



# **TSH**

## **CODE OF CONDUCT**



# PART 1 – OUR VALUES AND OUR CODE OF CONDUCT

## TSH'S CODE OF CONDUCT

Teach Speak Hear (TSH) is committed to providing a safe environment and is committed to promoting practices which provide for the safety, wellbeing and welfare of our children, clients and families.

All of our staff are in a unique position of responsibility and authority and must make every effort to make sure that our organisation provides a safe environment. Teachers, in particular, are of primary importance when it comes to detecting abuse and preventing abuse from occurring. All TSH staff must comply with this code.

All board members, volunteers, visitors and contractors are expected to comply with this code.

## OUR VALUES

At TSH our Values drive everything we do. They underpin our Code of Conduct and the behaviours we adopt every day. Examples of how we exhibit these values include:

### EXCELLENCE

We are experts in our field through experience, research and knowledge, delivering the highest level of services and connection in all we do.

#### WE DEMONSTRATE THIS BY

- Embracing change and continually seeking to improve everything we do and how we do it
- Constantly seeking to enhance the body of knowledge that improves outcomes for the people we serve and work with everyday
- Advocating for system change based on the experience of those we serve and our team
- Recognising excellent performance and the achievements we make together, while recognising each other's successes
- Sharing knowledge to enable a better understanding, provide guidance and support people's development
- Committing to the success of the people we serve, our organisation, our teams and each other
- Constantly providing constructive feedback and input with the view to creating better outcomes
- Ensuring that we continue to educate ourselves in the areas that are relevant to our practice and the people we work with

### NURTURING

We create a in a caring, supportive environment that fosters positive outcomes, bringing empathy and wisdom to our relationships.

#### WE DEMONSTRATE THIS BY

- Delivering services that place our clients, families and children at the centre of all decisions and actions
- Creating an environment where everyone's contribution is recognised as important and encouraged
- Supporting the people we serve and our colleagues in their own development
- Providing an environment where people from all backgrounds, beliefs, genders and abilities are embraced
- Fostering an environment where the willingness to try new things is celebrated and encouraged
- Showing empathy and genuine care for our clients, families and children, our organisation and our colleagues
- Being open, friendly and welcoming to everyone we are in contact with
- Constantly considering the needs of the client in the context of family and culture

### TRUST

We engender trust by listening, connecting, and delivering on our promises.

#### WE DEMONSTRATE THIS BY

- Conducting ourselves honestly, reliably and without favour
- Delivering on our commitments and promises
- Ensuring transparency in all the decisions we make
- Using organisational information only for the purpose it is intended, never gaining advantage for ourselves or to the detriment of others
- Disclosing and mitigating potential, perceived or actual conflicts of interest
- Ensuring we uphold the highest level of governance and adherence to laws, codes, registrations, policies and regulatory requirements and other matters
- Adhering to best practice standards in the protection of clients and children
- Maintaining an effective set of core values and beliefs that underpin our desire to maintain high levels of professionalism and presentation of the organisation in the best light







## INCLUSIVITY

We work with people to ensure success.

We embrace others in what we do helping to create success.

## RESPECT

We recognise every person's unique abilities, operating in a spirit of cooperation and valuing dignity.

## EMPOWERMENT

We build people's capacity, knowledge and skills in an enriching and inclusive environment.

### WE DEMONSTRATE THIS BY

- Ensuring our families and clients are involved in, and at the centre of, our planning, decision making and evaluation of all elements of what we do
- Seeking, creating and maintaining positive, effective relationships with all internal and external stakeholders
- Embracing and valuing all individuals for their diverse backgrounds, knowledge, experience, approaches and ideas
- Sourcing input and feedback from a wide array of people to support decision making and system improvement
- Working collaboratively as a multi-disciplinary team to service the families we work with holistically
- Actively and positively engaging with teams, contributing to their success
- Providing considered and constructive input into what we do and how we do it
- Contributing to maintaining a positive working environment in which any form of harassment is unacceptable

