



Cashmere Avenue School

Code of Conduct for Employees

Revised and Approved 24-8-2006

“The Cashmere Avenue School Board of Trustees has a statutory obligation to be a good employer and we personally recognise the importance of treating staff fairly and properly in all aspects of employment.

In return, the board expects a high standard of behaviour from you. All staff is expected to identify with and have a commitment to the philosophy and values of the school, and to demonstrate that commitment in the performance of their duties.

Please make yourself fully familiar with the standards in this document.”

A handwritten signature in cursive script that reads "Anna Mills".

Anna Mills

Chairperson

Cashmere Avenue School Board of Trustees

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INTRODUCTION

Purpose of the Code

The purpose of this Code of Conduct is to assist you to know and understand the minimum standards of conduct and behaviour expected of you as an employee of the Cashmere Avenue School Board of Trustees (herein known as “the board”).

This reflects the basic requirements of professionalism, integrity and courtesy needed to ensure that we provide a quality education to our students, and that a pleasant and safe working environment exists for all staff and students.

Coverage

The Code applies to all employees of the board, including permanent, temporary, and casual employees. This Code forms part of your employment agreement with the board.

Principles

The Code of Conduct establishes three principles of conduct which all staff are expected to observe:

- 1) You should fulfil your lawful obligations to the board with professionalism and integrity.
- 2) You should perform your official duties honestly, faithfully and efficiently, respecting the rights of the students, the school community and your colleagues.
- 3) You should not bring your employer into disrepute through your activities, whether inside or outside school. Activities are not likely to be acceptable if they:
 - damage the standing or reputation of Cashmere Avenue School because of the position you hold in it;
 - interfere with the proper performance of your duties.

Shared Expectations

The board can operate effectively and provide a quality educational outcome when there is a shared expectation between the board (as the employer) and its employees. This is a two-way commitment that benefits both the employer and employee when expectations are met.

Set out below is a summary of the expectations that the board, as the employer, has of you, and the expectations that you, as an employee, may have of the board.

Cashmere Avenue School Board of Trustees Expectations of Staff

The board expects you to:

- work within the law with honesty and integrity;
- comply with all lawful and reasonable instructions;
- comply with the policies of the board;
- work diligently and meet the requirements of your employment agreement; &
- respect the rights of colleagues, students and the school community.

Obligations of Cashmere Avenue School Board of Trustees to Staff

As a good employer, the board is committed to meeting the following staff expectations:

- a commitment to the spirit and principles of the Treaty of Waitangi;
- opportunities for equal employment, including recognition of:
 - the aims and aspirations of Maori and ethnic or minority groups;
 - the employment needs of Maori, Pacific Island, ethnic or minority groups, women, and people with disabilities;
- impartial and open selection and appointment procedures;
- fair rates of remuneration for skill, responsibilities and performance;
- an up-to-date job description that provides clear statements of your duties and your employer's expectations of you;
- adequate training and equipment to perform your duties;
- regular and appropriate feedback and communication on your work performance;
- effective communication of information;
- good and safe working conditions;
- opportunity for the enhancement of your abilities;
- freedom from harassment or discrimination in the workplace;
- a commitment to a supportive and confidential Employee Assistance Programme;
- appropriate disciplinary and dispute procedures and the opportunity for redress against unfair or unreasonable treatment by the employer.

Relevant Legislation

Education Act 1989

State Sector Act 1988

Official Information Act 1982

Electoral Act 1993

Employment Relations Act 2000

Human Rights Act 1993

Privacy Act 1993

Protected Disclosures Act 2000

CODES OF BEHAVIOUR

Lawful Obligations

If you have any prior criminal convictions, you are required to inform the board about them before accepting employment with the school. If you do not disclose this information or are not truthful about it, disciplinary action could be taken against you which could lead to dismissal.

You are to avoid any unlawful activity, either work-related or private, which could reflect badly on the board in its relationships with the school community. This means that you are to inform your manager in writing if:

- you apply for bankruptcy or become bankrupt;
- any criminal charges or convictions that may occur while you are employed by the board are of such a nature that it would be inappropriate for you to continue to be employed in the same capacity by the board. This may include, for example, charges that involve loss of trust between you and the board, or charges that damage the reputation of the school;

Professional Performance of Duties

As an employee of the board you are expected to carry out your duties in an efficient and competent manner.

