

Handbook
on
**Code of Ethics and
Profession Conduct**
(For the guidance of faculty)

1st April, 2019

INTRODUCTION

This Code of Professional Practice is important for all teachers including principal employed by the Department of Higher Education. As public service employees, teachers hold a special position of trust. In their respective roles, teachers exercise powers that have a significant impact on the lives of children and young people and consequently there is a community expectation that these powers will be properly and prudently used.

What teachers know and do has a profound effect on the nature and quality of student learning. Good teachers are even more important in a society that is continually changing and developing, and in which there is increasing emphasis on the creation of knowledge and sharing of information.

Given the profession of teaching is becoming even more complex and important, society and teachers themselves need to ensure that the professional practice of teaching meets the highest possible standards.

In achieving these high standards teachers need to be committed to their own professional learning, seeking to deepen their knowledge, expand their teaching skills and adapt their teaching to developments in research and scholarship.

WHAT IS THE CODE OF PROFESSIONAL PRACTICE?

The Code sets out the five principles of public service ethics that should guide the work of all teachers in meeting the educational needs of their students. These principles are:

- service to the public
- responsiveness to the government and the needs of the public
- accountability
- fairness and integrity
- efficiency and effectiveness

These principles are not in order of importance as each is fundamental to good professional practice. These ethical principles help us decide whether our actions are right or wrong. They tell us what is expected of us, and help us think through difficult situations and reach proper conclusions.

Each principle creates obligations for teachers. The Code expands on these obligations by stating expectations for professional conduct that apply to teachers including college principals.

USING THE CODE

The Code and Guidelines cannot, of course, cover every situation where teachers are required to make a decision. In practice, deciding on the right course of action will often involve weighing up competing priorities and responsibilities. In most cases, the answer will be fairly clear.

However, if a teacher is unsure of what to do in a particular situation the teacher should discuss the matter in confidence with their supervisor and, where necessary, seek further advice, for example from an experienced colleague or another appropriate Departmental officer. In certain circumstances it may be appropriate to discuss the matter with their union.

Finally, before proceeding, teachers should ask themselves these questions:

- Are my actions within the spirit and letter of the law?
- Are my actions consistent with the Department's goals, the values and principles and the Code of Ethics and this Code of Professional Practice and Guidelines?
- Could I adequately defend my action to my supervisor, the Department and the community if the situation became publicly known?

- Is this the proper thing for me to do?
- What will the outcome of my action be for:
 - the college, the Department and the public interest?
 - students?
 - parents?
 - my colleagues?
 - others?
 - me?

Remember, ethical behaviour is not just a matter of following the letter of the law or sticking to the obligations of the Code. Teachers should also act within the spirit of the law and the Code. It is not sufficient to think that your behaviour is ethical, it must also be seen to be so. The appearance of unethical behaviour can be just as damaging to public confidence in the profession as unethical conduct itself.

WHO MUST COMPLY WITH THE CODE?

The Code applies to and binds all Government teachers and principals (permanent, casual and temporary).

WHEN DOES THE CODE APPLY?

The obligations of the Code apply at all times. This includes times when a teacher is not at college or not performing work duties. It includes times when a teacher is on leave. While the Code focuses primarily on how a teacher performs their work duties.

WHAT HAPPENS IF I BREACH THE CODE?

As public servants, teachers hold special positions of trust, especially regarding children and young adults in our community, and must be accountable for their actions at all times.

If the Department considers that the Code has been breached, disciplinary action may be taken.

Any disciplinary action shall be taken in accordance with the principles of natural justice and procedural fairness and in a manner that promotes the values and general principles. In deciding whether the Code has been breached, due consideration will be given to the circumstances of the breach and the views of the teacher concerned.

Disciplinary action that may be taken in response to proven breaches of the Code include:

- counselling

- a written admonishment
- transfer to other duties
- reduction in incremental point
- a temporary or permanent reduction in classification/salary
- entry in service book and annual performance report
- termination of employment in case of contractual/temporary employees and transfer of case to department in case of permanent employee for strict action.

These outcomes may be in addition to any penalty imposed by a court for a breach of legislative provisions.

The Code applies also to temporary, casual and probationary teachers. Temporary, casual or probationary teachers who breach the Code will be dealt with according to the terms of their employment. Disciplinary action may include a reprimand, termination of employment or other appropriate sanction.

WHO DETERMINES IF THE CODE HAS BEEN BREACHED?

As the employing authority, Principal and the committee members will make a determination whether the Code has been breached and disciplinary action is recommended to the Administrative Head i.e. Commissioner Secretary in case of gazette staff and Director colleges in case of non-gazetted staff. Teachers will have the opportunity to put their point of view about the breach, and what consequences should follow, before any penalty is imposed.