### WE DEMONSTRATE THIS BY

- Showing empathy and compassion through respectful relationships that give competent care
- Being honest, respectful and ethical in all dealings with others
- Treating everyone with respect, through integrity, fairness, and courtesy, free of judgement and discrimination
- Being one team in which we represent many ideas, skills, roles, experiences and backgrounds, valuing each other's contributions, creating an opportunity for everyone to succeed
- Respecting our staff and valuing each unique contribution towards achieving the vision and mission of the organisation
- Focusing on finding solutions and achieving results, without making excuses or placing blame
- Respecting the confidentiality rights of clients and families, advocates and colleagues and handling their personal information with care
- Refraining from all practices of unlawful behaviour, including and not limited to, discrimination, harassment, bullying and victimisation

### WE DEMONSTRATE THIS BY

- Creating an environment in which everyone is encouraged to grow their skills and develop
- Sharing appropriate information in good faith to support the families, children and clients we assist
- Encouraging decision making at all levels within the organisation, with effective structures in place to guide that decision making
- Supporting and coaching those we work with to self-advocate wherever possible, making them an agent of positive change
- Creating safe places for people to learn, play, grow, work and belong
- Developing systems promoting "positive accountability" that also support the taking of calculated risks to improve set outcomes
- Creating learning opportunities that transcend the immediate situation and create a life-long impact
- Providing opportunities for people to engage with a variety of people, views, and opinions in ways that help them distil the knowledge they seek to achieve success



# PART 2– OUR GENERAL EXPECTATIONS

## GENERAL EXPECTATIONS OF OUR PEOPLE

Our people are expected to behave in a manner that promotes the safeguarding role of the organisation, and is in accord with our expectations, professional expectations and best practice of each profession, as well as the expected norms of our community.



**As part of the TSH team, you should be familiar with TSH's policies and procedures, know where you can access them for checking purposes, and be able and willing to comply with the policies and procedures.**

**All TSH policies and procedures are available on the TSH intranet. If you are uncertain about the scope or content of a policy with which you must comply, or any legal obligations to which you are subject, you should seek clarification from your direct supervisor, line manager or the CEO.**

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

Our general expectations build on our Values and help guide behaviour and actions across every situation we may face.

### WE DEMONSTRATE THIS BY

- Performing our duties to the best of our ability and being accountable for our performance
- Following reasonable instructions given by our supervisors or their delegates  
Complying with lawful directions
- Carrying out our duties in a professional, competent and a conscientious manner, while seeking suitable opportunities to improve our knowledge and skills
- Complying with Occupational Health and Safety legislation, ensuring that our activities do not place our own safety at risk or that of our colleagues, clients, students or anyone else we may come into contact with
- Acting honestly and in good faith in fulfilling our duties. We acknowledge that, if faced with a situation in which conflict of interests may be present, we will report any potential or real conflict to our manager or the CEO
- Being respectful, courteous and responsive in dealing with our colleagues, clients, children, parents, guardians and members of the public
- Working collaboratively with our colleagues
- Ensuring that our conduct, whether during or outside working hours, is consistent with TSH's ethos and does not damage TSH's reputation
- Dressing in a professional manner that is appropriate for our role
- Working within the policies and procedures of any host school or organisation
- Ensuring we do not engage in unlawful discrimination against, harassment of, or bullying towards a fellow employee, contractor, volunteer, child or parent/ guardian
- Protecting TSH's intellectual property, ensuring we do not give it away or assign it without expressed permission
- Refraining from using any of TSH's physical or intellectual property for our own private purposes
- Ensuring the intellectual property rights of others are not infringed and information about any third party copyright/other rights is recorded in materials
- Managing our conflicts of interest, including informing our manager of the CEO of any bribe
- Declaring any gift given to you that may have a worth of \$50 or more by notifying your manager or the CEO





## EXCELLENCE IN OUR SERVICE DELIVERY

**Delivering excellence in all of our services provides the best possible outcomes for the children and families we support.**

### WE DEMONSTRATE THIS BY

- Putting the needs of the clients, children and their families at the forefront of our decisions
- Responding to specific needs of each individual in our service delivery
- Continually seeking to engage in our own development while seeking out best practice across the world
- Embracing change in practice as a tool to drive better outcomes

For our **Education staff** we engage good teaching practices, such as:

