

# The Victorian Teaching Profession's Code of Conduct

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An overview

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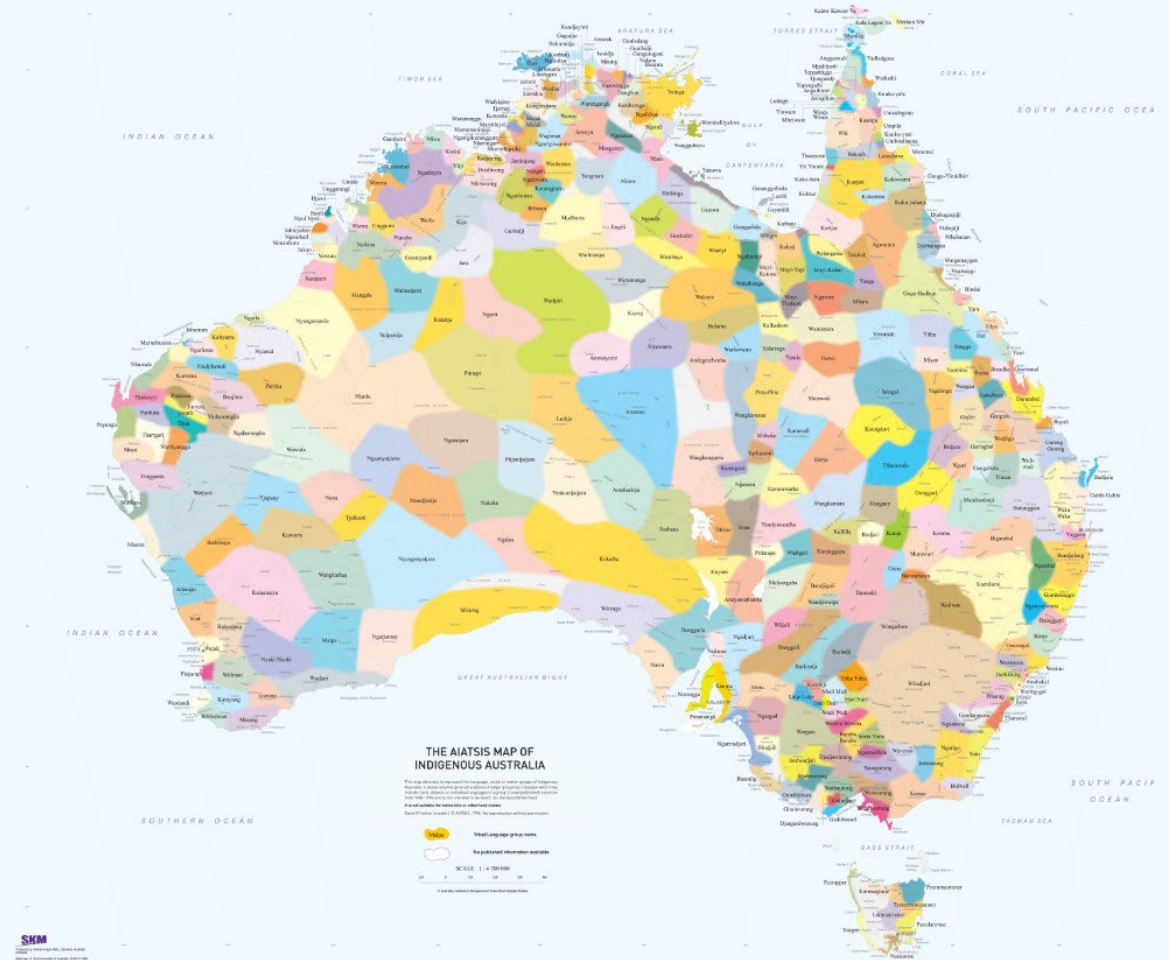
# Acknowledgment of Country

We acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture.

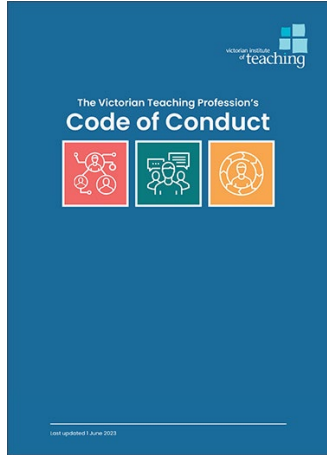
We pay our respects to their Elders past, present and emerging for they hold the memories; the traditions; the culture; and the hopes of all indigenous Australians.

