

Codes of conduct for education sites and workplace participants policy

Document title	Codes of conduct for education sites and workplace participants policy
Contact details	Department of Education - Quality School Systems and Support
Approved by	Education Executive Board
Date approved	16 June 2021
Document review	Five years
TRM number	50:D21:66079

Version	Date	Author	Changes made
0.1	15 May 2021	Education NT	Initial policy draft
0.2	20 May 2021	Operational Policy Coordination Unit	Review and draft for NTG publishing and brand standards
1.0	16 June 2021	Education NT	New policy

Acronyms	Full form
NT	Northern Territory
NTPS	Northern Territory Public Sector
PSEMA	Public Sector Employment and Management Act
QSSS	Quality School Systems and Support
SIL	School Improvement and Leadership
SMC	School Management Council
SRB	School Representative Body

Contents

1. Policy	4
2. Purpose	5
3. Scope	5
4. Definitions	5
5. Responsibilities, roles and accountabilities	6
5.1. School principals.....	6
5.2. Senior Directors, School Improvement and Leadership (SIL)	6
5.3. Directors, Quality School Systems and Support (QSSS).....	6
5.4. School representative bodies (SRB) and school management councils (SMC)	7
5.5. School communities.....	7
6. Related policy, legislation and resources	7
6.1. Policy	7
6.2. Legislation.....	7
6.3. Resources.....	8
7. Evaluation	8

Read this document with the Codes of conduct for education sites and workplace participants procedures¹ and the Family Engagement Charter.²

1. Policy

The Northern Territory (NT) Department of Education is committed to building and maintaining safe, respectful, inclusive and culturally responsive learning and working environments.

The department gives high priority to supporting schools in building a culture where parents, staff and local communities co-create partnering opportunities to meet school improvement goals and learning priorities.

Parents, visitors, volunteers, service providers, members and employees of school representative bodies (SRB) and school management councils (SMC) are integral partners within the school community. Positive partnerships between school staff, students, parents and community members enhance student learning and build a culture that promotes wellbeing.

Under this policy schools must:

1. Develop and implement a code of conduct for education sites consistent with this policy and related procedures.¹

The code of conduct must clarify the standards of expected behaviours from parents, visitors, volunteers and service providers, collectively referred to as defined parties. Defined parties perform core functions of the school, visit, or engage with the school for a variety of other purposes.

2. Implement a Code of conduct for employees and service providers – collectively referred to as workplace participants, who are engaged or employed by an SRB or SMC.

School staff who are employees of the department must comply with:

- the Northern Territory Public Service (NTPS) Code of conduct, set out in Employment Instruction Number 12³
- the general principles set out in the *Public Sector Employment and Management Act 1993* (PSEMA)⁴
- any additional instructions outlined in the Code of conduct for education sites.¹

Volunteers in department schools who are elected members of an SRB or SMC must comply with:

- School representative body policy⁵
- School council guidelines⁵
- School council guidelines Attachment A – Template code of conduct⁵
- Where an SRB or SMC does not have a code of conduct for additional duties to their constitution, SRB and SMC members must abide by the Code of conduct for education sites.¹

¹ <https://education.nt.gov.au/policies/codes-of-conduct-for-education-sites-and-workplace-participants>

² <https://education.nt.gov.au/statistics-research-and-strategies/family-engagement-charter>

³ <https://ocpe.nt.gov.au/employment-conditions-appeals-grievances/code-of-conduct>

⁴ <https://legislation.nt.gov.au/Legislation/PUBLIC-SECTOR-EMPLOYMENT-AND-MANAGEMENT-ACT-1993>

⁵ <https://education.nt.gov.au/policies/school-representative-bodies>

2. Purpose

This policy is supported by the department's commitment to delivering quality education to all children and creating learning and working environments that are safe and supportive for all members of the school community.

Under the *NT Education Act 2015*⁶ and the *NT Work Health and Safety (National Uniform Legislation) Act 2011*⁷, the department has a duty of care to make sure schools provide safe and supportive learning and working environments, ensuring that interactions are appropriate at all times and that inappropriate behaviour does not damage the reputation of a school.

3. Scope

This policy applies to all Northern Territory Government (NTG) schools and all defined parties and workplace participants at NTG schools. The policy does not apply to students at a school in which they are enrolled.

4. Definitions

For the purpose of this policy the following definitions apply.

Defined parties – refers to parents, visitors, volunteers and service providers.

Duty of care – means the department has a primary duty to ensure, as far as is reasonably practicable the health and safety of workers and students within learning environments and, that no persons are put at risk from work carried out as part of the business.

Education site - includes early childhood settings, primary schools, middle schools and senior secondary schools, and any other location external to the site premises where education is being provided as part of a school excursion or other activity organised by the education site.

