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CODE OF CONDUCT

Intended Use

This Code of Conduct is intended to be made available to the service provider’s staff at the commencement of their employment (e.g. preferably around induction and training) and it is to be available and/or provided to staff during the course of their employment or involvement with the service provider. The Code forms comprehensive directions to these employees or other workers as to the expected standard of behaviour. This Code is intended to apply to all employees and contractors and volunteers in their work with the service provider.

PREFACE

Code of Conduct

The aim of this *Code* is to outline the standards of behaviour expected of all employees of the Service provider.

This *Code* does not attempt to provide a detailed and exhaustive list of what to do in every aspect of your work. Instead, it sets out general expectations of the standards of behaviour required.

The *Code* places an obligation on all employees to take responsibility for their own conduct and to work with colleagues cooperatively to achieve a consultative and collaborative workplace where people are happy and proud to work.



WHO HAS TO COMPLY WITH THE CODE OF CONDUCT?

By accepting employment with the Service provider, you must be aware of and comply with this *Code*. Therefore, you must:

- a. conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the Service provider;
- b. comply with the Service provider's policies and procedures;
- c. act ethically and responsibly; and
- d. be accountable for your actions and decisions.

Contractors and Volunteers

Contractors, consultants and volunteers working with the Service provider must be aware of this *Code* and conduct themselves in a manner consistent with the conduct described in it. Conduct that is not consistent with the conduct set out in this *Code* may result in the engagement of a contractor, consultant or volunteer being terminated.

If you are engaging or managing external consultants, contractors or volunteers, it is your responsibility to make them aware of the Service provider's expectations of conduct during the period of their engagement.

General

This *Code* is not intended to be contractual in nature and does not impose any contractual obligations on the Service provider. The Service provider reserves the right at its sole discretion to vary or cancel this *Code* at any time.

Nothing in this *Code* should be taken to limit the circumstances in respect of which the Service provider may take disciplinary action in respect of an employee.



As an employee, you should be aware of Woodbury Autism Education and Research's policies and procedures, particularly those that apply to your work. Many of these are available on the shared drive under 'Policies', others will be made available to you through induction and training and development programs.

If you are uncertain about the scope or content of a policy with which you must comply, you should seek clarification from the Clinical Director.

You should also be familiar with legislation under which you are employed as this may specify requirements with which you need to comply.

WHAT IS EXPECTED OF YOU AS AN EMPLOYEE?

As a Service provider employee, you are expected to:

- a. perform your duties to the best of your ability and be accountable for your performance;
- b. follow reasonable instructions given by your supervisor or their delegate;
- c. comply with lawful directions;
- d. carry out your duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve your knowledge and skills, including through participation in relevant professional development;
- e. act honestly and in good faith in fulfilling your duties;
- f. be courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- g. work collaboratively with your colleagues; and
- h. ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the Service provider and does not damage the reputation of the Service provider.



WHAT HAPPENS IF I BREACH THE CODE OF CONDUCT?

As an employee, you hold a position of trust and are accountable for your actions.

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 the Clinical Director. Factors the service provider 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 Service provider in respect of a breach of the Code include management or remedial action, training or disciplinary action ranging from a warning to termination of employment. The service provider will reserve the right to determine in its entirety the response to any breach of this Code.

Employees are required to report certain information.

REQUIRED REPORTING

All employees are required to inform the Clinical Director provider if they are charged with or convicted of a serious offence (those punishable by 12 months or more in jail). You must also inform the Clinical Director provider if you become the subject of an Apprehended Violence Order.

If, through your employment with the Service provider, you become aware of a serious crime committed by another person, you are required to report it to the Clinical Director, who may be required to inform the police.

Please note that teachers, therapists, clinical supervisors and some other employees have mandatory reporting obligations under the *Children and Young Persons (Care and Protection) Act 1998* (NSW) where they have reasonable grounds to suspect a child under the age of 16 years is at risk of significant harm and have current concerns about the safety, welfare and wellbeing of the child. You should refer to the Service provider's Child



Protection Policy for further information about these obligations.

The service provider expects employees to treat each other with respect and courtesy. Our daily interaction with others reflects on the school's reputation. Therefore, all employees are expected to be approachable, courteous and prompt in dealing with other people, including students, the student's support network, other employees and members of the community.

