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Purpose

The aim of this policy is to establish a common understanding of the standards of conduct expected of all employees in the Catholic Schools System of the Diocese of Maitland-Newcastle. (For the purposes of this Code of Conduct, those working in or providing services to Catholic schools with the Diocese of Maitland-Newcastle are referred to as 'employees'.)

This Code of Conduct includes employee obligations in regards to mandatory child protection requirements.

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

Policy Statement

This Code of Conduct assists to:

- model and build a contemporary Catholic workplace that is faith-filled, collaborative, consultative and lawfully compliant
- clarify parameters of appropriate and inappropriate conduct for employees engaged in child-related employment within the Catholic Schools System, Diocese of Maitland-Newcastle
- create a safe and supportive environment for students, employees, school communities and the CSO.

This Code of Conduct requires:

- employees to take responsibility of their conduct with students, colleagues and the wider community

- employees to conduct themselves in a manner that is professional, cooperat9.4 (c)1.4 (e)4.510.7 9.4 (peib

assists in the creation of a safe and supportive environment for students, employees, the CSO and the broader community.

places an obligation on all of us to take responsibility for our own conduct and work with colleagues cooperatively to establish consultative and collaborative workplaces where people are happy, safe and proud to work.

- 2.1.7 Actively promote the safety, welfare and wellbeing of all children and particularly students of the Catholic Schools System, Diocese of Maitland-Newcastle.
- 2.1.8 Actively cooperate and assist in the investigation of complaints or allegations in accordance with the Diocese's Investigations policy and procedures.
- 2.1.9 Comply with the Diocese's Reporting Concerns for Children Policy.
- 2.1.10 Ensure that they have a current Working with Children Check Clearance as issued by the NSW Office of the Children's Guardian when working with children. (Refer to Office of the Children's Guardian publication Sector Guide, Information for employers, January 2015 for information about the phase-in schedule.)
- 2.1.11 Ensure that comments made in public forums, e.g. social media posts, meetings, interviews, school communications, are in accordance with Catholic values and ethics

themselves and others that their conduct does not give rise to an actual, perceived or potential conflict of interest.

- 3.3 As an organisation which provides education services to children, it is expected that employees will:
- 3.3.1 Act in the best interests of the Diocese when carrying out their duties as employees and must not allow their own interests or the interests of others to interfere with that obligation.
 - 3.3.2 Avoid, or disclose and manage, conflicts of interest in accordance with the Conflict of Interest Policy and Procedure and the Conflict of Interest Disclosure Statement and Responsible Persons Policy and Procedure.
 - 3.3.3 Inform the Head of Service or Principal of any conflict of interest, or perceived conflict of interest, which arises in the workplace.

4. Finances

- 4.1 Employees will observe the highest standards of integrity in financial matters and, in particular, will:
- 4.1.1 Comply with requirements of relevant financial management legislation and CSO financial management policies and procedures.
 - 4.1.2 Authorise the use of Catholic Schools Office or school funds only for Catholic Schools Office or school purposes where they have delegated authority to do so.
 - 4.1.3 Ensure, in authorising expenditure, that the Catholic Schools Office and/or school is receiving value for money.

5. Protection of Catholic Schools Office and School Resources

- 5.1 Employees will:
- 5.1.1 Use and manage Catholic Schools Office or school equipment and resources economically, efficiently and for legitimate Catholic Schools Office or school purposes.
 - 5.1.2 Secure Catholic Schools Office or school equipment and resources against theft or misuse.
 - 5.1.3 Use Catholic Schools Office and school resources in an appropriate and prudent manner, avoiding personal, extravagance or wasteful expenditure.
- 5.2 Employees will comply with the Workplace Internet, Email and Network Usage Policy and procedures governing the use of the Catholic Schools Office and school

interests of the Catholic Schools Office or school they are required to make a formal notification to the Head of Service or Principal.