Parent – means a child's father, mother or any other person who has parental responsibility for that child, including a person who is regarded as a parent of the child under Aboriginal customary law or Aboriginal tradition.

Person/persons – means anyone in addition to, and included in, this policy's definition of defined parties and workplace participants.

School management council (SMC) – means a school management council established under section 118(1)(a) of the Act.⁶

School representative body (SRB) – means an incorporated body, for example – a school council, an independent public-school board or a joint school representative body established under Section 103(2) of the Act.⁶

SRB and SMC employees – refers to all persons employed by an SRB or SMC.

⁶ <https://legislation.nt.gov.au/en/Legislation/EDUCATION-ACT-2015>

⁷ <https://legislation.nt.gov.au/Legislation/WORK-HEALTH-AND-SAFETY-NATIONAL-UNIFORM-LEGISLATION-ACT-2011>

SRB and SMC members – refers to individuals, other than enrolled students, who are elected members of the SRB or SMC.

School community – refers to all school staff, families, students and persons who have direct involvement or interest in the school.

Service providers – are companies or individuals including contractors, sub-contractors, tradespersons, psychologists, nutritionists and sports development officers engaged by the SRB, SMC or the department to provide a service or specialist support; or to undertake work on school property, including maintenance, cleaning, renovations, repairs or building construction.

Visitor – refers to any individual on the premises of a school, other than enrolled students and school staff members, including but not limited to students' family members, artists, religious instructors, sports instructors, mentors, coaches, community representatives, guest speakers, service providers, volunteers or staff from a registered training organisation.

Volunteer – refers to an individual who supports educational programs and the business of schools either through direct contact with students or through school activities, without financial gain or reward, including SRB or SMC members.

Workplace – is a location where work is carried out by and for the department, including any place where a worker goes, or is likely to be, while at work, for example – conferences, professional development seminars, excursions and camps and, travelling in vehicles, vessels and aircraft.

Workplace participants – means all employees, and service providers, employed or engaged by an SRB or SMC to provide services to the SRB, SMC or the school.

5. Responsibilities, roles and accountabilities

5.1. School principals

The principal is responsible for:

- developing a Code of conduct for education sites as outlined in the Codes of conduct for education sites and workplace participants procedures¹
- implementing and promoting the school's Code of conduct for education sites
- implementing the Code of conduct for workplace participants as outlined in the Codes of conduct for education sites and workplace participants procedures¹
- providing clear advice on roles and responsibilities in relation to this policy
- ensuring the management of any person in attendance on school premises
- taking action should there be a breach of the Code of conduct for education sites or the Code of conduct for workplace participants.

5.2. Senior Directors, School Improvement and Leadership (SIL)

Senior Directors SIL are responsible for supporting principals to adhere to the requirements of this policy.

5.3. Directors, Quality School Systems and Support (QSSS)

Directors QSSS are responsible for supporting schools to implement this policy.

5.4. School representative bodies (SRB) and school management councils (SMC)

SRBs, under Subsection 107(1)(k) of the Act⁶ and SMCs, under Subsection 119(1)(g)⁶, have the prescribed function in relation to this policy to:

- in accordance with the *Fair Work Act 2009* (Cth)⁸ and any relevant award, employ persons on any terms and conditions that are approved in writing by the CEO.

In addition SRBs and SMCs, under subsection 4.2.1 of the School council guidelines⁵, have the following responsibilities:

- providing input into the development of the school's Code of conduct for education sites
- ratifying the Code of conduct for education sites at a legally constituted meeting.

5.5. School communities

School communities are responsible for:

- understanding the purpose of the Code of conduct for education sites and how to access and use it
- acting in partnership to engage with the Code of conduct for education sites
- demonstrating behaviours that align with the Code of conduct for education sites or the Code of conduct for workplace participants dependent on a person's role in the school.

6. Related policy, legislation and resources

Additional related policy, legislation and resources are listed in the Codes of conduct for education sites and workplace participants procedures¹.

6.1. Policy

- Codes of conduct for education sites and workplace participants procedures¹
- Safety management policy – available to staff on the Education intranet
- School council guidelines⁵
- School representative bodies policy⁵

6.2. Legislation

- *Fair Work Act 2009* (Cth)⁸
- *NT Education Act 2015*⁶
- *NT Work Health and Safety (National Uniform Legislation) Act 2011*⁷
- *NT Public Sector Employment and Management Act 1993*⁴
- Northern Territory Public Sector Code of Conduct Employment Instruction Number 12³

⁸ <https://www.legislation.gov.au/Details/C2021C00189>

6.3. Resources

- Family Engagement Charter²
- School council guidelines Template A – Template code of conduct⁵

7. Evaluation

This policy is evaluated every five years or in the event of changes to regulatory, safety or privacy requirements.