UPDATING THE CODE

The Code of Professional Practice aims to be current and relevant in supporting teachers in the proper performance of their professional duties. As such it needs to take account of new concerns about ethical issues that may arise. To this end the College welcomes recommendations for future revisions of the Code. These recommendations can be forwarded to the Principal on college website.

CODE OF PROFESSIONAL PRACTICE

PRINCIPLE 1: SERVICE TO THE PUBLIC

Teachers are expected to abide by the Code of Conduct and Code of Ethics which provides both a core set of standards covering the behaviour of staff in dealing with the public and its employees.

A defining characteristic of a profession is a spirit of public service. Consistent with this spirit, teachers who are both public servants and members of a profession should place the responsibility for the education, welfare, health and safety of their students before their responsibility to sectional or private interests or to other members of the profession.

Teachers serve the public interest by:

- acting in a manner which promotes confidence in the integrity of the public service and the profession
- exercising reasonable care and skill
- treating students, parents and colleagues with courtesy and sensitivity to their rights, duties and aspirations
- protecting students from harm
- being committed to students and their learning
- organising learning to take account of the diverse social, cultural and special learning needs of their students
- working in partnership with parents and carers
- acting against any form of harassment or unlawful discrimination

1.1 OBLIGATIONS

Each teacher has an obligation to:

1.1.1 Respect the dignity, rights and opinions of others

Teachers respect the dignity, rights and opinions of others by:

- respecting cultural, ethnic and religious differences
- valuing and acknowledging the contributions made by others in meeting college and Departmental goals

1.1.2 Demonstrate high standards of professional practice

Teachers demonstrate a high standard in teaching and learning by:

- engaging students in their learning
- working to achieve high level outcomes for all students
- maintaining records to manage, monitor, assess and improve student learning

- engaging in reflective practice and developing their professional knowledge and teaching skills
- supporting the personal and professional development of others
- providing constructive feedback to colleagues that is considered and helpful
- assisting in developing and mentoring beginning teachers
- working cooperatively and collaboratively with others to achieve college and system goals
- informing people of their rights and entitlements where appropriate
- accepting responsibility for their own professional learning and development

1.1.3 Protect students from harm

Teachers protect students from harm by:

- recognising that students have a right to a safe and secure teaching and learning environment
- reporting any reasonable suspicion of harm caused to students
- supporting students who have been harmed
- refraining from conduct that could assault or harm a student
- refraining from conduct that could cause psychological damage to a student
- refraining from sexual conduct with a student or conduct that raises an apprehension that sexual conduct has occurred or may occur with a student

1.1.4 Develop and maintain constructive professional relationships with parents and carers

Teachers develop and maintain constructive professional relationships with parents and carers by:

- engaging in open communication
- reporting on student progress and learning options
- being responsive to all reasonable requests in relation to their child's education

1.1.5 Exercise leadership in their role as supervisors

Teachers exercise leadership in their role as supervisors by:

- acting as positive role models
- acknowledging the work of staff
- encouraging initiative, responsiveness and leadership amongst staff
- being open and accepting of differing views and perspectives that may better achieve Departmental and college goals
- exercising their responsibilities conscientiously and prudently
- promoting participatory decision making
- providing learning and development opportunities for their staff
- giving regular constructive feedback to staff on their work performance, for example through probation, contract assessment and the Professional Pathways program
- promoting equity and diversity in the workplace
- providing strategic educational and administrative direction
- monitoring and enhancing educational quality through planning for teaching and learning, and implementing change management to meet the needs of students better
- identifying and supporting colleagues who may be experiencing difficulty
- responding appropriately to issues of inefficiency
- managing and reporting perceived misconduct appropriately

1.1.6 Discourage any form of discrimination or harassment in the workplace

Teachers act to help remove discrimination and harassment in the workplace by:

- promoting an environment that is accepting of and tolerant of diversity, and is free from intimidation, threat, humiliation and harassment
- refraining from harassing behaviour including sexual harassment
- refraining from unlawfully discriminating against any person

PRINCIPLE 2: RESPONSIVENESS TO THE GOVERNMENT AND THE NEEDS OF THE PUBLIC

The teachers must provide the same level of professionalism in the administration and delivery of government policies and services, irrespective of the political persuasion of the government.