- Differentiating our lessons to cater for all learners
- Showing no favouritism, bias or prejudice with children
- Facilitating the provision of ancillary support to a child, as is determined by their needs, to enable their equitable access to educational programmes
- Maintaining a safe classroom environment
- Actively engaging in the betterment of our own practice, seeking learning opportunities to drive better outcomes
- Listening to parents/guardians about their aspirations and goals for their children
- Seeking to empower our families in ways that meet the needs of the family unit and their child
- Treating all children with respect, understanding the strengths and skills of each child, with planning to help support their development
- Assessing and recording marks for children's work accurately, fairly and in a manner that is consistent with relevant TSH policy and requirements
- Establishing and maintaining regular, appropriate and confidential communication with our children's parents/guardians
- Presenting as an appropriate role model for students- modelling courtesy and respect in all our interactions

For our **Therapy, Audiology and Ear Health staff** we engage good teaching practices, such as:

- Adhere to the NDIS Practice Standards and standards of professional bodies
- Listening to clients and parents/guardians about their aspirations and goals for themselves and/or their children
- Identifying goals for each client, child and family and incorporating these goals into our activities
- Showing no favouritism, bias or prejudice in our dealing with children and clients
- Treating all children with respect, understanding the strengths and skills of each child or client, with planning to help support their development
- Empowering client and families to build on the work we do for them and/or their children
- Constructively using our networks to develop effective referral pathways for our current and prospective children and families
- Sharing information, as appropriate, within the team to ensure a collaborative approach to our service delivery
- Establishing and maintaining regular, appropriate and confidential communication with our children's parents/guardians

For our **Administrative staff** we engage good teaching practices, such as:

- Creating an understanding about the services we deliver to clients, children and families
- Ensuring we seek to create efficiencies in ways that maximise the resources available to our programs
- Continually seeking to obtain feedback from our colleagues about improvements we can make to facilitate their work
- Engaging with external bodies to improve our outcomes or deliver on our strategies







## ENSURING THE SAFETY OF CHILDREN

**The physical and emotional safety and wellbeing of the children we support is of critical importance.**

At TSH, we engage effective child-safe strategies and processes to ensure the safety of all children. We do this through:

- Preventing grooming and abuse of children;
- Taking all reasonable steps to protect students from risk of harm that can be reasonably prevented;
- The provision of adequate supervision;
- Ensuring grounds, premises and equipment are safe for children's use;
- Implementing strategies to prevent bullying from occurring in the organisation; and
- Supporting children who become ill or injured appropriately.

### WE DEMONSTRATE THIS BY

- Ensuring we take actions that do not expose children or anyone else to any risks or hazards
- Adhering to TSH's Mandatory Reporting and Child Welfare Policy and any host school's or organisation's policy
- Maintaining an up to date Police Clearance, Working with Children Check and NDIS Worker Screening Check (where required)
- Informing the CEO if anything changes our ability to obtain a Police Clearance, Working with Children Check or NDIS Worker Screening Check including but not limited to:
  - If you are charged with or convicted of a serious offence if you become
  - The subject of a Violence Restraining Order
- Reporting of any serious crime by another staff member to the CEO, who may be required to inform the Police and/or the Department of Communities and/or the NDIS Commission and/or the Teacher Registration Board WA and/or the Ombudsman and/or AHPRA
- Reading and understanding our evacuation and/or lock down procedures
- Attending to ill or injured children, seeking assistance if necessary
- Reporting any concerns that we may have about the safety, welfare and wellbeing of a child or young person, including any concerns we may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people
- Reporting to the CEO if another staff member, contractor or volunteer is:
  - Charged with, or convicted of, a serious crime
  - The subject of child abuse allegations, whether or not they relate to their employment at TSH
- Ensuring children are supervised at all times
- Ensuring the standard of care that is provided is commensurate with the students' maturity and ability
- Ensuring punctuality to all classes/sessions with children
- Preventing bullying or any other form of discriminatory behaviour, and reporting incidents to the appropriate staff member, as per our Behaviour Support Policy or host school's policy.