7. Gifts and Benefits

Employees may offer or be offered gifts for various reasons: gifts of gratitude, token or corporate gifts, ceremonial gifts. To avoid any implication that a gift could compromise or influence employees' performance in their official functions or duties, employees are not permitted to solicit gifts or benefits or to offer or provide benefits to others in exchange

9. Reporting Concerns for Children and Employees' Conduct

9.1 Child protection laws and diocesan policy requires employees to report particular information about themselves or their colleagues. The employee must inform their Head of Service or Principal or a member of Zimmerman Services, if:

they are charged or convicted of an offence relevant to their continued engagement in child-related work.

they have had any reportable allegation made against them.

they do not have a valid Working with Children Check Clearance as issued by the NSW Office of the Children's Guardian.

they become aware of any other employee or volunteer:

- o having been charged or convicted of an offence relevant to working in child-related employment
- o having had a reportable allegation made against them.
- o engaged in child-related work without having a valid Working with Children Check Clearance as issued by the NSW Office of the Children's Guardian.

9.2 Child protection laws and diocesan policy require employees to report concerns held for any children but particularly students of the Catholic Schools System. The employee must inform their Head of Service or Principal or a member of Zimmerman Services, if they become aware of:

any criminal act involving a child.

a child at risk of significant harm or the employee has anxiety or fears for a child's safety, welfare or wellbeing.

concerns about inappropriate conduct by any employee that involves a student or other child.

9.3 Employees who become aware of concerns for children, or other employees, must report these concerns to their Head of Service or Principal or a member of Zimmerman Services, if they become aware of:

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

The following principles and practical examples reference current guidelines issued by:

NSW Ombudsman: Practice Update: Defining reportable conduct

NSW Office of the Children's Guardian: Information for reporting bodies: Reporting certain misconduct involving children

12.5 Employees must not:

12.5.1 Engage in

unreasonable and seriously inappropriate or improper manner; making excessive and/or degrading demands of a child; hostile use of force towards a child; and/or a pattern of hostile or unreasonable and seriously inappropriate, degrading comments or behaviour.

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/towards a child.

- 12.8 Employees must not engage in crossing professional boundaries, through conduct that can reasonably be construed as involving an inappropriate and/or overly personal or intimate relationship with;
- conduct towards; or
 - focus on
- a child, or a group of children.

A single serious 'crossing of the boundaries' by employees, or persistent less serious breaches of professional conduct in this area, may constitute sexual misconduct, particularly if employees either knew, or ought to have known, that their conduct was unacceptable.

- 12.9 Employees 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:

- o spending inappropriate special time with a child
- o inappropriately giving gifts
- o inappropriately showing special favours to them but not other children
- o inappropriately allowing the child to overstep rules
- o asking the child to keep this relationship to themselves.

Testing boundaries, for example by:

- o undressing in front of a child
- o encouraging inappropriate physical contact (even where it is not overtly sexual)
- o talking about sex
- o '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).

- 17.1.3 Exercise caution and sound judgement in discussing other people's confidential and personal information.
 - 17.1.4 Comply with relevant laws and regulations regarding the collection, dissemination, use and security of all such information.
 - 17.1.5 Only use such information for work-related purposes.
 - 17.1.6 Only communicate such information to those who need to know in order to perform their role.
- 17.2 Sharing of confidential and personal information with external persons or agencies may only occur:
- within the established guidelines for such communication, or
 - in accordance with any relevant legislation relating to the provision of such information.

18. Protected Disclosures

In reporting any suspected improper use, fraud, waste or abuse of resources, corrupt conduct, inadequate administration or accountability, (e)4.4 (m)-8.8 pl(o)9.4 .4 (,16.A410.6 (e)4.4 (s)-4.6 (,)16.9 (c)1.4 (o)9.5

Legislative/Professional Guidelines

The following legislation is relevant:

Age Discrimination Act 2004 (Cth)

Australian Human Rights Commission Act 1986 (Cth)

Children and Young Persons (Care and Protection) Act 1998

Crimes Act 1900

Disability Discrimination Act 1992 (Cth)

Disability Inclusion Act 2014

Disability Standards for Education 2005 (Cth)

Fair Work Act 2009 (Cth)

Fringe Benefits Tax Assessment Act 1986 (Cth)

Health Practitioner Regulation National Law (NSW)

Integrity in the Service of the Church (National Commission for Professional Standards 2011)

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