

Awareness

In all relationships with students, teachers must remain aware of the authority they have, which derives both from their professional position and the difference in age. Because of the power imbalance which exists between teacher and student, teachers must accept that it is their responsibility to control the nature of the relationships.

Guidelines

Guidelines for teachers' professional conduct are set out in:

1. The Code of Ethics (Fourth Schedule) of the PPTA Constitution at: <http://www.ppta.org.nz/about-ppta/ppta-constitution/>
2. The Teachers Council Code of Ethics at: <http://www.educationcouncil.org.nz/content/about-code-of-ethics>

Behaviours which put teachers at risk

The following situations put teachers at risk and represent unacceptable behaviour either in or out of school:

- Becoming over-familiar with students, through failing to maintain a professional distance. This includes the use of cell phone and email messaging and social networking sites. For further information see the PPTA guideline on online safety: <http://www.ppta.org.nz/publication-library/>
- Entering rooms where students are dressing. PE staff, coaches, cultural group leaders, drama teachers and participants in school camps are particularly vulnerable.
- Invading a student's personal space by, for example, leaning over them closely at a desk.
- Touching students in any way that can be construed as inappropriate, assault and/or sexual harassment.
- Using any sexual name to refer to a student or group of students or tolerating students' use of such language.
- Making sexist remarks.

Responsibility

As professionals, teachers have a responsibility to act in an ethical way and to encourage their colleagues to do likewise. They have an obligation to maintain a high standard of conduct.

- Commenting on a student's physical development, either to other students or colleagues.
- Spending time privately with individual students.
- Having intimate or sexual relationships with students.
- Leading a student to believe that a relationship could be more than a professional one.
- Accessing pornographic or erotic material, or allowing students to distribute it or download it from a computer.
- Condoning or encouraging students to use alcohol or drugs.

In these situations it is the feelings or impressions of the student or the complainant which may prompt complaints about teachers under STCA 3.4 (ASTCA 2.4). The result of a disciplinary process may be the dismissal of the teacher and/or deregistration. Criminal charges are sometimes laid.

Authority for defining professional behaviour

1. [The PPTA Code of Ethics](#) makes it plain that members have a duty to confront and prevent the behaviours described. Therefore the PPTA branch must seek to ensure that its members behave ethically at all times.
2. [Teachers Council Code of Ethics](#). A number of resources, including videos, are available on the Teachers Council website.
3. Your school's charter, by its general statements on equity and its specific requirement for the school to have policy and procedures to prevent sexual harassment, supports the rights of students to a learning environment free of any sort of sexual harassment from any person.
4. The Employment Relations Act 2000

requires employers to ensure employees have a sexual harassment-free environment and gives employees personal grievance provisions for protection against harassment.

5. The Human Rights Act 1993 gives protection to students and teachers against discrimination, including sexual harassment.

6. The collective employment agreements under which teachers are employed refer to their rights to take personal grievances (STCA Part 9, ASTCA Part 8).

7. The Crimes Act 1961 sets out specific criminal offences.

Responsibilities and support

If a branch member becomes aware of any of the behaviours described above, or behaviours similar to those described, there are several courses of action available. They include:

- Reporting the behaviour to appropriate people in the school.
- Branch/staff discussion on general principles and revision of school policy and procedures
- Seeking advice from PPTA field officers.

It is important that the matters in this guide are discussed so that all members are aware of their responsibilities towards students.

Who to contact

The PPTA women's officer and field officers can provide additional advice including workshops for professional development programmes.

For further advice contact your local PPTA field office or 0800 630 400 or www.ppta.org.nz.