- Storing and administering medication to children only in accordance with TSH's Child Health Policy or host school's policy
- Reporting objectively observable behaviour which breaches or is suspected of breaching this Code of Conduct to their line manager, the Principal or, where the breach observed was committed by the line manager or Principal, to the CEO or Chair of the Board.

TSH recognises that making a report can be difficult and, as such, will not tolerate harassment or victimisation against anyone who makes a report in good faith. Staff must make themselves familiar with the procedure for handling allegations against staff and children. It is expected that staff who form a belief that the boundaries or Code of Conduct has been breached will inform their line manager, Principal or CEO through the Mandatory Reporting and Child Welfare Policy or host school's policy.

From January 2009, teachers are required by law to make a mandatory report of child sexual abuse when a belief, based on reasonable grounds, is formed that sexual abuse is occurring or has occurred. This applies if you are working in a paid or unpaid capacity as a teacher. Staff who are not teachers must report all forms of abuse to the Principal. Reports of abuse involving the Principal must be reported to the CEO or Chair of the Board.

In cases where an allegation that a former student/client (under the age of 18), has been subjected to child sexual abuse at the school occurring before 2009, the Department of Communities – Child Protection Service is to be informed immediately. A matter involving a former student/client who is 18 or over is reportable to the police.





## MAINTAINING PROFESSIONAL BOUNDARIES

As professionals, and particularly as educators and allied health staff, our professional boundaries form part of how we operate and how we ensure safety for the children we support.

Each of us need to ensure that we adhere to our professional guidelines around professional boundaries (e.g. Teacher-Student Professional Boundaries for teachers).

### WE DEMONSTRATE THIS BY

#### Supervision of children

- Trying not to be alone in an enclosed space with a child. If we are left with the responsibility of a single child we ensure there is an open space in view of others
- Seeking permission from the Principal or CEO, along with written consent from parents/guardians, for the transport of a child(ren)/client in our private or work vehicles
- Ensuring that appropriate consideration has been given to the time and location of private conversations with children, noting the need for there to be visibility from outside a room and access for the child to leave the room
- Ensuring any confiscation of personal items is in compliance with a host school's policy and only taking items to fulfil our duty of care for the safety of a child

#### Supervision of children

- Ensuring we work within our Behaviour Support Policy and not engaging in any corporal or degrading punishment on a child in the course of our duties
- Limiting physical contact with a child, ensuring when contact is made it is appropriate and acceptable, respecting the needs of that child and communicating with them where possible around that contact
- If toileting a child, we do so in accordance with our Infection Control Policy and Toileting Procedure and, where appropriate, in accordance with that child's individual plan, as discussed with the parents/guardians
- Ensuring that physical contact does not include any form of kissing
- Seeking consent in any physical contact, wherever appropriate
- Recognising that in ensuring duty of care we operate within TSH's Behaviour Support policy in regards to physically protecting children

#### Relationships with children and clients

- Upholding the highest standards of child safety, ensuring protection of children from grooming and abuse
- Ensuring we never have any romantic or sexual relationship with a child, understanding:
  - a) Charged with, or convicted of, a serious crime
  - b) The subject of child abuse allegations, whether or not they relate to their employment at TSH
- Creating relationships with students or clients that can only be interpreted as having a professional interest in the child, recognising the potential impact on them, their families and TSH
- Discussing with the Principal or CEO any instances where you think that a student or client is being overly familiar, seeking to establish a personal relationship, or has developed a 'crush' on you
- Using appropriate language with children, families and clients, showing them respect in accordance with our values
- Refraining from having conversations about intimately personal issues
- Never inviting children or clients to our home or visiting children at their home, unless part of a service approved by our manager, or attending parties or socialising with children unless approved by the Principal or CEO
- Only providing extra support outside normal activities, such as tutoring, with the written permission of the Principal
- Creating understanding of each person's cultural and linguistic backgrounds and how that may influence their behaviour and their interpretation of our behaviour
- Refrain from giving children gifts, recognising how this may be perceived to create a relationship that extends past a professional one





## ALCOHOL AND OTHER DRUGS IN THE WORKPLACE

At TSH we recognise that we must provide the best possible environment for children to succeed. Part of the environment is one in which our team is free from any impairment due to use or supply of alcohol or drugs.

