (including e-cigarettes) is not permitted anywhere on the premises (including grounds and carparks). Similarly, smoking (including e-cigarettes) is not permitted whilst staff members have direct responsibility for, or contact with, students.

### 5.7 Use of Work Resources

Staff must ensure responsible management and security in the use of work resources and any resources managed by them on behalf of others.

Reasonable private use of some work resources is permitted (i.e. work-issue laptop, private use of internet, mobile phone and motor vehicle). Requests to use other work resources (e.g. BBQ, trailer, tools and other equipment, photocopier, etc.) outside of official work times and during weekends/holidays requires approval, in advance, and on each occasion, from the applicable leader (or person authorised to handle such matters).

If staff are approved to use work resources they must take responsibility for maintaining, repairing, replacing and safeguarding property, using it correctly and safely, in accordance with the manufacturer's requirements, and following any special directions or conditions which apply.



Work resources of any kind are not to be used for any private commercial purposes (e.g. 'profit' purposes) under any circumstances.

Staff must use ICT resources (including but not limited to desktop, laptop, and tablet computers, smart-phones, ICT networking facilities, software applications and social media platforms) in a manner consistent with the [SACCS Information Security Policy](#) and the [SACCS ICT Acceptable Use Policy](#).

## 6 Consequences of a Breach of the Code of Conduct

All Staff are required to abide by this Code of Conduct.

Any person who believes, on reasonable grounds, that this Code may have been breached should raise this matter with the relevant leader specifying details of the alleged breach.

A breach of this Code may result in disciplinary action which may include, but is not limited to, counselling, suspension from duties, informal/formal warnings or termination of employment, as appropriate.

Some breaches of the Code may also constitute civil or criminal offences and may result in civil action or prosecution.

## 7 Related Policies, Procedures and Resources

This Code of Conduct is to be read in conjunction with, and is additional to, any other relevant SACCS Policy, Procedure or Guideline. All Staff employed in Catholic Education SA are required to comply with the provisions of any such document.

[SACCS Responding to Discrimination, Bullying & Harassment in the Workplace Procedure](#)

[Protective Practices for staff in their interactions with children and young people](#)

[SACCS Duty of Care Policy](#)

[SACCS Policy for the Care, Wellbeing and Protection of Children and Young People](#)

[Charter for Staff in Catholic Schools South Australia](#)

[SACCS Gender Equality Policy](#)

[SACCS Privacy Policy](#)

[SACCS Information Security and ICT Acceptable Use Policies](#)

[SA Catholic Schools Enterprise Agreement](#)

Letters of Appointment as issued to individual staff members.

## 8 Revision Record

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