Respect for People

Employees who work with students have a special responsibility in presenting themselves as appropriate role models for those students. Modelling effective leadership and respect in your interactions with students can have a profoundly positive influence on a student's personal and social development.

Similarly, it is important for you to treat your colleagues, other employees, contractors, students and parents with respect. Rude or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, intimidating or derogatory language and physical abuse or intimidation towards other employees, contractors, students and parents is unacceptable.

You must not use information and communication technologies, such as email, mobile phones, text or instant messaging, blogs, social media sites and other websites to engage in this type of behaviour.

You must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent. Your obligations in this regard, including the list of unlawful reasons, are set out in the Service provider's Discrimination, Harassment and Bullying policy. Unlawful harassment or discrimination may constitute an offence under the *Anti-Discrimination Act 1977* or federal discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.

You should ensure that you are aware of the Service provider's *Harassment and Bullying Policy*.



DUTY OF CARE AND WORK HEALTH AND SAFETY

As an employee, you have a duty of care to students in your charge to take all reasonable steps to protect students from risks of harm that can be reasonably predicted.

The duty encompasses a wide range of matters, including (but not limited to):

- *The provision of adequate supervision*
- *Ensuring grounds, premises and equipment are safe for student's use*
- *Implementing strategies to prevent bullying from occurring in the school, and*
- *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 the school*

DUTY OF CARE

As a Service provider employee, you have a duty of care to students in your charge. That duty is to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. For example, risks from known hazards and from foreseeable risk situations against which preventative measures can be taken. The standard of care that is required, for example the degree of supervision, needs to be commensurate with the students' maturity and ability.

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

Excursions and incursions must be communicated to parents and written permission sought prior to the student attending such excursion/incursion.

A mobile phone must be taken on all excursions and at any time students leave the service provider. The teacher in charge must always have a complete list of Staff emergency contact numbers and parent emergency contact numbers with them on an excursion

WORK HEALTH AND SAFETY

You also have a responsibility under work health and safety legislation to take care of your own health and safety at work. It is also your responsibility to ensure that your activities do not place at risk the health and safety of your co-workers, students or other persons that you may come into contact with at work.

Considerations of safety relate to both physical and psychological wellbeing of individuals.

You should ensure that you are aware of and the Service provider's policy in relation to *Work Health & Safety*



SUPERVISION OF STUDENTS

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 Service provider's evacuation and lock down procedures.

Students should not be left unsupervised either within or outside of class. You should be punctual to class and allocated supervision.

You should remain with students at after service provider activities until all students have been collected. In the event that a student is not collected you should remain with the student until collected, or seek advice from your supervisor.

Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. You should actively supervise your designated area, being vigilant and constantly moving around.

Ill or injured students should be attended to by the supervising staff member, and if required, must be referred to a person with a first aid qualification. Should additional assistance be required you should contact the service provider office.

You should ensure that you understand and comply with the Service provider's policy in regard to the storage and administration of prescribed medication to students. Note: Woodbury Autism and Research does not administer Medication (see First Aid, Illness and Medication Policy)

You should never drive a student in your car unless you have specific permission from the student's parent and the Clinical Director do so.

Should you be left alone with a child in a room, the door must be left open. You should not locate yourself between the student and the door.

As an employee, you are expected to always behave in ways that promote the safety, welfare and well being of children and young people. You must actively seek to prevent harm to children and young people, and to support those who have been harmed.

While not all employees are required to manage and supervise students, it is important for all school employees to understand and observe the school's Child Protection Policies.



PROFESSIONAL RELATIONSHIPS BETWEEN EMPLOYEES AND STUDENTS

Physical contact with students

You must not impose physical punishment on a student in the course of your professional duties.

When physical contact with a student is a necessary part of the teaching/learning experience you must exercise caution to ensure that the contact is appropriate and acceptable and that you comply with the service providers physical contact policy.

Relationships with students

You must not have a romantic or sexual relationship with a student. It is irrelevant whether the relationship is homosexual or heterosexual, consensual or non-consensual or condoned by parents or caregivers. You are reminded of:

- a. the law prohibiting sexual relations with a person under the age of consent (16 years); and
- b. the law prohibiting sexual relations between a teacher and their student under the age of 18 years.

You must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student. Such relationships may also have a negative impact on the teaching and learning environment for other students and colleagues, and may carry a serious reputational risk for the Service provider.

