

Title: Code of Conduct and Rights of Educators		Version/Revision	1 of 2020
Approved: TJ Dowling (Chair)	Status: Final Draft	Date Approved	11/26/2020
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IN CRUCE SALUS

HOLY CROSS HIGH SCHOOL

Code of conduct and rights of educators

This policy is underpinned by:

- ELRC documents and guidelines
- South African Schools' Act
- The constitution of Holy Cross High School
- South African Bill of Rights

PREAMBLE

Holy Cross High School is an independent Christian school with a distinct Catholic ethos, seeking to provide quality and meaningful education in the African context. It moreover seeks to establish a disciplined and nurturing environment for girls, notwithstanding the prevailing challenges of contemporary society.

Currently all South African teachers' rights are entrenched in the Bill of Rights in chapter 2 of the Constitution, as well as the rights to fair labour rights as consolidated in the Constitution and the Labour Relations Act (1995), and by extension the requirements of the Education Labour Relations Council (ELRC) for the purposes of mediation, conciliation and arbitration.

This policy also serves to protect teachers from certain malpractices and harms them in terms of the Constitution, i.e. the right to be free from discrimination based on race, sex/gender, sexuality, language, culture and religion. This policy moreover protects teachers from unconstitutional harms and/or disadvantage regarding freedom of expression, academic engagement and privacy of whatever nature. The concept of academic freedom may be open to interpretation as teachers are free to consider and value their ability to teach without undue prejudice and/or restrictions regarding content or subject matter, as prescribed in the official curriculum.

We as educators acknowledge:

- That a sound attitude, dedication, self-discipline and adherence to a code of conduct are the cornerstones of good education.
- That on-going training and personal development are crucial factors in the delivery of effective teaching to our learners.

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- That we will act in accordance with the ideals of our profession, behave in a professional, reputable and becoming manner, adhere to this Code of Conduct and avoid bringing the School or profession into disrepute.
- That we recognize the necessity to uphold and promote basic human rights, balanced by adherence to basic human and professional responsibilities.
- That we are subject to the disciplinary code and reasonable expectations of the school, and agree to accept such disciplinary strictures which we may face in the performance of our duties, as well as any fair and reasonable action instituted against us, should we overstep the bounds of common decency, professionalism or the provisions of this Code of Conduct.
- That we pride ourselves on being experts in the field of education and we commit ourselves to ongoing improvement of our knowledge in this field.

CONDUCT

Our academic conduct

We accept our responsibilities to:

- Plan and prepare effectively for our teaching.
- Deliver the total curriculum to the best of our ability.
- Evaluate regularly our own work and that of our learners.
- Tailor our teaching to the needs of the learners and the dictates of the subject syllabi, curricula and policies.
- Analyze our performance against accepted norms within the profession, and allow others to appraise it within the limits required to ensure good governance, effective management and personal development.

Our personal conduct

- It is not possible to list the behaviour required of staff members in **every** circumstance. However, it **is** required of all members of staff to act, dress and see to their personal grooming, and to behave sensibly, decently and in accordance with the codes of behaviour generally accepted in the community served by the school. This is so, even if such actions or behaviour are not specifically either required or barred in terms of the other sections of this code. Furthermore, throughout this code, the concept or term "behaviour" includes behaviour or actions in physical, written or verbal form, through signs or gestures, and cyber-behaviour; and both expectations and prohibitions apply equally in cyberspace.

In this regard, the following specific behaviors are expected of all staff:

- Any criminal action by a member of staff, whether at school or not, will be regarded as a breach of this Code of Conduct, and the school will be entitled to take action against, and impose sanctions on, an employee found guilty of any criminal act.
- All members of staff are expected to behave, dress and attend to their personal grooming in such a way that the good name of neither the school nor staff member is brought into disrepute.
- Immoderate social behaviour (including abuse of alcohol or other dependence-producing substances), cannot be condoned in any environment where the member of staff concerned may be identified as a member of staff at HOLY CROSS HIGH SCHOOL.
- No member of staff may be in possession of, or use, any of the following on the school premises, or during or immediately prior to any school-related or school-sponsored activities, including school sporting, cultural and recreational activities; tours, trips,

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dances, functions and meetings, and on transport to or from school, or to or from school activities: drugs, chemical substances, alcoholic drinks, weapons or other objects which could cause harm or injury: pornographic or otherwise objectionable objects, reading matter, pictures, videos or other material: nor may s/he pass them on, give them to, sell them, buy them or keep them for, any other person.

