



**cetb**

Bord Oideachais agus  
Oiliúna Chorcaí  
*Cork Education and  
Training Board*

## **CODE OF PRACTICE FOR CORK ETB STAFF IN THEIR RELATIONSHIPS WITH THE SCHEME'S LEARNERS**

Cork Education and Training Board (CETB) is committed to providing a quality educational service to all its learners within a safe and secure environment. CETB has already developed policy documents on Equal Opportunities and Sexual Harassment in order to support and promote an environment in which the human integrity and dignity for all staff and learners, men and women, are respected.

This Code of Practice for staff concerning relationships with the scheme's learners exists to create a further awareness among staff as to their responsibilities within staff/learner relationships. This Code of Practice also seeks to remind staff to be prudent in their contacts with learners so as to avoid allegations of improper behaviour. In this context staff should adhere to the protective measures contained within this Code of Practice so as to avoid situations which could lead to allegations of unprofessional/inappropriate behaviour. Such allegations or breaches of this Code of Practice may constitute grounds for an investigation in accordance with existing procedures which could result in disciplinary sanctions up to and including dismissal.

Each CETB staff member has a duty of care to all learners in the Scheme. This duty of care requires a certain standard of conduct for the protection of learners against unreasonable risks. Each staff member has a duty to act as an ordinary, prudent and reasonable person in his or her relationships with learners. This Code of Practice is intended to promote a healthy and safe working and study environment and is not intended to stifle normal, healthy professional relationships among staff and learners of the organization.

For academic/teaching staff, this Code should be read in conjunction with the Code of Professional Conduction for teachers available at [www.teachingcouncil.ie](http://www.teachingcouncil.ie).

### **PROFESSIONALISM**

Professionalism is characterised by behavior that shows respect for the interests and welfare of learners, subject to the requirements of the law. It implies competence, responsibility, integrity and impartiality. Consequently, members of staff should not publicly engage in demeaning descriptions of either learners or colleagues, including

remarks based on, for example race, religion, gender, sexual orientation, age, disability, economic status, marital status, family status or other remarks which reflect adversely on the dignity of others.

CETB aims to promote self-respect and a positive self-image in its learners.

Specifically, it seeks to:

- Acknowledge and support the right, capacities and worth of all individuals

And

- Encourage self-discipline and a sense of responsibility in learners

Staff by example should promote positive attitudes to the worth of all persons, to social justice and to equal opportunity. This is best realised through a 'professional approach' that ensures a quality educational experience conducted in a friendly, co-operative climate of respect and a team approach to problem solving. This principle of justice should pervade all relationships.

In this context, the learner has the following expectations:

- To express himself/herself to share ideas and to ask questions
- To receive respect from others and to be treated fairly and equally.
- Ridicule, sarcasm and remarks likely to undermine the dignity of the learner should never be used. Corporal punishment is forbidden.
- To be free from intimidation and bullying. Staff should refrain from any misuse of power that diminishes the integrity of the person.
- To a rational settlement of problems and to an opportunity to tell his/her own side in a dispute.
- To learn without interference, at his/her own pace, in a reasonable working environment.

## **BOUNDARIES PROFESSIONAL DISTANCE**

While encouraging and fostering a positive relationship with learners, all CETB staff must retain a sense of themselves as 'professionals' and, thus, maintain a professional distance with learners in both the workplace and in social situations. Staff members should ensure that they do not place themselves in situations where learners have undue expectations of a staff member's ability to resolve conflicts or personal issues. Learners themselves have a responsibility to recognise the 'professional' nature of their relationship with a staff member and hence not hold undue expectations of how staff should relate to them in the workplace or in social situations.

## **REFERRAL**

Each CETB staff member should cultivate awareness of the limits of his/her competence to deal effectively with a student's personal issues. He/she should take immediate steps to obtain consultation or to refer a student to the tutor / guidance counsellor / psychologist / management person, within the school/centre or college, if it becomes apparent that the student's problems are beyond his/her competence. Competence also implies acceding to a student's request for referral even where the staff member perceives the student's problems to be less severe than the student him/herself.