If you consider that a student is being overly familiar, seeking to establish a personal relationship with you or has developed a 'crush' on you, you should report your concerns to the Clinical Director as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.

At all times when speaking with student's care must be taken to use appropriate language. You must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.

You may, as part of your pastoral care role, engage in discussion with students. This is entirely appropriate. However, you must be cautious about making personal comments about a student or asking questions that probe your own or a student's sexuality or relationships. You must not hold conversations with a student of an intimately personal nature where you disclose information about yourself.

You must not:

- a. invite students to your home;
- b. visit students at their home; or
- c. attend parties or socialise with students or parents of students,



unless you have the express permission of the Clinical Director provider and their parents or care giver.

You must not engage in home therapy or caring of students from the Service provider without the express permission of the Clinical Director or Business and Finance Manager. See home therapy policy for details

You must not invite current or ex students or their families to join your personal electronic social networking site or accept students' or their parents' invitations to join their social networking site (see Section 7) -

APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES

You must not give gifts to students, you should also carefully consider your position before accepting any gift from a student or their parents (see Section 10 - Declaring gifts, benefits and bribes)

Wherever practical, you should avoid teaching or being involved in educational decisions involving family members or close friends. Where it is not practical to avoid such situations completely, another member of staff should make any significant decisions relating to the student's assessments and have those endorsed by a supervisor.

You should be aware of, and sensitive to, children with culturally diverse or indigenous backgrounds and cultural practices that may influence the interpretation of your behaviour.

Child protection

You must be aware of and comply with the Service provider's Child Protection Policy. They make clear what behaviour is unacceptable and could amount to reportable conduct.

The Working with Children Check

The Working with Children Check is a prerequisite for paid and unpaid child-related work. Under Part 2, section 6 of the *Child Protection (Working with Children) Act 2012*, child-related work is defined as work in a specific child-related role or face-to-face contact with children in a child-related sector¹.

You must have a Working with Children Check clearance which will be valid for a period of five years. You are responsible for renewing your Working with Children Check every five years.

If you are already in paid child-related work, or you are a volunteer, you will be phased in over a five year period commencing 15 June 2013, according to schedule provided by the Office of the Children's Guardian.



APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES

The service provider provides electronic communication facilities for its students and employees for educational or administrative purposes. It monitors and views data stored or transmitted using the school's facilities. By its nature, electronic communication is a fast and informal way of communicating. However, once a document or image has been sent, there is no way to recall it and it exists forever.

You must comply with the Service provider's Information Technology, Computer, Telephone and Equipment Code of Use and Social Networking Policy.

You must never use the Service provider's networks to view, upload, download or circulate any of the following materials:

- a. sexually related or pornographic messages or material;
- b. violent or hate-related messages or material;
- c. racist or other offensive messages aimed at a particular group or individual;
- d. malicious, libelous or slanderous messages or material; or
- e. subversive or other messages or material related to illegal activities

Work Health and Safety is of fundamental importance to the school. Maintaining a safe work environment requires everyone's continuous cooperation



USE OF ALCOHOL, DRUGS AND TOBACCO

You are responsible for ensuring your capacity to perform your 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.

As a Service provider employee, you must:

- a. not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
- b. have illegal drugs in your possession while at work. Any illegal drugs found on Service provider property or in the possession of any person on Service provider property may result in disciplinary action including the termination of your employment and referral to the Police;
- c. give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
- d. not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;
- e. supply or administer prescription or non-prescription drugs to students unless authorised to do so.
- f. purchase alcohol for, or give alcohol to, any Service provider student (or to any other person under the age of 18 years); and
- g. encourage or condone the use of alcohol by students of any age during educational activities.
- h. You must not smoke or permit smoking in any Service provider buildings, enclosed area or on Service provider grounds or within 10 metres of service provider premises. This includes all buildings, gardens, ovals, cars and car parks.
- i. You must not purchase tobacco or tobacco products for any Service provider student or give them tobacco or tobacco products.
- j. notify your supervisor if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
- k. take action to resolve any alcohol or other drug-related problems that you have; and
- l. consult with the Clinical Director if you are concerned about working with other employees who may be affected by drugs or alcohol.



IDENTIFYING AND MANAGING CONFLICTS OF INTEREST

Private interests can or have the potential to influence a person's capacity to perform their duties and in turn compromise their integrity and that of the school.