### WE DEMONSTRATE THIS BY

- Trying not to be alone in an enclosed space with a child. If we are left with the responsibility of a single child we ensure there is an open space in view of others
- Seeking permission from the Principal or CEO, along with written consent from parents/guardians, for the transport of a child(ren)/client in our private or work vehicles
- Ensuring that appropriate consideration has been given to the time and location of private conversations with children, noting the need for there to be visibility from outside a room and access for the child to leave the room
- Ensuring any confiscation of personal items is in compliance with a host school's policy and only taking items to fulfil our duty of care for the safety of a child
- Creating relationships with students or clients that can only be interpreted as having a professional interest in the child, recognising the potential impact on them, their families and TSH
- Discussing with the Principal or CEO any instances where you think that a student or client is being overly familiar, seeking to establish a personal relationship, or has developed a 'crush' on you
- Using appropriate language with children, families and clients, showing them respect in accordance with our values
- Refraining from having conversations about intimately personal issues
- Never inviting children or clients to our home or visiting children at their home, unless part of a service approved by our manager, or attending parties or socialising with children unless approved by the Principal or CEO
- Only providing extra support outside normal activities, such as tutoring, with the written permission of the Principal
- Creating understanding of each person's cultural and linguistic backgrounds and how that may influence their behaviour and their interpretation of our behaviour
- Refrain from giving children gifts, recognising how this may be perceived to create a relationship that extends past a professional one







## APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES

We recognise the power that social media and electronic communication can have in our community. We also acknowledge the risks they can provide to the safety of children and the impact on our colleagues if used incorrectly. We seek to harness the effective use of electronic communication and social media where it supports the organisation and the families we support. We also know this will ensure that we use electronic communication and social media in ways to protect children.

### WE DEMONSTRATE THIS BY

- Always adhering to TSH's Email and Internet Policy, TSH's Social Media Policy and TSH's On-Line Service Delivery Guidelines
- Exercising good judgment and professionalism when using electronic mail
- Using appropriate and professional language in electronic mail messages, never sending any messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene
- Being aware that if an issue addressed in an email becomes the subject of a legal dispute, then those emails would be discoverable: that is, the court and all parties to the dispute would be entitled to see them
- Understanding that our duty of care and mandatory reporting requirements and obligations do not change when we deliver on-line services
- Only using TSH's systems for their intended purpose
- Storing all electronic records appropriately
- Refraining from contacting children or clients through social media/networking sites
- Refraining from inviting children or clients into our personal social networking sites or accepting any invitation to theirs;
- Not accessing inappropriate websites or storing inappropriate images from websites
- Only using TSH's networks to view, upload, download or circulate appropriate information, which never includes:
  - 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; malicious, libellous or slanderous messages or material; or
  - d) subversive or other messages or material related to illegal activities





## APPROPRIATE RECORD KEEPING AND MAINTAINING CONFIDENTIALITY AND PRIVACY

Appropriate record keeping and maintaining the confidentiality and privacy of information relating to TSH, clients, children, families and colleagues is paramount to how we show people respect, is consistent with the law, and helps ensure the safety of the children we support.

### WE DEMONSTRATE THIS BY

- Adhering to TSH's Privacy Policy, using confidential information as it is intended and in accordance with our professional registration
- Creating and securely maintaining full, accurate and honest records of activities, decisions, interactions and any other relevant information
- Ensuring privacy and confidentiality is maintained when delivering on-line services and/or working from home
- Ensuring all records are appropriately kept and archived
- Maintaining the confidentiality of all official information and documents which are not publicly available or which have not been published
- Storing confidential information accordingly
- Not deliberately accessing information we are not authorised to access
- Destroying or removing records only with the appropriate authority
- Not disclosing personal information about another staff member to clients, children or parents/guardians or discuss their work performance, except if authorised by the Principal or CEO in the context of grievance resolution
- Respecting that all matters discussed in staff meetings and communication are to be treated confidentially and not discussed with children, clients, members of the school community or the public
- Ensuring we receive consent from parents/guardians and obtaining approval from the CEO in allowing media access to students
- Refraining from making comments to the media about TSH, our children, our clients, our staff or our plans, unless authorised by the CEO
- Reporting on any unintentional or intentional disclosure of confidential information

From February 2018, TSH is legally required to report the loss, unauthorised access to, or disclosure, of personal information resulting in serious harm, to any individuals to whom the information relates and the Office of the Australian Information Commissioner. In accordance with this requirement, all staff must notify their line manager and/or the CEO in relation to any such loss, access or disclosure, including organisational information that may be contained on school or persona devices (for more information please refer to TSH's Privacy Policy).