## **CONFIDENTIALITY**

Serious concerns about the health and well-being of a learner or such information about a learner as might affect the health and well-being of other learners in the school / centre or college, should normally be discussed with the Principal / Head of Centre. Staff should always respect the confidential nature of personal information shared with them by learners. They should disclose such information, where appropriate, only in the context of referral to a professional or management person, and usually with the consent of the learner, or where obliged by law, to the designated authority only. Disclosure of information to the appropriate third party should be made where it is deemed necessary to:

- a) Protect the interests of the student
- b) Protect the interests of society
- c) Safeguard the welfare of learner or another individual

Consent of the learner should be obtained, where possible. Staff should always show respect for the interests and welfare of learners and, therefore, a learner's personal circumstances should never become the subject of gossip.

## **PRUDENT BEHAVIOUR ONE-TO-ONE MEETINGS**

In one-to-one contact with learners, staff must be aware of their vulnerability to all sorts of allegations that can arise in such situations. Where possible, doors should be left open while the staff member is engaged in discussion with the student. For those staff whose job it is to see learners in one-to-one situations (counsellors, psychologists, management personnel, teachers, tutors etc) reasonable and sensible precautions should be taken to avoid the possibility of misinterpretation or allegation. A record should be kept of dates, times and the content of meetings and interviews with learners. Such meetings / interviews should take place within the school / centre / college premises.

## **PHYSICAL CONTACT**

Staff should avoid physical contact with learners of a nature that could be misconstrued. Casual, well intentioned gestures, if repeated frequently with a student, could be misinterpreted.

## **SEXUAL HARASSMENT**

The attention of staff is drawn to the Education and Training Boards Ireland (ETBI) and the unions representing ETB staff Policy Statement on Sexual Harassment, which is fully endorsed by CETB. Sexual harassment is unlawful. It is defined in legislation as:

‘any form of unwanted verbal, non verbal or physical conduct of a sexual nature being conducted for the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. It can consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other materials’.

The Policy statement adds:

‘the impact of sexual harassment can be devastating: it can affect a person’s work performance, health and personal life outside of work. The intent of the alleged perpetrator(s) shall not be relevant in determining whether the behaviour is acceptable’.

Staff are reminded that they have obligations both in law and to the CETB to refrain from behaviour likely to contravene the CETB’s policy on Sexual Harassment as well as the terms of the Employment Equality Acts 1998 and 2004, the Equal Status Acts 2000 and 2004 and any subsequent legislative changes that may be introduced.

## **OUT OF SCHOOL / CENTRE / COLLEGE ACTIVITIES**

This Code of Practice extends to trips and outings of any nature organised by the school / centre / college. Staff should maintain a professional distance with learners in all such organised activities. The conditions under which learners go on school / centre / college organised trips and outings should be clearly set down and agreed in advance. Staff, in consultation with management, should have contingency plans in anticipation of problems arising.

## **DISCIPLINARY INVESTIGATION & SANCTIONS**

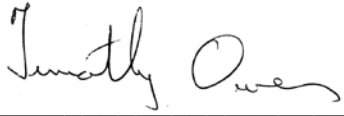
As outlined in the introduction to these guidelines, unacceptable and inappropriate behaviour by learners is a matter to be dealt with under the school / centre / college’s Code of Behaviour and disciplinary procedures. Staff members are expected to adhere at all times to a professional approach in their dealings with learners. The CETB

expects that staff would comply with the enclosed code of practice and CETB policy documents on sexual harassment and equal opportunities.

It is primarily the responsibility of individual staff members to ensure that their behaviour is appropriate, professional and not open to the possibility of misinterpretation or allegations.

Receipt of a formal complaint or alleged breaches of these Guidelines by staff, regardless of grade, may constitute grounds for a disciplinary investigation in accordance with existing procedures. Retaliation against an employee or learner for making a complaint is a disciplinary offence. Equally a malicious complaint will be treated as misconduct under the disciplinary procedures.

Where disciplinary action is taken following a complaint and subsequent investigation, the staff member who has been disciplined may appeal the action under existing procedures.

Signed:   
Mr. T. Owens  
Chief Executive Officer

Date: 24 July 2013