This means that you are expected to:

- comply with the law;
- comply with all lawful and reasonable instructions and work as directed by your employer or their duly delegated representative;
- perform your duties according to the legislation, policies and procedures of the board;
- comply with any other code of ethics or practice that may apply to your profession e.g. New Zealand Teachers Council Code of Ethics, Executive Officers;
- perform your work to an agreed standard;
- show proper and reasonable care when using board property, resources or funds;
- contact your employer (within 30 minutes of your normal starting) if you are to be absent from work due to sickness or an emergency.

You are also expected to obtain permission from your employer to:

- enter into any contract or agreement on behalf of the board. The board will not accept responsibility for any unauthorised action.
- enter any secondary employment that may interfere with your primary duties, without the consent of the board.

Examples of Unacceptable Behaviour

Failure to observe these standards of conduct by a staff member may result in disciplinary action, which could include termination of employment.

Examples of behaviour that would be considered unacceptable by the board include:

- *ignoring lawful and reasonable instructions from your employer;*

- *being under the influence of alcohol, drugs or solvents impeding your performance during working hours;*
- *giving false information (eg: stating you have a driver's licence when you don't; making a false claim for expenses);*
- *failing to declare information that is requested when you apply for employment with the board (eg: having a revoked driver's licence or a criminal conviction).*

Appropriate Conduct with Students

You should be sensitive to the needs and ensure the protection of students under the board care and control, and show respect for and protect their dignity. The following requirements are also to afford protection to the professional integrity of employees.

No employee is to have a sexual relationship with any person under the age of 16 or any student of the school.

No employee is to have a sexual or financial relationship with a student or young person with whom they have a professional relationship arising from their employment with the board.

All employees should endeavour to avoid being alone with a student during or outside of the hours of school. If in a one to one assessment or teaching situation or counselling a student ensure that where you are working is not closed off or removed from other people readily observing you, i.e. if in a resource room or office the door is open and you are clearly visible through windows.

Parents and caregivers must be advised that a student is receiving 1:1 learning such as reading recovery or a programme of teacher aide support.

All employees must avoid inappropriate physical contact with students. i.e. if it is making the student feel uncomfortable.

Physical contact may occasionally occur in assisting movement for safety or teaching skills in a Physical Education program. Encourage students to manage themselves or use other students for support where possible. In situations where students need assistance to dress themselves (e.g. swimming) another employee or adult volunteer should be present. Male employees or volunteers should not enter areas where female students are changing.

Where students require assistance with changing because of toileting accidents, then two employees from either the teaching or support staff will supervise them changing into clean clothes or call the parents / caregivers.

Day to day toileting assistance that may be required for Special Needs students will only be carried out by the teacher aide or support staff who have had the appropriate training to carry out this duty and have been given parental/caregiver approval to do so.

Some students have a very affectionate nature and express themselves freely e.g. hold your hand, put their arms around you. This should be gently discouraged.

If a student is posing an immediate danger to his/herself or others and the situation cannot be controlled in any other way then employees may physically restrain the student as appropriately as possible and seek other staff/adult assistance.

Except in medical emergencies employees and adult volunteers should not transport a student on their own, other than their own child. This applies to Sport, Camp, Saturday Sport, Discos or any extra curricular activity.

Respect for the Rights of Others

While you are employed by the board you have a duty to treat your colleagues, students and the public with courtesy and respect. This means that you are expected to:

- avoid behaviour that might distress other employees or disrupt the workplace;
- ensure that any workplace relationships do not have a negative effect on your work performance;
- respect the privacy of individuals when dealing with personal information;
- be non-judgemental by not harassing or discriminating against your colleagues or students on the basis of their gender, age, disability, marital status, and ethnicity, religious or ethical beliefs or sexual orientation; and
- not have or bring into the workplace any material that may be viewed as racist or sexist, that is pornographic, or that is otherwise offensive to the board or its staff.

Examples of Unacceptable Behaviour

Failure to observe these standards of conduct by a staff member may result in disciplinary action, which could include termination of employment.

Examples of behaviour that would be considered unacceptable by the board include:

- the use of abusive, obscene or threatening language or behaviour to your colleagues or the public;
- misuse, abuse or improper use of your position or of any statutory authorities or powers that may be delegated to you.

