

## STAFF CODE OF CONDUCT (General) POLICY

### Rationale

- The Code of Conduct for Victorian Public Sector Employees outlines the standard of behaviour expected of public sector employees. The code is designed to help public sector employees understand their responsibilities and obligations, and to provide guidance if they are faced with an ethical dilemma or conflict of interest in their work.
- Public sector employees include employees in the Victorian Public Service and the Government Teaching Service. Copies of the code can be obtained by contacting the Conduct and Ethics Branch on (03) 9637 2595 or by email to <mailto:conduct.ethics@edumail.vic.gov.au>
- The Victorian Government Schools Agreement 2013 (known as “the Agreement”) between the State of Victoria (Department of Education and Training), the employees covered by this agreement and the unions is made to enhance the employment interests of persons employed in Victorian government schools consistent with the Government’s commitment to a high-quality, universally accessible public education system, increased education standards and school self-management.
- The objectives of this agreement are to facilitate:
  - (1) An ethos and a culture that values excellence and high standards of achievement and ensures the highest standards of work including teacher quality.
  - (2) A working environment that encourages and rewards skilled and dedicated school staff through the development and implementation of policies and employment arrangements that best supports the delivery of high quality educational services.
  - (3) The implementation of strategies that address attraction and retention issues including the capacity to offer differential benefits to attract and retain staff in rural and regional Victoria and hard to staff schools.
  - (4) The flexibility required by schools, operating within a statewide framework and consistent with this agreement, to deliver improved education outcomes.
  - (5) The implementation of school improvement strategies that transform and improve what happens in schools and classrooms in the context of the resources available to support the desired outcomes.
  - (6) Highly effective leadership and support to principals as key educational leaders
- The following Victorian Acts and Regulations relate to the employment conditions of staff in the Department:
  - Charter of Human Rights and Responsibilities Act 2006
  - Constitution Act 1975
  - Education and Training Reform Act 2006
  - Equal Opportunity Act 2010
  - Freedom of Information Act 1982
  - Government Superannuation Act 1999
  - Health Records Act 2001
  - Privacy & Data Protection Act 2014
  - Occupational Health and Safety Act 2004 and Regulations made under that Act
  - Protected Disclosures Act 2012
  - Public Administration Act 2004
  - Racial and Religious Tolerance Act 2001
  - State Employees Retirement Benefits (SERB) Act 1979
  - State Superannuation Act 1988
  - Working with Children Act 2005
  - Workplace Injury Rehabilitation and Compensation Act 2013

### **Purpose**

- To ensure Tarneit West Primary School (Interim Name) complies with the legislative requirements of the above Acts where applicable.
- To ensure the school has an understanding of the core objectives of the Agreement.
- To ensure the school complies with the terms and conditions of the Agreement.
- To ensure all staff have a clear understanding of the rights and responsibilities of teaching and Education Support Staff (ESS) working at Tarneit West Primary School (Interim Name).
- To ensure staff understand the importance of the policies that direct operations at the school.

### **Implementation**

- The school is committed to developing and implementing support structures to maximise learning outcomes and staff potential in a safe and supportive environment.
- Tarneit West Primary School (Interim Name) will implement the terms and the spirit of the Agreement.
- In summary this includes:
  - establishment of a Consultative Committee
  - long-term planning for workforce management and the planning and organisation of the instructional program
  - organisation of teacher work requirements
  - organisation of ESS
  - support for teachers in their first twelve months
  - organisation of classes and class sizes
  - the structure of selection and other panels for the purpose of making recommendations to the principal
  - grievance procedures
- In summary, teaching staff are required to
  - undertake face-to-face teaching of 22 hours 30 minutes per week
  - be aware that ordinary hours of duty are 76 hours per fortnight for full time employees and pro-rata for part-time employees
  - unless otherwise agreed with the principal, be in attendance for a minimum of seven hours daily
  - be prepared to carry out other duties for up to one hour daily
  - undertake a range of other duties, including organisational duties, consistent with their classification level and salary range
  - implement the school's philosophy of education
  - be thoroughly familiar with school policies which are subject to regular briefings and specific direction e.g. Anaphylaxis Management, Asthma Management, Child Safe Policy, Duty of Care, Mandatory Reporting, Homework, Yard Duty/Supervision, Emergency Management.
  - have a knowledge and understanding of other school policies
  - maintain personal professional learning
- In summary, teaching staff have the right to:
  - a not excessive workload
  - have their duties defined
  - feedback on performance
  - class sizes F –Year 6 of an average of 26 students provided the average of 21 for F – Year 2 is maintained
  - express interest in additional duties that attract a special payment
  - have the schedule of meetings drawn up for the whole year

