



## Regulatory decision

# Professional conduct

### Please note

*The following case study provides an insight into a recent matter in which the VIT was required to take disciplinary action against a registered teacher.*

*Names and some details have been changed to protect the identity of the teacher, student and education setting.*

*The case study is designed to stimulate discussion and debate about what is considered appropriate professional and personal conduct for teachers, as well as appropriate strategies to prevent inappropriate conduct.*



### Scenario

Mr Wong was a high school Geography teacher. One of his students had become increasingly disruptive in class over the past 4 months, and often made sly and sometimes aggressive remarks about Mr Wong.

After unsuccessfully attempting to quieten the student who had been progressively obnoxious during class, Mr Wong asked him to leave the room and report to the principal's office.

On his way out of the classroom, the student made an insulting comment to Mr Wong.

Frustrated, Mr Wong followed the student into the hallway, yelling at him. The student backed up against the wall and Mr Wong forced the student to the ground by pushing his shoulder. Mr Wong smacked the student across the head twice, without thinking, before the student was able to move away.

The incident was captured on the school's CCTV cameras.

Immediately following the incident, Mr Wong reported it to the principal, saying that the student had subjected him to numerous threats of violence and was disruptive to the class. Mr Wong did not report the physical altercation between himself and the student, but instead said there had been a minor scuffle started by the student.

The student also reported the incident, saying he had been yelled at, threatened and assaulted by Mr Wong.

As part of an investigation, the principal reviewed the CCTV footage, and observed the physical aggression and assault committed by Mr Wong.

### Immediate action

Based on the information provided, VIT formed a reasonable belief that Mr Wong posed an unacceptable risk of harm to children, and the suspension of his registration was necessary to protect children.

The VIT used its discretionary power to suspend Mr Wong's registration on an interim basis. The suspension of Mr Wong's registration was reviewed every 30 days to determine whether it should be continued.

## The investigation

The VIT investigated Mr Wong's conduct using information gathered from Mr Wong and the school to determine the appropriate next steps. During the investigation, Mr Wong provided a personal statement and evidence that he had attended several child safety related courses. Mr Wong explained that he had been going through a stressful time when the incident occurred and had lashed out at the student as a result.

## The decision

The VIT considered this information and determined that it was not sufficient to address the unacceptable risk of harm to children and result in a reinstatement of his registration. In particular, Mr Wong had not taken reasonable steps to address the underlying causes of his stress and aggression, nor had he sought professional assistance to develop strategies to prevent a similar incident reoccurring.

## The agreement

Upon receiving VIT's feedback, Mr Wong requested to enter an agreement to suspend his registration for a minimum period of 6 months and to impose conditions on his registration.

The purpose of the suspension was to allow time for Mr Wong to undertake counselling and anger management training prior to returning to teaching. The conditions on Mr Wong's registration required him to provide evidence he had engaged in counselling and anger management training. The conditions also required Mr Wong to provide a reflective statement about what he had learned and how he would apply this knowledge if he returned to teaching.

## The outcome

The VIT accepted Mr Wong's request to enter an agreement as it addressed VIT's concerns, and provided Mr Wong with an opportunity to reflect on his conduct and obtain further professional development.

At the conclusion of the suspension period, Mr Wong applied to revoke the suspension and demonstrated compliance with the conditions. Based on this, the suspension of Mr Wong's registration was revoked and Mr Wong was able to resume teaching.



### Reflection - Code of Conduct

When reflecting on this case, consider the following aspects of the [Victorian Teaching Profession's Code of Conduct](#).

#### **Victorian Teaching Profession's Code of Conduct - 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 their learners by

- maintaining a safe and challenging learning environment
- communicating effectively and appropriately with their learners.

#### **Victorian Teaching Profession's Code of Conduct - Principle 1.2**

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

Teachers

- work to create an environment that promotes respect for everyone
- 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
- use behaviour management strategies and consequences appropriate for a learner’s individual context and actions, aimed at supporting positive change.

**Victorian Teaching Profession’s Code of Conduct – Principle 1.5**

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

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.

A professional relationship will be violated if a teacher touches a learner without a valid reason.



**Reflection – Code of Ethics**

When reflecting on this case, consider the following aspects of the [Victorian Teaching Profession’s Code of Ethics](#).

**Integrity**

We demonstrate our integrity by

- Acting in the best interests of learners
- Maintaining a professional relationship with learners and colleagues
- Behaving in ways that respect and advance the profession.

**Respect**

We demonstrate our respect by

- Acting with care and compassion
- Treating learners fairly and impartially.

**Responsibility**

We demonstrate our responsibility by

- Providing quality teaching
- Maintaining and developing our professional practice
- Working cooperatively with colleagues in the best interest of our learners.

**Further information**

View the Code of Conduct and further guidance material including case studies, videos, podcasts and professional learning opportunities at [www.vit.vic.edu.au/maintain/conduct/codes](http://www.vit.vic.edu.au/maintain/conduct/codes).