

## **REVIEW OF VICTORIAN INSTITUTE OF TEACHING CODE OF CONDUCT SUBMISSION OF THE INDEPENDENT EDUCATION UNION VICTORIA TASMANIA**

### **1.0 Introductory Comments**

1.1 The Independent Education Union Victoria Tasmania (IEU) welcomes the opportunity to provide a submission in relation to the Review of the Victorian Institute of Teaching (the Institute) *Victorian Teaching Professional Code of Conduct*.

1.2 The IEU highlights the key aspects and functions of the current Code:

- (i) The Institute's discussion paper reiterates the stated purpose of the current Code.

*The Code of Conduct codifies what is already common practice within the teaching profession.*

*Its purpose is to:*

- *promote adherence to the values teachers see as underpinning their profession*
- *provide a set of principles to guide teachers in their everyday conduct and assist them to solve ethical dilemmas*
- *affirm the public accountability of the teaching profession*
- *promote public confidence in the teaching profession*

- (ii) The discussion document further highlights that “*the Code is not designed to address specific situations but provides a set of guiding principles to help teachers navigate and resolve difficult professional and ethical dilemmas.*”

- (iii) The IEU also notes that the Code itself specifies that, “*it is not a disciplinary tool, nor will it cover every situation. It identifies a set of principles, which describe the professional conduct, personal conduct and professional competence.*”

1.3 **VIT Code of Ethics:** The Institute also has a **Code of Ethics**. The IEU highlights that introduction to the *Code of Conduct* states that it “*is based on the values set out in the accompanying **Code of Ethics** – integrity, respect and responsibility.*” The *Code of Ethics* articulates 10 specific principles under the three major areas. The *Code of Ethics* has almost identical purposes to the Code of Conduct. The *Code of Ethics* contains an explanation that its purpose is to:

- state the value that guides our practice and conduct
- enable us as a professional to affirm our public accountability
- promote public confidence in our profession.

1.4 **Professional Standards for Teachers:** The IEU also highlights that the *Code of Ethics* and *Code of Conduct* currently sit alongside the very comprehensive set of *Professional Standards for Teachers* (the Australian Professional Standards for Teachers (Proficient)) which Victorian Teachers are required to meet in order to gain

full registration and to maintain in order to renew registration. The *Professional Standards for Teachers* are now well understood by teachers in Victoria. These standards are not only used for registration purposes, but also form the basis of school-based teacher review and professional development identification activities (for example the Annual Review Meeting in the *Victorian Catholic Education Multi-Enterprise Agreement*).

The *Professional Standards for Teachers* detail **7 key areas of professional requirement**. Each of the seven areas is further detailed into more specific standards, totalling 37 specific professional standards.

***Professional Knowledge:***

*Know learners and how they learn (containing 6 specific standards), and Know the content and how to teach it (containing 6 specific standards);*

***Professional Practice:***

*Plan for and implement effective teaching and learning (containing 7 specific standards), Create and maintain supportive and safe learning environments (containing 5 specific standards), Assess, provide feedback and report learning (containing 5 specific standards);*

***Professional Engagement:***

*Engage in professional learning (containing 4 specific standards), Engage professionally with colleagues, parents/carers and community (containing 4 specific standards)*

## **2.0 Necessary Review of Code of Conduct**

The IEU supports the fundamental key aspects and functions specified in the current Code (as outlined in 1.2 of this Submission) and sees these as appropriate to any code or guideline. Notwithstanding this, the IEU does believe that a review of the appropriateness of the current VIT *Code of Conduct* is necessary for the following reasons:

- (i) The IEU questions the ongoing appropriateness of the *Code of Conduct*, in particular because of its lack of internal cohesiveness and its repetitiveness in the context of the *Professional Standards for Teachers* which articulate in detail many of the same professional expectations. Much of the current *Code of Conduct* is more comprehensively now articulated in the *Professional Standards for Teachers*. The current *Code of Conduct* contains a number of similar (although sometimes slightly differently worded) standards from the *Professional Standards for Teachers* framework. The fact that it omits some standards and repeats others in either a Principle or in the dot points below a Principle, presents a confusing and partial compilation of concepts. Any attempt to add more Principles or more dot point examples would further exacerbate this confusion and repetition;
- (ii) The IEU also believes that the current *Code of Ethics* more clearly and appropriately articulates the underlying **values and principles** that should

accompany the *Professional Standards of Teachers*. We point out that the current *Code of Ethics* covers many of the key principles that appear in some form as Principles in the *Code of Conduct*. This highlights the repetitive nature of the current *Code of Conduct*.

