

THE NSW SCHOOL BAND FESTIVAL CODE OF CONDUCT



Motivational, Educational,
Inspirational

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1. Policy Statement

- 1.1 The NSW School Band Festival (SBF) provides an open, welcoming and safe environment for everyone participating in our programs.
- 1.2 In performing their duties, it is expected that officers, volunteers and all other personnel associated with the SBF will, at all times, act lawfully and in compliance with this Code of Conduct and any associated SBF Policies.
- 1.3 The SBF is committed to providing a child-safe environment. Volunteers and officers of the SBF must make themselves familiar with and comply with the policies, procedures and guidelines of the SBF at all times. In the absence of policy, for a clarification of policy, or, if faced with a policy which is at variance with a volunteer's or officer's own view, that person should discuss the matter with an appropriate manager to resolve the issue.
- 1.4 In the event that the SBF Code of Conduct is in conflict with any relevant state or federal legislation the officer, volunteer or other personnel will be bound by the policy that places a higher burden on workers. In such cases any statute, particularly those involving child protection legislation will prevail over this code of conduct.

2. Purpose of this Policy

- 2.1 The aim of this Code of Conduct is to establish a common understanding of the standards of behaviour expected of SBF officers, volunteers, visitors, attendees and other personnel.
- 2.2 This policy places an obligation on all officers, volunteer or other personnel associated with the SBF to take responsibility for their conduct and to work cooperatively with others to establish consultative and collaborative workplaces where people are happy and proud to work.

3. Who must comply with this Policy?

- 3.1 This Code of Conduct applies to all personnel (including office holders, volunteers, adjudicators and other education consultants, sponsors and retailers, contractors, and any other personnel directly associated with SBF activities) so that they can meet standards of behaviour and act in accordance with the expectations of the Festival Board of Directors and the broader community.
- 3.2 While office holders, volunteers, adjudicators and other education consultants, sponsors and retailers, contractors, and any other personnel directly associated with SBF activities are not subject to disciplinary action, conduct that would be assessed as being a serious breach of this Code of Conduct may result in their involvement with the SBF being terminated.

4. Legal Compliance

- 4.1 All personnel directly involved with the SBF must comply with any relevant legislation, regulations or legal standards relevant to their position. Where relevant, they must exercise appropriate duty of care to students, fellow workers, clients and the public. This includes, but is not limited to, legislation relating to industrial relations, child protection, privacy, workplace bullying and harassment, discrimination and workplace health and safety.

5. Compliance with Lawful Direction

- 5.1 All personnel directly involved with the SBF will carry out the reasonable and lawful directions of SBF management or Venue personnel. Failure to do so may result in their involvement with the SBF being terminated.

6. Respect for Others

6.1 In the performance of their duties, all personnel directly involved with the SBF are required to comply with this Code of Conduct and maintain professional and ethical behaviour at all times. Specifically, they will:

- 6.1.1 Provide a welcoming, inclusive and safe environment for all children, young people, parents, staff, and other volunteers;
- 6.1.2 Treat all persons, including children, with respect regardless of gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, family or social background;
- 6.1.3 Use in a lawful, appropriate and acceptable manner any computers, mobile phones, videos, analog or digital cameras, recording or other devices that may be in use during Festival events;
- 6.1.4 Behave honestly and with integrity at all times;
- 6.1.5 Act with care and diligence to ensure the safety of the children, audience members, and others attending SBF events;
- 6.1.6 Comply with all applicable Australian laws and any lawful and reasonable direction given by the SBF General Manager or venue staff; and
- 6.1.7 Report immediately to the General Manager any concerns they have regarding the behavior of any adult working with children participating in any SBF event.

6.2 Under this Code of Conduct it is a responsibility of all personnel to be knowledgeable of the SBF Child Safety Policy and Work Health and Safety Policy and to ensure they fully participate in all available training activities required.

7. Duty of Care

7.1 The SBF Board of Directors expect that direct responsibility for all students participating in SBF activities will be assumed by a school-appointed supervisor, either a music director, supervising teacher or parent. At no time should any SBF personnel be directly responsible for the supervision of students.

7.2 All personnel working at an SBF run event have a duty to:

- 7.2.1 Promptly attend all rostered duties or advise SBF management if this will not be possible;
- 7.2.2 Take reasonable care for the safety and welfare of the students and any other person participating in SBF activities;
- 7.2.3 Notify school-appointed supervisors regarding any known hazards or foreseeable risk situations against which preventative measures can be taken; and
- 7.2.4 Ensure SBF management is aware of any potential work, health and safety or child safety issues so that the risk can be assessed and managed in a timely manner.

7.3 Under this Code of Conduct it is a responsibility of all personnel to be knowledgeable of the SBF Child Protection Policy and Work Health and Safety Policy and to ensure they fully participate in all available training activities required.

8. Working With Children Check

8.1 The NSW School Band Festival understands that its volunteers are exempt from the Working with Children Check under Part 4, Clause 20 of the Child Protection (Working With Children) Regulation 2013. The reasons for this exemption include:

- 8.1.1 The work does not ordinarily involve contact with children for extended periods
- 8.1.2 The child-related work is for a one-off occasion and is carried out in the presence of one or more other adults.

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- 8.2 As an exempt volunteer, personnel are required, prior to commencing their volunteer activities with the SBF, to either:
- 8.2.1 Provide a *Working with Child Check Number*; or
 - 8.2.2 Complete and sign the SBF Volunteer Application Form; and
 - 8.2.3 Undertake induction training as directed by the SBF General Manager
- 8.3 A record of compliance with section 8.2 of the Code of Conduct will be kept by the General Manager.
- 8.4 Under this Code of Conduct it is a responsibility of all personnel to be knowledgeable of the SBF Child Safety Policy and Work Health and Safety Policy and to ensure they fully participate in all available training activities required.