As a Woodbury Autism Education and Research Limited employee, you must not act in conflict with the Woodbury Autism Education and Research Limited best interests. A conflict of interests can involve:

- a. pecuniary interests i.e. financial gain or loss or other material benefits;
- b. non-pecuniary interests i.e. favours, personal relationships and associations.
- c. It may not only be about your own interests. It may include:
 - the interests of members of your immediate family or relatives (where these interests are known);
 - the interests of your own business partners or associates, or those of your workplace; or
 - the interests of your friends.

When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to your supervisor or the Clinical Director.

When acting in a professional consulting capacity for Woodbury Autism Education and Research Limited (eg. A behaviour support practitioner), you may and should divulge that Woodbury Autism Education and Research Limited provides foundational services similar to other foundational and specialised service providers.

You should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.



DECLARING GIFTS, BENEFITS AND BRIBES

As an employee, you may be offered a gift or benefit as an act of gratitude. There are some circumstances when to refuse a gift would be perceived as rude, insulting or hurtful. You are expected to exercise sound judgement when deciding whether to accept a gift or benefit.

If you are offered a bribe (i.e. anything given in order to persuade you to act improperly), you must refuse it, explain why it is not appropriate, and immediately report the matter to the Clinical Director.

Accepting gifts and other benefits has the potential to compromise your position by creating a sense of obligation and undermining your impartiality. It may also affect the reputation of the Service provider and its staff. You must not create the impression that any person or organisation is influencing the Service provider or the decisions or actions of any of its employees.

If you are offered a gift or benefit, you should always consider the value and purpose of a gift or benefit before making any decision about accepting it.

When such a gift is accepted, you must advise your Clinical Director. They will determine how it should be treated and make a record of its receipt. Depending on the nature and value of the gift, it may be appropriate to record the gift in the asset register as a donation or other such record established for that purpose.

COMMUNICATION AND PROTECTING CONFIDENTIAL INFORMATION

Communication and Confidential Information

You must comply with Woodbury Autism Education and Research Limited Privacy and Confidentiality policy.

You should be mindful of confidentiality when in discussions with parents. You cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.

All matters discussed in staff meetings and staff emails are to be treated confidentially and not discussed with students, members of the service provider community, or the public.

The media should not be given access to students or allowed entry to the Service provider without the express permission of the Clinical Director or Business Manager. You should not make any comments to the media about the Service provider, students or parents without the express permission of the Clinical Director or Business Manager.



Unless authorised to do so by legislation, you must not disclose or use any confidential information **without** the express permission of the Clinical Director or Business Manager.

You must make sure that confidential information, in any form, cannot be accessed by unauthorised people.

PRIVACY

Sensitive and personal information should only be provided to people, either within or outside the Service provider, who are authorised to have access to it.

You should always exercise caution and sound judgment in discussing the personal information of students, parents, staff and other people with other Service provider employees. Normally information should be limited to those who need to know in order to conduct their duties, or to those who can assist in carrying out the Service provider's work because of their expertise.

RECORD KEEPING

All employees have a responsibility:

- a. to create and maintain full, accurate and honest records of their activities, decisions and other business transactions, and
- b. to capture or store records in the Service provider's record systems.

You must not destroy or remove records without appropriate authority.

Supervisors have a responsibility to ensure that the employees reporting to them comply with their records management obligations.

Employees responsible for assessing and recording data and marks for students' work must do so accurately, fairly and in a manner that is consistent with relevant policy and the requirements of the Service provider.

Employees must maintain the confidentiality of all official information and documents which are not publicly available, or which have not been published.

COPYRIGHT AND INTELLECTUAL PROPERTY

When creating material, you need to ensure the intellectual property rights of others are not infringed and information is recorded about any third party copyright/other rights included in materials.

Advice relating to sharing or licensing the Service provider's intellectual property should be sought from the



CLINICAL DIRECTOR OR BUSINESS AND FINANCE MANAGER.

The Service provider cannot give away or assign its intellectual property without the approval of the Clinical Director or Business and Finance Manager.

If you develop material that relates to your employment with the Service provider, the copyright in that material will belong to the Service provider. This may apply even if the material was developed in your own time or at home.

You should not use the Service provider's intellectual property (including copyright) for private purposes without obtaining written permission from the Clinical Director or Business and Finance Manager.