



Staff Code of Conduct

Date	Term 3, 2016
Signed	Committee of Management
Review	Term 3, 2017

Refer:

Bullying Policy (Workplace)
Communication, Concerns and Complaints Policy
Counselling Policy
Equal Opportunity Policy
Harassment Policy
Sexual Harassment Policy

For Students Refer:

Behaviour Management Policy
Bullying Policy (Students)

The Motto of Social Ethic

*The healthy social life is found
When in the mirror of each human soul
The whole community finds its reflection
And when in the community
The virtue of each one is living
- Rudolf Steiner*

In accord with the Vision and Core Values of the DRSS, the following Code of Conduct has been formulated to support and guide the behaviour of every person involved in the school community:

“Each person will act at all times in a reasonable manner that shows respect to all other persons and their property.”

Definitions :

Respect is an attitude shown towards others by a reasonable person.

A **reasonable** person is able:

- To be sensitive to the norms of the community
- To acknowledge that others may have viewpoints and values and beliefs which are valid even though they may differ
- To understand that another person may have reasons and/ or circumstances affecting their behaviour in any given situation
- To reflect upon his or her own behaviour in considering how best to communicate and/or resolve issues
- and to act in consideration of the above, including consideration of the nature of the relationship between any persons concerned

The Dandenong Ranges Steiner School Communication, Concerns and Complaints Policy identifies pathways to support respectful forms of behaviour and communication.

Guidelines to appropriate conduct in communication

Because people who participate in the life of the Dandenong Ranges Steiner School have strong convictions and beliefs, we recommend some elementary guidelines for all interactions. The following can be expected of a **reasonable** person:

- Set out to be part of a respectful, direct and honest community. Expect a mutual commitment to resolve issues that affect children, parents, staff and the wider community; while recognising that all parties concerned can feel vulnerable when confronted with an issue. Do not assume a basis of trusting friendship unless you have developed it together.
- Speak directly with the person concerned when an issue arises. Only talk with any other person(s) in order to seek guidance on the best approach. It is more helpful and honest not to “gang up”, and not to gossip.
- Please talk about issues away from children. We have obligations to protect them.
- Be hard on issues, soft on people. Be brave, direct and clear.
- Wherever possible, we advocate that communication should take place at the lowest level of potential conflict. This means communicating **early, clearly** and **directly** through **open dialogue**.

- When approaching a person, introduce yourself, briefly name the issue, and ask when it might be appropriate to discuss it. Book a time.
- If the issue is a potentially challenging one, suggest meeting with a support person for each party, and/or mediator.

Listen

Pay attention to feelings as well as facts.

Be alert to non-verbal messages: eye contact, posture, gesture etc. (Including yours and theirs)

Take notes as an aid to careful listening (If this is not too intrusive)

Paraphrase to check your understanding and reassure them that you have listened.

Clarify

What? When? Where? Who? How often? Who knows?

What has so far been done about it?

How affected are they: should counselling by the school Chaplain be recommended?

Are there safety factors to consider?

Inform

The person about their rights and guide them towards the Dandenong Ranges Steiner School *Communication Policy and Conduct in the Workplace Policy*.

Possible Actions

- Apology
- Provide and undertaking that the behaviour will cease
- Be given a formal warning according to Dandenong Ranges Steiner School *Disciplinary and Grievance Procedures*

Policy

The Dandenong Ranges Steiner School is an equal opportunity employer. We provide equality of opportunity to all staff, students, parents, applicants for employment and other external parties.

We are committed to providing a workplace that:

- Promotes appropriate standards of conduct at all times
- Fosters an environment where all members of the school community are treated with dignity, respect and courtesy
- Implements training and awareness-raising strategies to ensure that everyone knows their rights and responsibilities
- supports mutual trust, promotes job satisfaction and provides a positive and supportive learning and working environment
- provides an effective procedure for resolving complaints in a sensitive, fair and timely manner ensuring confidentiality

The DRSS College of Teachers and Committee of Management will take all reasonable steps to ensure that the work environment is safe from prohibited conduct. If you breach this policy you may face disciplinary action (including counselling, suspension, dismissal or ending your engagement or relationship with the DRSS).

If a person is found to have made a false claim, maliciously, vexatiously or recklessly, then they may face disciplinary action as mentioned above.

This policy/procedure applies:

- in the work place (including outside normal working hours)
- during all work activities
- during work related events (including festivals and social functions)
- in determining who is offered employment and on what terms
- in relation to staff access to opportunities for training and promotion
- in termination of employment

If you have any concerns about conduct in the work place, you are encouraged to raise these concerns in line with this policy.

Both Federal and State legislation is relevant to the concepts discussed in this policy. This includes *Equal Opportunity Act, 2010* and *Worksafe Victoria, Prevention of Bullying and Violence at Work- Guidance Note*

PART A – PROHIBITED CONDUCT

1) BULLYING

Definitions

- **Bullying** is repeated, unreasonable behaviour directed toward an employee that creates a risk to health and safety (mental or physical).
- **Unreasonable behaviour** means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten another.

Genuine and reasonable disciplinary procedures **are not bullying**. All employers have fundamental rights to direct and control how work is done. For example, comments which are objective and indicate observable performance deficiencies do not constitute work place bullying. Constructively delivered feedback or counselling is intended to assist staff members to improve their work performance or the standard of their behaviour.