Conflicts of Interest and Integrity

You are expected to be honest, fair and impartial when you perform your duties. This means that:

- you should not show bias to an individual student. Everyone should be treated fairly;
- in general, you are not to approve anything that will result in expenditure in respect of yourself (eg: increased salary, travel expenses, a training course, your own overtime);
- you are not to enter into financial relationships with staff or students or incur indebtedness that could lead to a conflict of interest in the performance of your duties or work relationships;
- you must inform the board if you are involved in, or have a personal or financial interest or commitment to, any activity that may conflict, or could be seen by others to conflict, with the performance of your duties and the goals of the school;

This includes situations such as:

- having a close family member, relation or partner working with you;
- when a member of your family or a person that you know enters into a professional relationship with the school. Under no circumstances are you to become professionally involved, or in any way try to influence that relationship, or obstruct staff in performing their duties.

A financial interest or commitment includes:

- company directorships;

- shareholdings;
- offers of additional employment outside the school.
- you must inform the board if you are a member of (or plan to become a member of) or have a family involvement in a trust or community organisation which is funded by or otherwise linked to the school;
- some employees, such as teachers, are required to abide by a professional code of ethics. These employees must inform the board if there are any conflicts between their professional codes of ethics and the duties they are directed to perform; and
- you should consult with the board, through the chair or the principal, before taking up other paid employment where that other paid employment could conflict with the performance of your duties at Cashmere Avenue School.

You should speak to the board chair or principal if you are unsure whether or not a particular situation is, or could be seen to be, a conflict of interest.

Gifts and Rewards

You may not seek any form of reward (including gifts, favours, prizes or fees) for performing your duties as an employee. Gifts or rewards can be seen as bribes or inducements that put you under an obligation to someone other than the board. While it is acceptable to receive a gift of a low value, if you are offered any form of reward or gift valued at \$50.00 or more, you should inform your employer who will decide the appropriate response.

Participation in public bodies or voluntary associations

You must inform your employer if you are participating in a public or voluntary organisation (or intend to) and there are actual or potential conflicts between your responsibilities and duties as a staff member of Cashmere Avenue School, and your responsibilities and duties to the other organisation. Where it is considered there is a potential conflict of interest, appropriate arrangements will need to be made to avoid or resolve the conflict.

For example:

- It could be interpreted as a conflict of interest if you are a member of (or plan to become a member of) or have a family involvement in a trust or community organisation which is funded by or otherwise linked to the board.
- If you intend to stand for Parliament you must discuss this with your employer, to arrange leave. (This will commence at an agreed date, as per the *Electoral Act 1993*.)

Security/Confidentiality

You are expected to maintain the highest standards of confidentiality and security in the workplace.

This means that you are not to:

- use the boards' computer systems in any way that may corrupt or disrupt their normal function;
- access, or attempt to access, machines or networks by unauthorised means – for example unauthorised use of dial-in modems;

- use information related to the boards' systems for anything other than authorised purposes;
- bring into the workplace via the email or Internet system, or by any other means, any material that is pornographic, or that may be viewed as racist or sexist;
- give your computer password/security card to any other members of staff without good and justifiable reason;
- leave a record of your password anywhere obvious so that someone else may see it.

Ownership of Information

The board owns all data stored on computer systems. The school management has the right to access and view this information at any time.

The network is monitored and staff found using the system inappropriately may face disciplinary action.

Data Storage on School ICT Resources

The School ICT resources includes computer systems, storage devices, media devices, servers, mail servers (email) and websites.

Only School information can be stored on School ICT resources. You are not permitted to store any personal information on the School ICT resources.

Computer Software

Only software authorised by the board can be loaded onto the board computer systems. Any software loaded onto any board equipment must have a valid licence with proof of ownership. No software owned by the board may be copied and used on another PC or taken home and loaded onto a personal device, unless this is covered in the software licensing agreement.

Use of the Email System and the Internet

The email system and the internet is for school purposes and must not be misused. Staff are expected to keep any personal use to a limited level. Staff should at all times use the internet, email and school network in an appropriate manner and avoid use that would be considered misconduct. Inappropriate use includes:

- accessing material of an offensive nature, such as pornographic images
- accessing illegal (objectionable) material. Involvement in this will need to be reported to law enforcement.
- carrying out gambling or trading activity
- possessing for intentional viewing, offensive or defamatory material
- 'hacking' or carrying out malicious attacks on electronic systems, including deliberately introducing a virus
- any activity that would constitute breaking any school policy
- using another teacher's email account to send messages, or using false identification on any internet service

- any activity that would be considered harassment, including sending offensive material and repeated unsolicited email.

Retention of Data

The board is required to retain information in accordance with the Archives Act 1957. This means that you cannot delete business-critical data from the computer system without permission.