## CONFLICTS OF INTEREST

All actions of our staff must meet the highest ethical, legal, financial, and other standards. To assist with this, conflicts of interest must be avoided and that any such conflicts (where they do arise) must not impact on the effective governance and operations of the organisation, or our duty to the community and our funders.

### WHAT IS A CONFLICT OF INTEREST?

A conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of the organisation. A conflict of interest may be actual, potential, or perceived, and may be financial or non-financial. These situations present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of the organisation, and must be managed accordingly.

### TYPES OF CONFLICTS OF INTEREST

- **Real, potential, or perceived:** A conflict of interest exists whether it is:
  - a) real – it currently exists;
  - b) potential – it may arise, given the circumstances; or
  - c) perceived – members of the public could reasonably form the view that a conflict exists or could arise that may improperly influence the staff member's performance of his/her duty to the organisation, now or in the future
- **Direct or indirect:** A private interest can be direct or indirect. A direct interest is held by the staff member. An indirect interest is held by a relative or close associate
- **Pecuniary or non-pecuniary:** A private interest can be pecuniary (financial) or non-pecuniary (nonfinancial), or a mixture of both. It can arise from a wide range of personal or professional/business-related sources
- **Pecuniary interests:** This includes actual, potential, or perceived financial gain or loss that may impact on TSH and its operations. Money does not need to change hands. The interest exists if the staff member (or a relative or close associate) may have shares or investments, holds a position, gets discounts or commissions, holds an office, or receives an income from that source
- **Non-pecuniary interests** – may arise from:
  - a) personal or family relationships, or from involvement in various activities, etc. They include a tendency towards favour or prejudice resulting from friendship, animosity, or other personal involvement with another person or group
  - b) If personal values are likely to impact on the proper performance of public duty, this can also lead to a conflict of interest. Enmity as well as friendship can give rise to a conflict of interest
- **Partiality Interest:** Where a staff member's personal involvements, affiliations (e.g. institutional, collegiate, professional association), relationships, obligations, values, or attitudes may influence the way they carry out their official duties

### DECLARING A CONFLICT OF INTEREST

All staff and representatives of TSH have the responsibility to declare any conflicts of interest: actual, potential, or perceived. The CEO will establish and update the TSH Register of Interests. The CEO or Board must declare their interests in accordance with the Board policy.





# PART 3– BREACHES OF THE CODE OF CONDUCT



**All alleged breaches of the Code of Conduct will be subject to scrutiny and, if substantiated, the person may be warned, suspended or have their employment terminated in line with TSH's Performance Management and Disciplinary Policies.**

If the breach is suspected to have involved grooming behaviour, the school is obliged to report this to the Director General of the Department of Education as a reportable incident. Any potentially illegal activity will be reported to the police and appropriate actions will be taken by senior management.

If the breach is alleged to have involved sexual offences, sexual misconduct or physical assault, the school is obliged to report this to the WA Ombudsman under the Reportable Conduct Scheme.