Examples

Examples of bullying include:

- verbal or written abuse (e.g. being sworn at, threats, insults, continual criticism, name calling, practical jokes, unjustified threats of dismissal)
- direct violence including physical assault and harassment
- threatening body language
- unreasonably undermining work performance (e.g. assigning meaningless tasks unrelated to the job, giving employees impossible assignments, withholding vital information for effective work performance and changing work rosters)
- inappropriate interference with personal belongings or work equipment

2) Harrassment

Definitions

- **Prohibited harassment** includes any unwelcome advance or request, offensive comment or action concerning a prohibited ground or attribute of discrimination. It is behaviour towards another person which is intimidating or embarrassing.

- **Sexual harassment** means a sexual advance, request for sexual favours or other *conduct of a sexual nature* in circumstances in which a reasonable person, having regard to all circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated and which is unwelcome and uninvited. It may include:
 - conduct which is offensive from the view of the person harassed, regardless of any 'innocent intent' on the part of the offender
 - any physical, visual, verbal or non-verbal *conduct of a sexual nature*
 - conduct experienced by women or men
 - a one off or repeated incident/s.

- **Conduct of a sexual nature** includes the making of a statement of a sexual nature, verbal or written to, in the presence of or relation to the person being harassed.

DRSS may deem your conduct to be in breach of this policy even if no person raises a complaint. For example, storage and viewing sexually explicit images on the computer at work may be deemed to constitute sexual harassment even if there is no complaint filed against you.

3) Discrimination

Definition

- **Discrimination** is treating someone less favourably on the basis of certain specified attributes, than someone else without the same attribute would be treated in similar circumstance. Specified attributes include race, religion, sex and physical.

Discrimination is unlawful whether:

- it is direct or indirect
- the person knew their action was discrimination or not,
- it was intended or unintended.

4) Occupational Violence

Definitions

- **Occupational Violence** means any incident where a staff member is physically attacked or threatened in the work place. It may be a one off or repeated incident/s.

Examples of occupational violence include:

- striking, kicking, scratching, biting, spitting or any other type of forceful physical contact

- threatening to harm somebody
- throwing objects
- attacking with a weapon such as a knife or tool; and
- pushing, shoving, tripping, grabbing.

5) **Victimisation**

In dealing with any conduct in Parts A-D, a person should not be made to feel victimised.

Definitions

- **Victimisation** means when a person subjects or threatens to subject another person to a detriment because that other person has or is believed to have raised an issue or made a report under this policy or equal opportunity legislation or assists another person to do so.

Examples of victimisation include:

- demotion, dismissal, transfer, suspension
- loss of benefit
- ostracism from work or work related social functions
- being the subject of gossip or innuendo

PART B – REPORTING PROHIBITED CONDUCT

Features of Report Management

Reports of any of the prohibited behaviours will be dealt with as follows:

Confidentiality: DRSS considers confidentiality one of the most important aspects of dealing with reports of alleged prohibited conduct. Only the people involved in investigation of or attempted resolution of reported conduct will have access to related information. This means that only those with a genuine role in helping to resolve the report should know the details or discuss them.

Anyone found to have engaged in gossip or innuendo about a report may be subjected to disciplinary action.

However there are circumstances when the information may not be able to be kept confidential, such as if physical threats are involved or the law otherwise requires it.

Impartiality: Both parties will have a chance to tell their side of the story. No assumptions will be made and, to the extent possible, no action will be taken until all relevant information has been collected and considered.

No repercussions: No action will be taken against anyone for making or helping someone to make a genuine report. DRSS will take all reasonable steps to ensure that anyone reporting an issue or concern is not victimised.

Promptness: All reports will be dealt with as quickly as possible.

Person engaging in Prohibited Conduct

If a person raises a concern directly with you, you should appreciate that they are giving you an opportunity to change your conduct and by so doing to potentially avert a report against you. If necessary you should monitor and change your conduct without victimisation to the person concerned.

Person experiencing the conduct

If you have a genuine concern that you are experiencing prohibited conduct in the workplace, you are encouraged to raise your concerns. DRSS will assist you to

deal with your concerns in a manner appropriate to the seriousness and nature of the issue raised.

Steps to take

1. As soon as possible after the conduct occurs, you are encouraged to raise your concerns directly with the person involved to ensure they are fully aware that the conduct is unwelcome, or that you believe the particular conduct is inappropriate. It is important to raise your concerns in a timely manner as some people may interpret your silence as tacit consent to the behaviour.

If you feel it is appropriate for you to handle the complaint;

- Notify the person against whom the complaint is made
- Follow DRSS [Communication of Concerns and Complaints Policy](#).
- Investigate and attempt to resolve the complaint

The DRSS is a small community often with persons in the school having multiple roles and tasks. If either person involved in the incident believes there is a conflict of interest then they are required to address their concerns in writing to the appropriate body and an **independent** person will be organised.

Appropriate body

1. Provide any immediate support to the person experiencing the conduct as appropriate.
2. Notify the person against whom the complaint is made within 48 hrs.
3. Investigate and attempt to resolve the complaint referring to DRSS the Communication of Concerns and Complaints Policy. The expected time frame to complete this process is 4 weeks.
4. The DRSS supports the principle of natural justice which demands that the process be based upon an assumption of innocence unless and until evidence shows otherwise.
5. The possible outcomes will depend upon the nature of the complaint. Where an investigation has found that a complaint is substantiated, follow the DRSS Disciplinary and Grievance procedures.
6. If the person experiencing the conduct may have been injured physically or psychologically by the prohibited conduct, follow the policies for Reporting and resolving OHS hazards and General counselling.
7. Keep all associated documentation in a secure and confidential place.

Other policies/procedures

Wherever this policy/procedure is inconsistent with another policy/procedure, this one shall prevail to the extent of the inconsistency.