

Teacher Code of Ethics

7/17/25

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CHAPTER ONE: INTRODUCTION

1. DEFINITIONS

For the purposes of this Code of Ethics, unless the context otherwise requires, the following terms shall have the meanings assigned to them:

Appeals Committee	Has the same meaning assigned to it under the BOTEPKO Act;
Bribe	Any offer, promise, gift, or reward made to influence a Teacher's professional judgment or actions dishonestly or unethically.
Conduct	Refers to the expected ethical behaviour of a Teacher in line with the Code.
Confidential Information	Any non-public, sensitive, or private information concerning a Learner, colleague, or institution obtained in the course of professional duties and which must not be disclosed without lawful authority or consent.
Continuous Professional Development	Planned learning experiences and activities designed to enhance a Teacher's knowledge, skills, and competence, including training, workshops, and educational research.
Council	Has the same meaning assigned to it under the BOTEPKO Act;
Cyberbullying	Any form of harassment, abuse, or intimidation using electronic communication platforms, including social media, emails, or messaging services.
Children's Act	Shall mean the Botswana Children's Act, CAP 28:04
Disciplinary Committee	Has the same meaning assigned to it under the BOTEPKO Act;
Educational Institution	Shall mean a public and private establishment that offers formal learning and instructions to individuals. This includes schools and tutoring centres that focus on academic or skill-based education.
Employer	Has the same meaning assigned to it under the Employment Act.

Ethical Values	The core principles that guide Teachers' Conduct, including but not limited to integrity, respect, accountability, fairness, confidentiality, and Professionalism.
Learner	Any individual, typically a child or youth, who receives instruction from a Teacher in a recognized Educational Institution, whether public or private.
Licensing	The formal process by which the Council authorizes a qualified Teacher to practice the profession within Botswana, upon meeting all registration and ethical compliance requirements.
Misconduct	Any behaviour, act, or omission by a Teacher that violates the provisions of this Code, including unprofessional, unethical, illegal, or negligent Conduct in a professional or personal capacity that affects the integrity of the teaching profession.
Parent/Guardian	A biological or legal parent, or any adult who has lawful custody or responsibility for the welfare and education of a Learner.
Pornographic Content	Any material that visually or textually depicts sexual activity, nudity, or obscene acts, especially when involving or targeted toward Learners or the school environment.
Professionalism	The Conduct, aims, or qualities that characterize a Teacher as competent, respectful, accountable, and committed to Continuous Professional Development and ethical practice.
Register	An official list maintained by the Council containing the names and details of all registered and licensed Teachers in Botswana.
School Leadership	The administrative and academic leader of an Educational Institution who is responsible for managing staff, Learners, resources, and compliance with educational policies and ethical standards.
Teacher	has the same meaning assigned to it under the BOTPCO Act;
Teaching License	has the same meaning assigned to it under the BOTPCO Act;

The Code

Refers to this Teacher Code of Ethics, as established and maintained by the Botswana Teaching Professional Council, which outlines the expected ethical conduct and professional responsibilities of all registered Teachers.

The Constitution

Shall mean the Constitution of Botswana, CAP 01:01

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2. PREAMBLE

The Botswana Teaching Professional's Council believes that the education profession consists of one education workforce serving the needs of all students and that the term 'Teacher' includes education support professionals.

The Teacher, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of the democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The Teacher accepts the responsibility to adhere to the highest ethical standards.

The Teacher recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical Conduct. The Teacher Code of Ethics indicates the aspiration of all Teachers and provides standards by which to judge Conduct.

The Teacher Code of Ethics is founded on the principles of integrity, Professionalism, respect, and dedication to the best interests of Learners and society. It serves as a guiding framework for ethical decision-making and professional Conduct, ensuring that Teachers uphold the dignity of the profession and meet the highest expectations placed upon them by Learners, parents, colleagues, Educational Institutions, and the broader community. This Code reflects the nation's commitment to quality education, professional integrity, and the holistic development of Learners.

The remedies specified by BOTEPCO for the violation of any provisions of this Code shall be exclusive and no such provision shall be enforceable in any form other than the one specifically designated by BOTEPCO.

3. OBJECTIVES

The objectives of the Code of Ethics for Teachers, amongst others, includes:

- i. To establish clear ethical standards that guide Teachers in maintaining Professionalism in all aspects of their work;
- ii. To clarify appropriate professional boundaries in relationships with Learners, colleagues, and other stakeholders in education;
- iii. To promote mutual respect and collaboration among Teachers, students, parents, school authorities, and the community;
- iv. To ensure fairness, non-discrimination, and inclusivity in teaching practices, assessment, and classroom management;
- v. To enhance public confidence in the teaching profession by demonstrating high ethical standards and moral Conduct;
- vi. To provide a guide for Teachers to make informed and morally sound decisions in complex professional situations; and
- vii. To hold Teachers responsible for their actions, decisions, and behaviours in both professional and personal contexts that impact their role as Teachers.