- The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach
- Employees are required to report all objectively observable behaviour that is not permitted by the Code, other than those subject to mandatory reporting obligations, to their line manager, the Principal or, where the breach observed was committed by their line manager or the Principal, to the CEO or Chair of the Board
- Factors that TSH 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 whether the breach would be serious enough to warrant formal disciplinary action
- Actions that may be taken by TSH 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
- TSH reserves the right to determine in its entirety the response to any breach of this Code. However, where a formal warning is issued to a staff member or their employment is ceased as a result of a breach that is suspected to have involved grooming behaviour, the matter is required to be notified to the Director General of the Department of Education, as a reportable incident
- Section 42 of the Teacher Registration Act 2012 outlines the circumstances under which registered teachers are to be reported to the Teacher Registration Board of WA (TRBWA). Circumstances where a formal warning is issued to a teacher or their employment is ceased as a result of a breach of the Code of Conduct that is suspected to have involved grooming behaviour, fits within the requirements of s.42, as well as being a reportable incident to the Director General of the Department of Education
- Where the breach involves a contractor, they may face termination of their contract immediately, or non renewal in the future
- Appropriate action will be taken against any board member or volunteer in respect of a breach of this Code



# APPENDIX TO THIS CODE OF CONDUCT

## Understanding Grooming Behaviour

Grooming in a child protection context refers to deliberate actions undertaken to engage in sexual activity with a child. It differs from sexual abuse in that it is primarily a preparatory activity occurring before abuse occurs, but is continued during and after the abuse to ensure the safety of the groomer.

Grooming is a subtle, gradual, and escalating process of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator, which generally involves engaging in sexual activity with the child. It is deliberate and purposeful and occurs both before and after the abuse. Abusers may groom children and supporting adults for weeks, months, or even years before any sexual abuse actually takes place. The grooming may occur in person, via cyber media and/or other forms of communication.

A committed offender will employ grooming behaviour from an early stage and because it is so subtle and gradual the child may not even be aware that the actual abuse when it occurs, is wrong or harmful. The grooming occurs with the child but also with those supporting networks around the child which might normally act as a deterrent or protective element. The perpetrator will invest significant energy and patience to minimise the risk of detection and exposure.

The groomer will employ manipulation, guilt, shame, bribery, coercion or exploit low self-esteem to psychologically manipulate the child. As a result, the child becomes increasingly dependent on the groomer and increasingly alienated from protective elements, including possible sources to disclose to. This is a deliberate strategy employed to maintain the secrecy of the abuse and to ensure the silence of the child.

The groomer will exploit any vulnerabilities of the protective elements around the child, including parent and family circumstances and school systemic weaknesses. Groomers are very adept at identifying anomalies, boundary ambiguities and any lack of systemic awareness, and then using them to deflect attention from their own actions and intentions.

While distinguishing between appropriate intent and inappropriate intent is often difficult, particularly for a child, it is essential that schools have very clear expectations and boundaries around behaviours so there can be rigorous accountability when dealing with staff, volunteers or contractors.

Schools must work to improve their knowledge and understanding in this area so they are able to challenge existing practice, recognise unprofessional behaviour and build a shared understanding of what a safe school is. For TSH we apply this across all of our activities.

### Grooming behaviour with children may include, but is not limited to:

- Selecting and befriending a child and gaining his or her trust and then exploiting the child's vulnerabilities
- Testing a child's boundaries through telling inappropriate jokes, roughhousing, backrubs, tickling, or sexual games
- Moving from non-sexual touching to "accidental" sexual touching. This typically happens during play so the child may not even identify it as purposeful, inappropriate touching. It is often done slowly so the child is gradually desensitised to the touch
- Manipulating the child to not tell anyone about what is happening. The abuser may use a child's fear, embarrassment, or guilt about what has happened. Sometimes, the abuser uses bribery, threats, or coercion
- Causing the child to feel responsible for the abuse. Children may not notice or may become confused as the contact becomes increasingly intimate and sexual

### Grooming behaviour with adolescents may include additional strategies, such as:

- Identifying with the adolescent. The abuser may appear to be the only one who understands him/her
- Displaying common interests in sports, music, movies, video games, television shows, etc
- Recognising and filling the adolescent's need for affection and attention
- Giving gifts or special privileges to the adolescent
- Allowing or encouraging the adolescent to break rules (e.g., smoking, drinking, using drugs, viewing pornography)
- Communicating with the adolescent outside of the person's role (e.g., teacher, or coach). This could include, for example, texting or emailing the teen without the parent/guardians' knowledge

### In addition to grooming the child, the groomer will use deflection strategies to remain unchallenged. Some of these strategies may include where the perpetrator is:

- Promoting self and creating a reputation as caring, child-loving, competent, available, trustworthy, truthful
- Raising doubts about the motives, mental health, reliability of the child or anyone else who might approach support services with allegations
- Fostering dependency as someone the family can rely on
- Positively representing child to others so as to be perceived as someone who would

## PREVENTING OR INTERRUPTING THE GROOMING PROCESS:

Schools and early intervention providers unfortunately provide a vast array of opportunities for groomers to enact the grooming process. Some abusers have a particular preference for children within particular age bands and some studies have shown that groomers will take child focussed employment primarily to get access to a particular cohort of children.

