

# The Victorian Teaching Profession Code of Conduct

## CONSULTATION DRAFT



# Background

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Under the *Education and Training Reform Act (2006)* the Victorian Institute of Teaching (VIT) is required to develop, maintain and promote a code of conduct for the teaching profession. The Victorian teaching profession's Code of Conduct (the Code of Conduct) has been developed for and by the Victorian teaching profession, and applies to all teachers and early childhood teachers registered with VIT.

The 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 the community. It is based on the values set out in the accompanying Code of Ethics - **integrity**, **respect** and **responsibility**.

The VIT has an overarching function of providing for child safety and wellbeing, and this underpins the principles set out in the Code of Conduct. The Code of Conduct recognises that the teacher-learner relationship is not equal; teachers hold a unique position of influence and trust with learners that should not be violated or compromised.

As members of a skilled and trusted profession, teachers are responsible for reflecting on their own conduct and practice, as well as ensuring they meet the standards required of them as set out in the Australian Professional Standards for Teachers (APST). It is a requirement of the APST that teachers comply with the Code of Conduct.

This Code of Conduct is complementary to any other relevant policies, procedures or codes of conduct used by a sector or education setting in which a teacher works.

A teacher's professional and personal conduct reflects on the standing of the entire profession. In taking on the responsibilities of a teacher, including providing for the safety and wellbeing of children and young people, teachers - like other professions of public trust - are held to a high level of accountability.



# Purpose

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The Code of Conduct presents what is already common practice within the teaching profession in Victoria.

The Code of Conduct

- provides for the safety and wellbeing of children and young people
- promotes adherence to the values that teachers see as underpinning their profession
- guides VIT in regulating the teaching profession in a risk-based and proportionate manner
- provides a set of principles to guide teachers in their everyday conduct and assists them to solve ethical dilemmas
- safeguards the standing of the teaching profession by assuring the conduct and practice of registered teachers does not fall short of expected standards
- affirms the public accountability of the teaching profession
- promotes public confidence in the teaching profession.

The Code of Conduct is not designed to cover every situation; teachers must use their own professional judgment in applying the principles to their individual teaching contexts.

The Code of Conduct clearly states the expectations placed on teachers by the profession and the community. A departure from the Code of Conduct may amount to misconduct, serious misconduct or question a teacher's fitness to teach. Whether it does will largely depend on the individual circumstances and the context in which the conduct occurred. Any regulatory measures should always be viewed within the context of what is considered necessary to protect the safety and wellbeing of children and young people.





## 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

The main focus of teaching is the learning of those being taught.

Teachers demonstrate their commitment to learning by

- knowing their learners well, respecting individual differences and catering for individual abilities
- maintaining a safe and challenging learning environment
- accepting professional responsibility for the provision of quality teaching
- having high expectations of every learner, and recognising and developing individual's abilities, skills and talents
- approaching the teaching and understanding of each individual learner without judgment or prejudice
- communicating effectively and appropriately with their learners
- engaging with parents / carers / families and colleagues to understand their learners' needs.

### PRINCIPLE 1.2

Teachers treat their learners with courtesy and dignity, and promote participation and empowerment

Teachers

- work to create an environment that promotes mutual- and self-respect
- model and engage in respectful and impartial language and behaviour
- protect learners from intimidation, embarrassment, humiliation and harm
- display an understanding of a learner's individual context and specific vulnerabilities when they interact with them
- enhance learner autonomy by seeking to ensure they
  - have the opportunity to express their views freely on all matters affecting them
  - are confident and creative individuals
  - are successful lifelong learners
  - are active and informed members of the community
- respect a learner's privacy in sensitive matters - such as health or family issues - and only reveal confidential matters when appropriate, necessary or required by law, such as
  - if the learner has consented to the information being used in a certain way
  - to prevent or lessen a serious threat to life, health, safety or wellbeing of a person (including the learner)
  - part of an investigation into unlawful activity
  - if the disclosure is required or mandated by law
  - to prevent a crime or enforce the law
  - to manage any risk to a child or young person
- use behaviour management strategies and consequences appropriate for a learner's individual context and actions, aimed at supporting positive change.



### PRINCIPLE 1.3

#### Teachers work within the limits of their professional expertise

In fulfilling their role, teachers have a wide range of responsibilities. They support learning by knowing the strengths and the limits of their professional expertise.

Teachers

- ensure they have the physical, mental and emotional capacity to carry out their professional responsibilities
- are aware of the role of other professionals and agencies, and know when learners should be referred to them for assistance
- are truthful when making statements about their qualifications and competencies, and can provide evidence to support these statements.

### PRINCIPLE 1.4

#### Teachers maintain objectivity in their relationships with learners

In their professional role, teachers do not behave as a friend or parent / carer.

They

- interact with learners without displaying bias or preference
- make decisions in learners' best interests
- keep their personal agendas separate from their learning environment.