We acknowledge and honour their unbroken spiritual and cultural connection to the surrounding lands and waters, understanding and care for the environment, and ongoing strength in practicing the world's oldest living culture.

<https://aiatsis.gov.au/explore/map-indigenous-australia>



# The Code of Conduct



The Victorian Institute of Teaching (VIT) completed a review of the Victorian Teaching Profession's Code of Conduct (the Code) and re-launched the Code in 2021.

The following changes were made

- a greater focus on child safety and wellbeing
- more emphasis on understanding individual needs and backgrounds of learners
- more guidance about teacher conduct online, including via social media
- a recognition of the unique position of influence and trust that teachers have over learners
- updated language to ensure it is inclusive of the broad range of teaching contexts
- updated references to the legal requirements that pertain to the teaching profession.

# The Code of Conduct



**Professional  
conduct**



**Personal  
conduct**



**Professional  
competence**

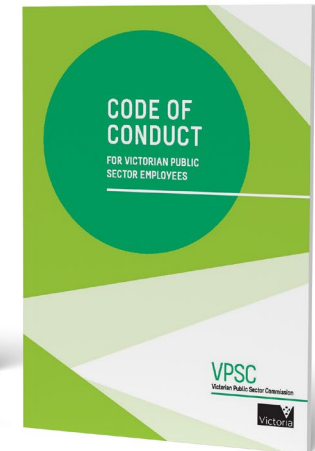
# The Code of Conduct and Code of Ethics

- The Codes are used to ensure child safety and wellbeing
- Expectations of a teacher's personal and professional conduct relate to all conduct that is face to face, online and outside the education setting
  - These expectations are inclusive of any person holding any category of Permission to Teach
- Teachers should understand and be responsive to the individual contexts, backgrounds and specific vulnerabilities of learners



# How does VIT's Code of Conduct relate to other Codes of Conduct in the teaching profession?

- The Victorian Teaching Profession's Code of Conduct identifies a set of principles, which describe the **professional conduct, personal conduct and professional competence** expected of a teacher by their colleagues and their community.
- Each school, service or sector may have their own separate Codes of Conduct (e.g. Early Childhood Australia's Code of Ethics or the Victorian Public Sector Code of Conduct).
- These documents are complementary and teachers should conduct themselves in a manner that is consistent with all relevant codes.
- The Victorian Teaching Profession's Code of Conduct applies to all school teachers and early childhood teachers registered with VIT, regardless of their level of employment.





# Section 1: Professional conduct

Teachers' professional conduct is characterised by the quality of the relationships they have with their learners, the parents / carers / families of their learners, their communities and their colleagues.

**Principle 1.1** – Teachers provide opportunities for all learners to learn

**Principle 1.2** – Teachers treat their learners with courtesy and dignity, and promote participation and empowerment

**Principle 1.3** – Teachers work within the limits of their professional expertise

**Principle 1.4** – Teachers maintain objectivity in their relationships with learners

**Principle 1.5** – Teachers are always in a professional relationship with their learners, whether at the education setting where they teach or not

**Principle 1.6** – Teachers maintain a professional relationship with parents / carers

**Principle 1.7** – Teachers work in collaborative relationships with learners' families and communities

**Principle 1.8** – Collegiality is an integral part of the work of teachers



## Section 2: Personal conduct

The personal conduct of a teacher will have an impact on the professional standing of that teacher and the profession as a whole.

### Principle 2.1

Although there is no definitive boundary between the personal and professional conduct of a teacher, teachers reflect community expectations of the teaching profession by

- being positive role models in education settings, in the community and online
- respecting and complying with the law
- not exploiting their position for an inappropriate personal or financial benefit
- ensuring their personal or financial interests do not interfere with the performance of their duties
- acting with discretion and maintaining confidentiality in all communications concerning their professional teaching responsibilities
- being aware of the potentially serious impact that any demonstration of intolerance or prejudice could have on the safety and wellbeing of children, their standing as a teacher or the profession as a whole.





## Section 3: Professional competence

Teachers are cognisant of their legal and professional requirements and value their professionalism. They set and maintain high standards of professional competence.