- a lunch period of not less than 30 minutes free from assigned duties
- release from duties to attend an interview at another government school
- leave and return from leave as described in the Agreement and in the school's Leave Policy
- public holidays as described in the Agreement
- reimbursement of reasonable expenses actually and necessarily incurred in the course of authorised duties and other expenses as defined in the Agreement
- agreed and published dispute resolution procedures
- an individual flexibility arrangement pursuant to the Agreement and matters permitted under the Fair Work Act 2009
- concern for each individual's wellbeing
- a safe and secure working environment
- In summary, Education Support Class staff are required to:
  - be in attendance for a minimum of 7.6 hours daily between 8.00 am and 6.00 pm Monday to Friday
  - be prepared to attend for duty and/or professional development up to a maximum of six days
  - perform the duties that form part of the role description
  - be thoroughly familiar with school policies which are subject to regular briefings and specific direction e.g. Anaphylaxis Management, Asthma Management, Child Safe Policy, Duty of Care, Mandatory Reporting, Emergency Management.
  - have a knowledge and understanding of other school policies
  - maintain personal professional learning as applicable
- In summary, Education Support Class staff have a right to:
  - have their daily starting and finishing times defined
  - agree the time and duration of meal breaks (ESS staff cannot work for more than five hours without a meal break)
  - agree attendance at school meetings and meetings with parents/carers
  - have the dimensions of their work defined in accordance with the Agreement
  - agree flexible work arrangements
  - if a Level 1 employee is required to work in vacations, expect a responsible manager will be in attendance
  - expect the leave purchase allowance will be paid if appropriate under the Agreement
  - time-in-Lieu if entitled
  - those general rights of teaching staff as above
- All staff must clearly understand the school's commitment to **zero tolerance of child abuse** and the role of each individual staff member in maintaining a safe and happy environment for children and ensuring their protection and empowerment.
- All staff can expect regular training to ensure everyone in the school feels supported in this vital role.
- Under no circumstances may any staff member communicate with children on social media.
- All staff will require a current Working with Children Check/Police Check.
- All staff should be aware that unsatisfactory performance procedures may be applied as per the Agreement Schedule 5.

### Evaluation

- The policy will be reviewed as part of the school's three-year review cycle or if guidelines change (latest DET update mid July 2013 [The Agreement], July 2017 [Child Safe Standards]).

<b><u>Ratification Date</u></b>	<b><u>Review Date</u></b>	<b><u>Policy Number</u></b>	<b><u>Version Number</u></b>	<b><u>Date Produced</u></b>
October 2017	2020	76	1	September 2017

References:

[www.education.vic.gov.au/hrweb/employcond/Pages/certagree.aspx](http://www.education.vic.gov.au/hrweb/employcond/Pages/certagree.aspx)  
[www.education.vic.gov.au/hrweb/employcond/Pages/conduct.aspx](http://www.education.vic.gov.au/hrweb/employcond/Pages/conduct.aspx)  
[www.education.vic.gov.au/hrweb/employcond/Pages/legislat.aspx](http://www.education.vic.gov.au/hrweb/employcond/Pages/legislat.aspx)