9. Alcohol, Drugs & Tobacco

- 9.1 All SBF events are considered smoke free environments.
- 9.2 Personnel working at an SBF event must not be under the influence of alcohol or consume alcohol while working in an official capacity at the event.
- 9.3 Personnel working at an SBF event must not consume illegal drugs or have illegal drugs in their possession while working in an official capacity at the event. Any illegal drugs found on a site where an SBF event is taking place or in the possession of any person working at an SBF event may be reported to the Police.

10. Appropriate use of Electronic Communication and Social Networking Sites

- 10.1 The SBF acknowledges that electronic communication facilities, including mobile phones, are widely used by SBF personnel and the broader community. SBF understands that school staff, parents and family members will have an interest in photographing and recording performances involving their children.
- 10.2 Similarly, SBF will, on occasion, photograph and record performances, for promotional purposes to be used on digital platforms maintained by the Festival such as the SBF website, Facebook, Youtube, and twitter accounts.
- 10.3 At each event the General Manager will nominate SBF staff with official responsibility for maintaining SBF social network sites. Only nominated persons will be permitted to take photographs and recordings at SBF events. Other volunteers and staff are required not to do so. SBF will maintain possession and ownership of all official digital and analog photographs and recordings made at Festival events. Schools may request that their images may not be used or published.
- 10.4 All personnel working at an SBF event must:
- 10.4.1 Use in an appropriate and acceptable manner any computers, mobile phones, videos, digital cameras, and any other recording devices in use at Festival events;
 - 10.4.2 Exercise good judgment when using electronic mail and use appropriate language in electronic mail messages;
 - 10.4.3 Not send messages that are harassing, defamatory, threatening, abusive or obscene;
 - 10.4.4 Not invite students onto personal social network sites;
 - 10.4.5 Not accept invitations from students into their social networking sites; and
 - 10.4.6 Report any situations where you become aware of the inappropriate use of electronic communication and social networking sites.
- 10.5 All personnel should be aware that any issue which is addressed in a text message, social media post or email becomes the subject of a legal dispute, then those electronic materials would be discoverable: that is, the court and all parties to the dispute would be entitled to see them.

11. Stewardship of School Band Festival Resources

- 11.1 All SBF personnel must use the SBF resources economically and ethically. SBF resources include finances, facilities, equipment, vehicles, and any other property that is the responsibility of the NSW School Band Festival.
- 11.2 All SBF personnel have a duty to ensure that SBF resources are used only for their intended purpose, are well maintained and secured against theft or misuse.

12. Record Keeping

- 12.1 The SBF has an obligation to keep accurate records regarding personnel undertaking volunteer work at its events. These records will include:
 - 12.1.1 Name, Date of Birth, Address;
 - 12.1.2 Volunteer Application Form;
 - 12.1.3 Working With Children Check (if required)

13. Dress and Personal Appearance

- 13.1 All personnel working at an SBF event are expected to present as professionals and to be good role models for students in the matter of dress and personal appearance.

14. Reporting Improper Conduct

- 14.1 All personnel working at an SBF event have a responsibility to report immediately to member of the SBF management team any suspected occasion of improper conduct or breach of this Code of Conduct.
- 14.2 All personnel working at an SBF may be required by the SBF to participate in good faith as either a respondent, witness or other interested person in an enquiry or investigation arising from a suspected breach of this Code of Conduct.

15. Breaches of the Code of Conduct

- 15.1 Breaches of this Code of Conduct will be investigated according the School Band Festival Complaints Policy & Procedure and after due consideration to the seriousness of the breach.
- 15.2 If, after investigation, it has been determined that a breach of the SBF Code of Conduct has occurred the SBF Directors may prohibit the individual concerned from participating in any further SBF activities or events.

16. Conflicts between this policy and other obligations on personnel working at an SBF event

- 16.1 In the event that the SBF Code of Conduct is in conflict with another policy or relevant state or federal legislation, the SBF personnel will be bound by the policy that places a higher burden on workers and volunteers. In such cases any statute, particularly those involving child protection legislation, will prevail over this code of conduct.

17. Associated NSW School Band Festival Policies

- 17.1 This Code of Conduct should be read in conjunction with the NSW School Band Festival:
 - 17.1.1 Child Safety Policy 2016;
 - 17.1.2 Complaints Policy and Complaints Procedures 2016;
 - 17.1.3 Protective Behaviours Guidelines for Staff and Volunteers (under development);

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- 17.1.4 Workplace Health and Safety Statement (under development);
- 17.1.5 Code of Conduct (Outlining expectations for participating schools; Staff, students and parents)

18. Publication

- 18.1 This Code of Conduct became NSW School Band Festival Policy on 01 January 2016.

19. Acknowledgements

- 19.1 This Code of Conduct was developed with reference to:
 - 19.1.1 The NSW Ombudsman's Fact Sheet 6: Addressing Child Protection in Codes of Conduct.
http://www.ombo.nsw.gov.au/__data/assets/pdf_file/0016/3661/FS_CP_06_Codes_of_conduct.pdf

20. Disclaimer

The information referred to in this publication is not to be relied upon as formal legal advice. They are presented primarily as a guide for NSW School Band Festival personnel in approaching the duties placed upon them by legislation and any relevant professional or community standards. The responsibility for the proper interpretation and application of these standards and legislation resides with the NSW School Band Festival Directors and the SBF personnel, and not with the author.