### Principle 3.1

Teachers value their professionalism and set and maintain high standards of competence.

Teachers

- are knowledgeable in their areas of expertise
- are committed to pursuing their own professional learning
- engage in reflective practice and identify professional learning needs
- are able to demonstrate how their practice meets the Australian Professional Standards for Teachers
- complete their duties in a responsible and thorough manner.



## Section 3: Professional competence

Teachers are cognisant of their legal and professional requirements and value their professionalism. They set and maintain high standards of professional competence.

### Principle 3.2

Teachers must comply with the requirements of

- mandatory reporting and other reporting obligations
- the principle of negligence, which includes duty of care
- laws preventing discrimination, harassment and vilification
- protection of privacy
- occupational health and safety
- teacher registration.

Teachers should be aware of

- child safe standards
- reportable conduct
- United Nations Convention on the Rights of the Child
- any other relevant legislation, policies or regulations that pertain to the role of a teacher in child safety and wellbeing.

# Examining the Code



In small groups read through the Code and

- highlight any statements that you think are of particular relevance to your education setting
- discuss how you / your workplace can make sure teachers are aware of and complying with the Code.

# REFLECT – Ethical decision-making model

**RE**

## Recognise a potential issue or problem

- Do I have a gut feeling that something is not right?
- What is the potential issue or problem with this situation?
- What is the context of the situation?
- Is there the potential that my actions could be perceived differently than my intent?
- Is there a possibility I have misunderstood a situation?

**F**

## Find relevant information

- Am I under any legal obligations to take certain action(s)?
- What does the Code of Conduct say about this situation?
- Are there any other workplace policies or procedures to guide me in this situation?
- Who are the people who may be affected by my decision?
- Where can I find more information to support my decision?

**L**

## Liase and consult

- Who should I discuss this with? (managers, supervisors, wellbeing staff, parents / families etc.)
- Are there any external agencies that need to be involved?
- Have I adequately documented the situation?
- Have I provided adequate opportunity for involved parties to have their voices heard?
- Have I done a thorough analysis of the situation?
- Do I need another set of eyes on this?

**E**

## Evaluate the options

- What is the best thing to do based on the information I have?
- What are the risks?
- What are the consequences?
- Would the decision stand up to community scrutiny?
- Am I prepared to explain the reasons for my decision?
- Are there any external agencies that need to be involved?

**C**

## Come to a decision

- Do I need permission to do what I am planning to do?
- Do I need to make a record of my actions?

**T**

## Take time to reflect

- Would I do the same thing next time?
- What did I learn from my decision?
- What was the impact on all concerned?

# Case study – Teacher HN

- Teacher HN is a primary school teacher. He repeatedly asks a specific learner, Learner S, to stop talking. Teacher HN also singles Learner S out in class for reprimand and makes belittling statements toward her, such as: “You have an extremely screechy voice”.
- While Teacher HN’s behaviour is not intended to cause harm, he was unaware of the impact on Learner S. Learner S perceives Teacher HN’s behaviour to be both intentional and bullying, and subsequently suffers from stress and anxiety because of the comments.
- Teacher HN’s behaviour occurs over many months. A friend of Learner S alerts Teacher HN to Learner S’ distress, and Teacher HN immediately takes steps to both address the problem and to change his behaviour. Teacher HN does not follow up with the parents, notify school leadership or seek advice about the issue. Learner S continues to feel anxious during classes for months afterwards.

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher HN has breached these principle(s)?
- What advice could you provide to Teacher HN to prevent and / or address this situation?

# Case study – Teacher TB

- Teacher TB is a secondary school teacher and while scrolling through their Instagram account, comes across a 'suggested post' from a learner. The learner, Learner M, is a year 10 student in Teacher TB's class, who is also an aspiring actor and model. Learner M has a public profile on Instagram where they post modelling photos. Teacher TB clicks on the suggested post and writes several comments including:

*"What a beauty! You're definitely going to be famous one day. You've got all the right features to be on the big screen! Plus brains...what a catch."*

Learner M responds to the comments

*"Aww, that's so nice! Love ya, see you next week – already looking forward to class."*

Teacher TB responds by saying

*"My pleasure always. Luv ya too xx"*

- One of Learner M's friends sees the exchange on Instagram, takes a screenshot, and brings it to the principal's attention the next day. Teacher TB is immediately brought into the principal's office and asked for an explanation.
- Teacher TB admits to writing the comments but says they only did so to encourage Learner M's acting and modelling pursuits. Teacher TB denies any sexual connotation in their comments.