Release of official Information

The disclosure or release of official information is subject to the *Official Information Act 1982*. Information related to the board, its suppliers or the users of its services is to be treated at all times as confidential to the board and is to be used by employees for official purposes only.

Employees of the board are also subject to the provisions of the Privacy Act 1993. The main object of this Act is to promote and protect personal information and it seeks to give individuals some measure of control over personal information about themselves.

Official information must only be released by authorised employees, and only in accordance with the procedures as stated in the Official Information Act. Board instructions about the release of official information must also be followed.

It is not to be released to the media or the public without the proper authorisation. For example, staff may not remove or copy School documents or records for external use without approval from their manager.

It should never be used for personal motives.

Examples of Unacceptable Behaviour

Failure to observe these standards of conduct by a staff member may result in disciplinary action, which could include termination of employment.

Examples of behaviour that would be considered unacceptable by the board include:

- *providing information outside the board without proper authority;*
- *using board information for unauthorised purposes;*
- *using school information to support personal motives;*
- *breaching the Privacy Act in respect of employees, suppliers or users of board services.*

Public Comment

Staff members should not respond to requests from the media for comment on matters relating to the school. Only authorised staff members should respond to media requests for comment on such matters. If the media makes an approach to you, inform your principal/board so they can respond to the media request.

Examples of Unacceptable behaviour

Failure to observe these standards of conduct by a staff member may result in disciplinary action, which could include termination of employment.

Examples of behaviour that would be considered unacceptable by the board include:

- *publicly commenting on matters relating to individual students;*

- *giving the impression that you are expressing the views of the board when you are actually stating your own personal views;*
- *making a personal attack on a fellow staff member.*

BREACHES OF THE CODE OF CONDUCT

This Code of Conduct describes the standards of behaviour expected of staff. As outlined in the Code, behaviour or actions that are considered unacceptable by the board may result in disciplinary action against the employee concerned, which could include termination of employment.

Disciplinary Action

Disciplinary action is about problem solving. The board is concerned to identify problems associated with performance or behaviour, and to make sure that the process for fixing those problems is prompt, consistent and fair. In general, disciplinary procedures include informal or formal disciplinary action along the following lines:

1. Informal Disciplinary Action:

- discussion of the problem;
- assistance to help overcome the problem; and
- temporary transfer to other duties.

2. Formal Disciplinary Action:

- oral warning;
- written warning;
- removal of discretionary conditions of employment (ie: delegations, flexible working hours, etc.);
- transfer to another position at existing salary;
- suspension (with or without pay);
- dismissal with notice; and
- dismissal without notice.

Other options may be considered, depending on the circumstances of the case.

Whether disciplinary action is informal or formal, the board will make sure that the disciplinary procedures are fair. This means that:

- (a) you must be told of your right to request union, legal or other assistance and/or representation;
- (b) you must be told of the specific behaviour or performance that is causing concern, and given a reasonable opportunity to provide an explanation;
- (c) you must be told, where appropriate, of the action that is required to amend or improve your behaviour or performance, and be given a reasonable opportunity to do so;
- (d) the board must undertake an appropriate investigation before any substantive disciplinary action is taken;
- (e) if the offence is sufficiently serious, an employee is to be placed on suspension pending investigation;
- (f) an oral warning would usually precede a written warning, depending on the seriousness of the misconduct; and
- (g) it is a requirement that the process and result of any disciplinary action are recorded in writing, read and signed by you (the employee), and then placed on your personal file.

In general terms, no disciplinary papers will go on your file unless you have seen them or have been given a genuine opportunity to see them. If you are not satisfied with the

disciplinary action taken, you have the right to pursue a personal grievance. This procedure is outlined in your employment agreement.

DECLARATION

Acknowledgement of receipt and understanding of the Code of Conduct.

I (name)

of (residential address)

an employee of the Cashmere Avenue School Board of Trustees, undertake that I am in receipt of, have read and understood the Cashmere Avenue School Code of Conduct and this declaration, and that :

- I will perform my duties as an employee of the Cashmere Avenue School Board of Trustees to the best of my skill and knowledge according to the law of New Zealand; and
- I am aware that I might be subject to disciplinary procedures, including the possible penalty of dismissal, if I breach the Cashmere Avenue School Code of Conduct.

Signed

Date

(Please remove this page after signing and return to the principal or executive officer. This page will be held in your employee personal file)