- (iii) The IEU believes that the current *Code of Conduct* lacks consistency and cohesiveness as either a set of guidelines, or indeed as a statement of expectations. These two purposes are blurred in the current document. The IEU believes that guidance in respect to professional practice and responsibilities is much better served by the *Code of Conduct* being **replaced** by a document such as the ***Professional Boundaries Guidelines*** that exist in other State and Territory jurisdictions. The IEU highlights that other States and Territories use the suite of a *Code of Ethics*, the *Professional Standards for Teachers* framework and a *Professional Boundaries Guideline*. They do not have an additional *Code of Conduct* which contains a partial compilation of all three concepts.

Together with the *Code of Ethics*, a professional boundaries guideline would more clearly and adequately meet the purpose of:

- promoting adherence to the values teachers see as underpinning their profession;
- guiding teachers in their everyday conduct and assist them to solve ethical dilemmas.

The IEU believes that the three complementary documents – *Code of Ethics*, the *Professional Standards for Teachers*, and a *Professional Boundaries Guideline* - would **also** more appropriately and clearly (without confusion and partial repetition) meet the purposes of:

- affirming the public accountability of the teaching profession, and
- promoting public confidence in the teaching profession.

### 3.0 Limitations of the Current Code of Conduct

- 3.1 Notwithstanding the IEU's position that the *Code of Conduct* should be replaced by a *Professional Boundaries Guide* which guides the judgement of teachers in complex and differing situations, the IEU makes the following specific comments on the current code:

- a number of Code Principles, including their accompanying dot points replicate a version of many Standards of Professional Practice, notably Principles 1.1, 1.2, 1.6, 1.7, 3.1 and 3.2;
- a number of Code Principles and their dot points are already covered sufficiently in the elaborations of the Code of Ethics, notably Principles 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, some aspects of 2.1, and Principle 3.1; and

- in respect to section 2 *Personal Conduct* (Principle 2.1), the IEU believes that this principle should be removed or renamed in respect to any ongoing code or guidelines. Specifically, a professional code of conduct/guidelines should be restricted to those areas that relate to the duties and responsibilities of the professional endeavour, in this case, teaching. IEU submits that it is inappropriate and unreasonable for a professional code to dictate some higher standards of personal and civic life than those applying to normal civil mores and laws. The IEU believes that the *Code of Ethics* gives sufficient articulation to overarching guiding values.

### 3.2 Language/Terminology

The IEU provides the further comment on the current Code of Conduct:

- the current language is inclusive of early childhood settings;
- simply attempting to provide greater clarification of terminology and definition is not essentially a way of achieving a comprehensive document. The inconsistency of approach to each Principle and its subsequent dot point elaboration is a conceptual issue of more importance. Each Principle starts with a statement that is contained in either the *Code of Ethics* or some specific Professional Standard. Some Principles however use the dot points as overtly or inferred ‘examples’ and other Principles use the dot point as a continuation of the definitive main statement. This again is inconsistent and leads to confusion, while the *Code of Ethics* and the Professional Standards for teachers are very clear, consistent and fit for purpose.

### 4.0 Ongoing Consultation

The IEU has valued the Institute’s consultation on the *Code of Conduct* and has involved its members in extensive consultation. Both the union’s Committee of Management and the Education Advisory Group have been very active in discussions about the current *Code of Conduct*.

Our members believe that the teaching profession is under considerable and increasing scrutiny and pressure in relation to societal expectations. The complexity of the student problems and needs that teachers strive to meet in today’s schools is often poorly understood by the media, the general public and often governments. The current increase in compliance and legislative requirements on schools and teachers has increased these broad expectations and unfortunately the resourcing and support to schools has not kept pace.

Teachers are required to make sound professional judgements in the face of growing complexity and difficulty. This is why the IEU submits that the profession is best guided by approaches that skill them to make these difficult decisions and undertake the complex job of teaching.

The IEU submits that the current *Code of Conduct* does not now meet this need for clarity, particularly in the current context of the broad implementation of the

*Professional Standards for Teachers*. We further submit that *Guidelines on Professional Boundaries* would be a far more effective approach to guiding professional judgement and action. This would sit more effectively and cohesively with the *Code of Ethics* and *Professional Standards for Teachers*.

The IEU has already highlighted that many of the teacher regulatory jurisdictions in Australia now have *Professional Boundaries Guidelines* that sit together with their *Code of Ethics* and the *Professional Standards for Teaching*, and do not have a separate *Code of Conduct*.

The IEU Committee of Management has endorsed a call on the Institute to not simply amend aspects of the current *Code of Conduct*, but to undertake a more fulsome consultation of the development of Guidelines which would replace it. The IEU believes that the Queensland College of Teachers document ***Professional Boundaries: A Guideline for Queensland Teachers*** would be a very helpful starting point.

The IEU looks forward to ongoing discussion and consultation with the Institute in this work.

***Authorised by Debra James General Secretary Independent Education Union Victoria Tasmania***

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