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher TB breached these principle(s)?
- What steps should you take to ensure that your relationships with learners do not step outside of appropriate professional boundaries?

# Case study – Teacher JE

- A number of years ago, early in Teacher JE's career, he made comments and liked a number of social media posts with jokes referring to race and religion.

These included sharing posts such as

*"The white supremacist protestors are starting to realise why their grandparents were smart and wore hoods."*

and

*"I hate it how girls always claim they were forced when they were just drunk and regretted it – at least the Catholics know how to cover it up."*

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher JE has breached these principle(s)
- What impact do you think Teacher JE's behaviour could have had on learners if they saw this material?
- How do you think this behaviour would be perceived by the community and how does it reflect on the reputation of the profession?

# Case study – Teacher VF

- Teacher VF is a secondary school teacher and has the personal mobile number of one of their year 12 learners as part of normal school-related activities. Teacher VF begins to communicate with the learner via text message and phone calls; these communications increase over time and take place at all hours of the day and night.
- Teacher VF and the learner speak about their own romantic relationships, their hobbies and interests, friendship issues and what their plans are for the day. The conversations are not of a sexual nature.
- The learner's parents become aware of the communication and request that Teacher VF reduce their communications with the learner, but not completely cease them to avoid disrupting their child's learning and emotional state. Teacher VF continues to have a high volume of communications with the learner, including discussing non-teaching related matters, such as romantic relationships.
- When asked about the nature of their relationship with the learner by other staff members, Teacher VF says it will not be an issue once the learner finishes year 12. In the following year, when the learner has graduated from the school, Teacher VF expresses a desire to commence a romantic relationship with the learner.

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher VF has breached these principle(s)?
- Considering the power imbalance in the teacher-learner relationship, is it problematic for a teacher to seek a relationship with a learner after they graduate Year 12?
- How might the relationship be perceived by the community?



# Case study – Teacher SJ

- Teacher SJ is a secondary school teacher who has a 'mentor' relationship with a learner and describes the learner as their 'best friend'. Teacher SJ meets with the learner out of school hours for tutoring and shares personal information about themselves, including that they have previously been sexually assaulted.
- Teacher SJ is friends with the learner on Facebook and sends the learner more than 2,500 messages over a 24-month period. The messages are personalised and sometimes sexual in nature.
- Teacher SJ also gives a number of gifts to the learner and takes them on a road trip to regional Victoria.

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher SJ has breached these principle(s)?
- If Teacher SJ was your colleague, what actions could you take to address this conduct?

# Case study – Teacher NH

- Teacher NH is a teacher in a regional town and is family friends with one of their learners. Teacher NH engages in private email conversations with the learner as well as after school activities, such as driving lessons and shopping.
- The learner's parent, Parent G, is aware of Teacher NH's interactions with the learner and is initially supportive of their relationship, as the learner has been going through a tough time and Parent G perceives Teacher NH as a stable influence in their life.
- As Teacher NH's interactions with the learner become more frequent, Parent G becomes uncomfortable. They ask Teacher NH to pull back and to ask permission before engaging in any more one-on-one activities with the learner. Teacher NH does not abide by Parent G's request and continues to see the learner without seeking permission.
- Parent G reports Teacher NH to the school principal, and their employment is eventually terminated on the basis that Teacher NH has breached professional boundaries in their interactions with the learner and Parent G.

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher NH breached these principle(s)?
- What impact could the pre-existing relationship with the family have had on Teacher NH's ability to maintain professional boundaries?
- In this case, the workplace relied not only on the Victorian Teaching Profession's Code of Conduct, but also on their sector's code of conduct. Are there any codes / policies in your workplace that you would need to be aware of?
- What additional considerations would need to be considered for teachers in regional / rural settings in relation to professional boundaries?

# Case study – Teacher MP

- Teacher MP is an early childhood teacher who throws a taxi driver's phone to the ground during an argument and smashes it. Teacher MP also pushes the taxi driver, spits on the driver and steals the keys to the driver's car.
- During the dispute, Teacher MP's partner physically assaults and shouts racist remarks at the taxi driver.
- The next day, a media headline appears reading:

*"Kindergarten teacher – racist, drunk and violent."*

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher MP breached these principle(s)?
- How would Teacher MP's conduct be perceived by the community, education setting and children / parents / carers / families?