- These prohibitions also apply in public, off the school premises and/or outside of school hours, if the teacher can be identified as a member of staff at the School.
- The use of slovenly, uncouth, foul, threatening, blasphemous, sexist or racist language is not permitted.
- Indiscreet sexual behaviour, bullying, the imposition of any form of corporal punishment or physical abuse, emotional abuse, or racist or sexist signals, comments, remarks or actions are not acceptable.
- It is required of staff members to carry out lawful and reasonable instructions given by anyone in authority.

In pursuance of the above, we undertake to:

- Treat our learners with respect, cognizant of the dignity, individuality and rights of each individual.
- Arrive timeously, attend regularly and perform our given tasks diligently for the full duration of each school or working day throughout the year.
- Respect the dignity and individuality of our managers, colleagues and learners, and to act in accordance with such respect.
- Respect and accept the authority and accountability of people vested therewith in terms of the organizational structure of the School, and to exercise any authority vested in us with compassion and understanding.
- Use appropriate language and behaviour in our interaction with others, at whatever level they operate, and follow the grooming, behavioural and attitudinal expectations of the school.
- Avoid indolence or negligence in the performance of our duties.
- Recognize and respect the differing customs and beliefs of the individuals and communities served by our school.

PARENTAL CONTACT AND INTERACTION

We as educators:

- Recognize and agree to do our best to enhance the role of parents as partners in education.
- Undertake to involve the parents wherever appropriate and keep them adequately and timeously informed about their responsibilities and roles, and the performance of their children.

PROFESSIONAL INTERACTION

We acknowledge that we have a professional responsibility, and in this regard undertake to:

- Participate in meetings, discussions and forums for debating or formulating school or educational policies and approaches.
- Carry out to the best of our ability the expectations of the school concerning our professional development and performance.

RIGHTS OF EDUCATORS

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Teachers have the right to enjoy teaching and responsibly engage with the diversity of learners entrusted to their care – without prejudice, malice or any other form of harm or disadvantage towards learners.

Teachers have the right to insist that their classroom or any other school-related activity not be impinged upon by disruptive and uncooperative behaviour of learners, or permitting conditions that may intentionally or unintentionally disadvantage other learners. Important and educationally sound protection measures for teachers include the following:

- Freedom from discrimination, e.g. race, gender/sex, sexuality, language, religion, class or nationality.
- Academic freedom e.g. teachers' rights to freedom of expression, thoughts and ideas, within the limits of legislation. Teachers may therefore not promote their personal or political agenda.
- Freedom of association. Teachers may have the right to association with professional labour or other organisations. They may be free to run for public office and participate in these activities independent of their responsibilities at school.
- Privacy rights. Teachers however enjoy limited privacy rights. Where a teacher's actions impact their effectiveness the school may take the necessary action proposed in school policies.
- Freedom of religion. This a sensitive issue, but where teachers choose to teach at a particular school where they knew what the religious ethos of the school was before joining the staff, they should respect the view of the school.
- Age. Teachers should familiarise themselves with the legislative and related policies regarding age limitations.
- Pregnancy. School cannot dismiss or demote a pregnant teacher based on pregnancy, or deny any job promotion to a pregnant teacher.
- Contracts. Contracts between teachers and both independent and state schools are ruled by the general law of contracts, which provides concepts such as offer, acceptance, mutual assent, and consideration. However, contracting within the context of independent schools and teachers has some important distinctions from the general rules of contracts. Schools may require a school governing body to ratify a contract before it becomes binding, so even if a teacher is informed that they have been hired and appointed the contract is not considered final until the school governing body and/or the state ratifies the contract