Teachers are responsive to the government and the needs of the public by:

- respecting the rule of law and our system of democracy by upholding State laws and regulations, Government and Departmental policies
- working to implement high quality education services
- advancing student learning and the public interest
- responding appropriately to known or suspected breaches of the law or breaches of Departmental policies on acceptable conduct and administration
- implementing the policies of the elected government, particularly as they relate to education
- complying with and applying the policies of the Department
- complying with lawful and reasonable directions from their supervisor/s

2.1 OBLIGATIONS

Each teacher has an obligation to:

2.1.1 Advance student learning and the public interest

Teachers advance student learning and the public interest by:

- implementing the educational goals and priorities of the college and system
- working to develop an educational environment, which addresses the needs of all students, including Indigenous students, students with different ethnic or cultural backgrounds language and students with a disability
- promoting learning, the value of education and the profession of teaching in the wider community
- working effectively with other professionals, parents/carers and members of the broader community to provide effective learning for students seeking support for colleagues who may be experiencing difficulty
- reporting knowledge of suspected fraud, misconduct, negligent management or any perceived risk to health or safety to an appropriate person

- observing confidentiality in a manner consistent with legal requirements, the interests of students and the wider public interest
- complying with lawful and reasonable directions from their supervisor/s
- making decisions and giving directions within their authority
- refraining from making unauthorised public comments where the comment may be perceived as official comment

PRINCIPLE 3: ACCOUNTABILITY

Teachers are accountable for upholding the law and adhering to the policies of the government as they relate to their employment. Teachers are also accountable for the educational programs they deliver. Programs must be delivered effectively and impartially. Teachers must maintain clear records of the reasons for their decisions.

Teachers are accountable for:

- encouraging students to strive for high standards and to value learning
- placing the student's best interest over the teacher's personal interest or benefit
- cooperating with colleagues in the best interest of students
- accepting responsibility for developing their own professional knowledge and skills

3.1 OBLIGATIONS

Each teacher has an obligation to:

3.1.1 Accept responsibility for high quality teaching

Teachers accept responsibility for high quality teaching by:

- providing students with opportunities to learn, recognising and developing each student's unique potential and addressing each student's educational needs
- knowing the learning strengths and weaknesses of their students and the factors that influence their learning
- participating in learning and development to maintain and enhance their professional knowledge and skills
- accepting responsibility for student learning outcomes
- knowing their subjects, how to teach them and how their teaching relates to the whole college curriculum and pathways for students

- drawing on the body of knowledge about learning and contemporary research into teaching and learning to support their practice

PRINCIPLE 4: FAIRNESS AND INTEGRITY

Teachers are placed in positions of trust. They manage college resources. They have access to college information and they make decisions that affect staff and students.

The trust that is placed in teachers requires that they conduct themselves with honesty, fairness, and propriety.

Teachers act with fairness and integrity when they:

- respect the rights and dignity of students, their colleagues and others
- avoid conflicts between their private interests and professional responsibilities
- do not take, or seek to take, improper advantage of their position in order to obtain a benefit for themselves or any other person
- act with probity and impartiality

4.1 OBLIGATIONS

Each teacher has an obligation to:

4.1.1 Act with probity in their daily work activities and decision-making

Teachers act with probity by:

- being aware of the social, cultural, and religious backgrounds of their students, and treating students appropriately having regard to their individual needs
- seeking student and staff views about decisions that affect them
- assessing and recording student performance data according to Departmental policies and procedures
- identifying, declaring and avoiding any apparent or actual conflict of interest
- resolving any conflict in favour of the public interest
- managing private relationships in a way that does not adversely impact on the work or reputation of the Department or college or create an apparent or real conflict of interest

- not accepting inappropriate gifts or benefits
- acting professionally and with probity by complying with the Departmental and government policy in regard to the Internet and electronic mail system
- not being under the influence of drugs or possessing illegal drugs
- not consuming alcohol in college when they are responsible for students
- seeking approval to undertake secondary private employment
- observing procedural fairness in their decision-making processes

PRINCIPLE 5: EFFICIENCY AND EFFECTIVENESS

The ethical principle of efficiency and effectiveness seeks to obtain maximum value for the resources expended by the Department in achieving high-level outcomes for all students.

Teachers exercise efficiency and effectiveness in the use of college resources by:

- avoiding waste and extravagance in using college resources
- using college property and resources appropriately
- maintaining high standards of professionalism, probity and performance

5.1 OBLIGATIONS

Each teacher has an obligation to:

5.1.1 Exercise efficient and effective resource management

Teachers exercise efficient and effective resource management by:

- acting professionally and honestly at all times
- using college resources for official purposes (or approved exemptions) and ensuring that they are not wasted or used extravagantly
- ensuring that any claims for expense payments are made in accordance with Departmental policy and procedures, and only for costs incurred to carry out college business
- using all electronic communication systems in accordance with Government and Departmental policies