# Case study – Teacher KN

- Teacher KN is currently the subject of a police investigation regarding engaging in sexual activity with a minor.
- One night, she matched with someone on a dating app. On the app, the minor stated they were 18 years old but appeared to look much younger than this. The minor met with Teacher KN for a date, where they drank beer in a park. Teacher KN had sexual intercourse with the minor but she did not ask how old the minor was. The next week, Teacher KN saw the minor at the bus stop in a school uniform. Teacher KN spoke to the minor who confirmed that he was 15 years of age.
- Teacher KN stated that she thought the minor was 18 years old, despite looking 15 years old, as he had brought alcohol to their date in the park.

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher KN breached these principle(s)?
- How would Teacher KN's conduct be perceived by the community, education setting and children / parents / carers / families?
- What positive actions could Teacher KN have taken to avoid this situation and ensure their conduct was in line with the Code?

# Case study – Teacher JP

- Teacher JP was a primary school teacher who attended a sports match. After consuming a significant amount of alcohol, Teacher JP returned home intoxicated and was upset because their team lost the game.
- Teacher JP got into a quickly escalating argument with their partner and accused their partner of cheating. Teacher JP then grabbed their partner's phone and started to look through their messages. Upon seeing a message they didn't like, Teacher JP yelled abuse and threatened several times, to kill their partner. Teacher JP pushed their partner, who fell down and hurt their head. After hearing all the noise, their children, aged 11 and 14 ran into the living room and called the police.
- Teacher JP was found guilty of making a threat to kill, and recklessly causing injury.
- Teacher JP's partner moved out of the home with their children, and instigated divorce proceedings while attempting to obtain full custody of the children.
- Over the following months, Teacher JP sent their ex-partner over 900 abusive text messages which included death threats. Teacher JP also threatened to burn down their family home on multiple occasions.
- Teacher JP was then charged with stalking and making a threat to kill. Teacher JP stated that they do not remember sending the text messages, stating they have developed a dependency on alcohol and were intoxicated at the time.

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher JP breached these principle(s)?
- How would Teacher JP's conduct be perceived by the community, education setting and children / parents / carers / families?

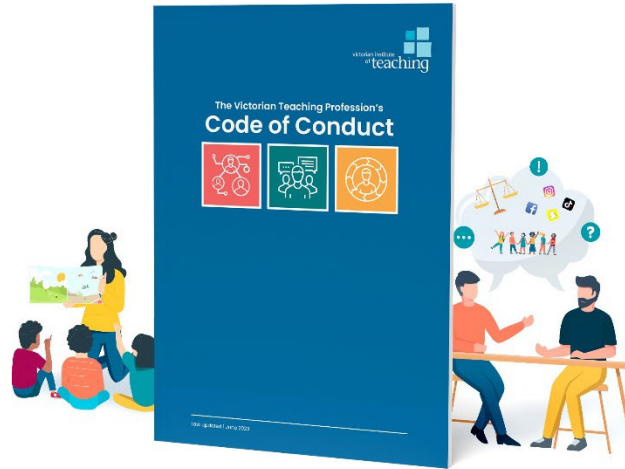
# Case study – Teacher NC

- Teacher NC is working at an early childhood centre. One of the children in Teacher NC's care is a 3-year-old, who is also the child of one of Teacher NC's colleagues. One day, Teacher NC arrives to the centre with a bruised, fat lip. Teacher NC questions the child about their injury and they respond their parent "was angry with me and hit me".
- Teacher NC does not make a mandatory report, as they do not believe their colleague is capable of injuring their child. Teacher NC later discusses it with the colleague who confirms that they did lose their temper but indicates it won't happen again.

## Reflective questions

- Which principle(s) of the Code provide guidance to a teacher about this type of conduct?
- To what extent do you think Teacher NC breached these principle(s) and the law?
- How might a personal relationship with a child's parents / carers / families impact a teacher's ability to comply with their legal expectations?

# Professional learning opportunities



View the further guidance material including case studies, videos, podcasts and professional learning opportunities

[www.vit.vic.edu.au/codes](http://www.vit.vic.edu.au/codes)