Within a school context, holding all staff members accountable to our Code of Conduct and challenging boundary crossings and violations is one of the most effective strategies to combating grooming behaviour.



# ACKNOWLEDGEMENT OF THIS CODE OF CONDUCT



I \_\_\_\_\_  
Name in Full

Position: \_\_\_\_\_

Acknowledge that I received the Code of Conduct on: \_\_\_\_\_  
Date

## I will

- Act in accordance with TSH's Mandatory Reporting and Child Welfare policies and procedures at all times.
- Behave respectfully, courteously and ethically towards children and their families and towards other staff.
- Listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
- Promote the human rights, safety and wellbeing of all children at TSH.
- Demonstrate appropriate personal and professional boundaries.
- Consider and respect the diverse backgrounds and needs of children.
- Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families.
- Report objectively observable behaviour which breaches, or is suspected of breaching, this Code (other than those subject to mandatory reporting obligations) to the Principal or, where the breach observed was committed by the Principal, to the CEO or Chair of the Board.
- Involve children in making decisions about activities, policies and processes that concern them, wherever possible.
- Contribute, where appropriate, to TSH's policies, discussions, learning and reviews about child safety and wellbeing.
- Identify and mitigate risks to children's safety and wellbeing.
- Respond to any concerns or complaints of child harm or abuse promptly and in line with TSH's Mandatory Reporting and Child Welfare Policy.
- Report all suspected or disclosed child harm or abuse as required by the Children and Community Services Act 2004 and by TSH's policies and procedures on internal and external reporting.
- Comply with TSH's protocols on communicating with children.
- Comply with the Privacy Act 1988 (Cth) and TSH's policies and procedures on record keeping and information sharing

## I will not

- Engage in any unlawful activity with or in relation to a child.
- Engage in any activity that is likely to physically, sexually or emotionally harm a child.
- Unlawfully discriminate against any child or their family members.
- Be alone with a child unnecessarily.
- Arrange personal contact, including online contact, with children I am working with for a purpose unrelated to TSH's activities.
- Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent, or unless I am required to do so by TSH's policy and procedure on reporting.
- Use inappropriate language in the presence of children or show or provide children with access to inappropriate images or material.
- Work with children while under the influence of alcohol or prohibited drugs.
- Ignore or disregard any suspected or disclosed child harm or abuse.

## What do I do if I see someone breach the Code of Conduct?

- Act to prioritise the best interests of children;
- Take actions promptly to ensure that children are safe;
- Promptly report any concerns to my line manager the Principal or, where the breach observed was committed by my line manager or the Principal, to the CEO or Chair of the Board
- Follow TSH's policies and procedures for receiving and responding to complaints and concerns, reports and/or allegations;
- Comply with Children and Community Services Act 2004, NDIS Act 2013 and with TSH's policy and procedure on internal and external reporting.

TSH will not tolerate victimisation or other adverse consequences that are directed towards any person who makes such reports in good faith.

Our Code is a great resource, however it doesn't cover every possible situation you may face on the job, so it's important to use good judgment in everything you do and to ask for help if you're ever unsure about the right course of action.

**By making this acknowledgment I am confirming the obligation I have to apply this Code of Conduct to the work I do within TSH. As a staff member, contractor or volunteer of TSH, I agree to abide by this Code. I understand that the list of examples given is not an exhaustive list.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

If you have any difficulties or questions regarding this Code of Conduct, you should discuss this with your Manager or People & Culture Business Partner. Please forward this acknowledgment to People & Culture for inclusion into your personal file.