### PRINCIPLE 1.5

#### Teachers are always in a professional relationship with their learners, whether at - or outside - the education setting where they teach

Teachers hold a unique position of influence and trust that should not be violated or compromised. They exercise their responsibilities in ways that recognise there are limits or boundaries to their relationships with learners.

Teachers should consider how their decisions and actions may be perceived by others. Teachers should be aware of the specific vulnerabilities of learners when determining appropriate professional boundaries. The following examples outline some of those limits.

A professional relationship will be violated if a teacher

- has a sexual relationship with a learner
- engages in sexual misconduct which includes behaviour, physical contact, speech or other communication of a sexual nature; inappropriate touching; grooming type behaviour; and voyeurism
- touches a learner without a valid reason
- engages in communications with a learner beyond the boundaries of a professional relationship without a valid reason, including via written / electronic / online means (including social media)
- accepts gifts, which could be reasonably perceived as being used to influence them, from learners or their parents / carers / families
- gives gifts to learners or their parents / carers / families that could be reasonably perceived as showing bias or favouritism.

A professional relationship may be compromised if a teacher

- socialises with learners (including online and via social media) outside of a professional context
- invites learners back to their home
- has a sexualised relationship with a former learner within two years of the learner completing their senior secondary schooling or equivalent. In all circumstances, the former learner must be at least 18 before a relationship commences.



### PRINCIPLE 1.6

Teachers maintain a professional relationship with parents / carers

Teachers should be respectful of, and courteous to, parents and carers.

Teachers

- understand that in some circumstances a relationship with parents / carers outside of the education setting may compromise, or be perceived to compromise, the professional relationship
- consider parents' / carers' perspectives when making decisions which have an impact on the education or wellbeing of a learner
- communicate and consult with parents / carers in a timely, understandable and sensitive manner
- use appropriate communication methods with parents / carers when discussing the education or wellbeing of a learner
- take appropriate action when responding to parent / carer concerns.

### PRINCIPLE 1.7

Teachers work in collaborative relationships with learners' families and communities

Teachers recognise their learners come from a diverse range of backgrounds, personal circumstances, values and beliefs, contexts and cultures, and seek to work collaboratively and respectfully with learners' families and communities.

### PRINCIPLE 1.8

Collegiality is an integral part of the work of teachers

Teachers demonstrate collegiality by

- treating each other with courtesy and respect
- valuing the input of their colleagues
- using appropriate forums for constructive debate on professional matters
- sharing expertise and knowledge in a variety of collaborative contexts
- respecting different approaches to teaching
- providing support for each other, particularly those new to the profession
- sharing information to support the teaching, wellbeing and safety of learners.



## Section 2: Personal conduct

### PRINCIPLE 2.1

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

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 regarding workplace issues
- 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

### PRINCIPLE 3.1

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

Teachers

- are knowledgeable in their areas of expertise
- seek support for their learning when directed to engage with requirements outside of their professional expertise
- are committed to pursuing their own professional learning
- engage in a process of ongoing feedback and reflection to improve their 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, thorough and timely manner.

### PRINCIPLE 3.2

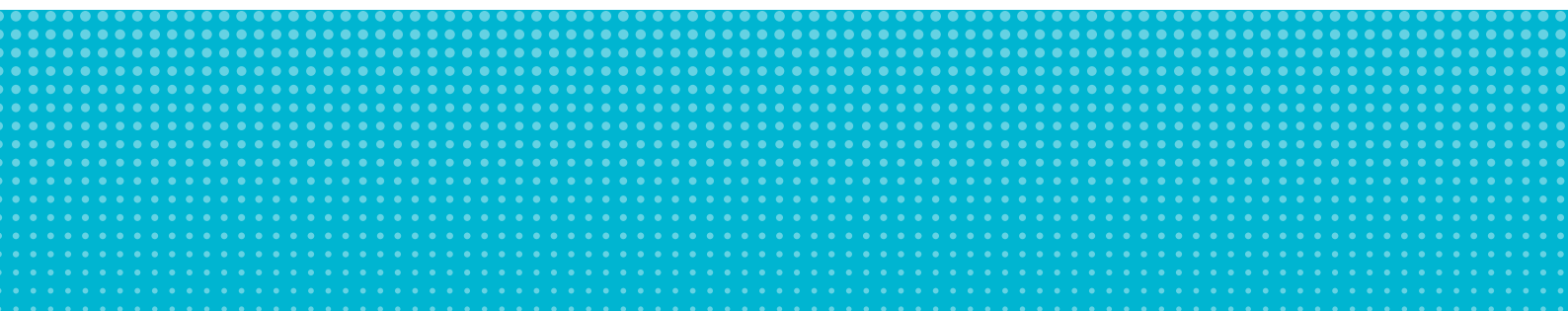
Teachers are aware of, and comply with, the legal requirements that pertain to their profession

Teachers must comply with the requirements of

- mandatory reporting and other reporting obligations
- the principle of negligence, which includes duty of care
- discrimination, harassment and vilification
- 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 child safety and wellbeing.



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