4. CHAPTER TWO: OVERVIEW OF PUBLICATIONS AND RELEVANT LAWS

4.1 UNESCO/ILO POSITION ON THE STATUS OF TEACHERS

In 1984, the International Labour Organization (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) released a document titled “*The Status of Teachers: An Instrument for Its Improvement*,” which includes the 1966 International Recommendations jointly developed by both organizations. This comprehensive document presents over 142 recommendations addressing key aspects such as guiding principles, educational goals and policies, teacher training and professional development, career progression, teachers’ rights and responsibilities, conditions for effective teaching and learning, salaries, and social protection. Below are selected recommendations focused on teacher professionalization, discipline, and their rights and responsibilities that informed and contributed significantly towards the development of the Code of Ethics for Teachers:

i) Recommendation 6 on Professionalism

Teaching should be regarded as a profession: It is a form of public service which requires of teachers’ expert knowledge and specialised skills, acquired and maintained through rigorous and continuing study; it calls also for a sense of personal and corporate responsibility for the education and welfare of the pupils in their charge.

ii) Recommendation 47 on Disciplinary Procedures related to breaches of professional conduct

Disciplinary measures applicable to teachers guilty of breaches of professional conduct should be clearly defined. The proceedings and any resulting actions should only be made public if the teacher so requests, except where prohibition from teaching is involved or the protection or well-being of the pupils so requires.

iii) Recommendation 48 on Disciplinary Procedures related to breaches of professional conduct

The authorities or bodies competent to propose or apply sanctions and penalties should be clearly designated.

iv) Recommendation 67 on Rights and Responsibilities of teachers

Every possible effort should be made to promote close co-operation between teachers and parents in the interests of pupils, but teachers should be protected against unfair or unwarranted interference by parents in matters which are essentially the teacher’s professional responsibility.

v) **Recommendation 73 on Rights and Responsibilities of teachers**

Codes of ethics or of conduct should be established by the teachers' organisations, since such codes greatly contribute to ensuring the prestige of the profession and the exercise of professional duties in accordance with agreed principles.

4.2 GUIDING PUBLICATION (UNESCO/IIEP)

Muriel Poisson, a Programme Specialist at the International Institute for Educational Planning (IIEP-UNESCO), in her publication titled **GUIDELINES - For the Design and Effective Use of Teacher Codes of Conduct** provided thus;

"Achieving Education for All (EFA) is fundamentally about ensuring that children

gain the knowledge and skills they need to better their lives and contribute to the development of more equitable and peaceful societies. The 'quality imperative' appears crucial in this context, as emphasized by Goal 6 of the Dakar Framework for Action, which commits countries to improve all aspects of the quality of education."

She indicated that the efforts to improve quality often emphasize measurable factors like instructional time, class size, school infrastructure, teaching materials, and teacher qualifications. She however reasoned that, less tangible elements such as the dedication of teachers and staff to their roles, their ability to support each student's growth, and their ethical conduct and sound professional judgment are equally vital.

These intangible aspects play a critical role in delivering high-quality education and in instilling universal values like honesty, integrity, and responsible citizenship. To strengthen the professionalism of teachers and education personnel, many countries have introduced specific professional codes of ethics within the education sector, complementing the general civil service regulations. These codes serve as foundational tools for enhancing teaching quality and achieving educational excellence. They contribute by:

- i) Fostering improved teaching and learning environments, which enhance classroom interactions and help prevent unethical behaviour.
- ii) Promoting shared ethical standards and values, thereby reinforcing a sense of unity and civic responsibility among citizens

4.3 RELEVANT LEGISLATIONS

Apart from the BOTPCO Act, teachers in the pursuit of their professional calling are to familiarize themselves with and abide by the provisions of other relevant laws that relate to the performance of their duties. These laws include:

i) The Constitution of Botswana

While the Constitution of Botswana does not specifically address the regulation of teachers, it guarantees fundamental rights that impact all individuals, including teachers. These rights ensure that the freedom of individuals is respected, which indirectly supports the professional environment for teachers. They include;

- Protection from inhuman treatment: no persons shall be subjected to torture or to inhuman or degrading punishment or other treatment.
- Protection of freedom of expression
- Protection from discrimination on the grounds of race, etc.

ii) Botswana Children's Act

The Children's Act in Botswana provides for fundamental rights for children, it further regulates relations with children. It provides for protection and welfare of children in educational settings.

Key Provisions Related to Teachers and Children

Best Interests of the Child

- The Act states that the best interests of the child must be the primary consideration in all actions concerning children.
- Teachers are expected to prioritize the emotional and educational needs of children.

Child Participation

- Children have the right to participate in decisions affecting them, including in educational contexts.
- Teachers are encouraged to involve children in discussions about their learning and welfare.

Protection from Abuse

- The Act includes provisions to protect children from abuse and neglect within educational institutions.
- Individuals are mandated to report any suspected cases of child abuse or neglect.

Rights of Children with Disabilities

- Special attention is given to children with disabilities, ensuring they receive appropriate support in educational settings.
- Teachers are expected to accommodate the needs of these children to facilitate their learning.

Establishment of Child Welfare Committees And Forums

- The Act provides for the establishment of committees, consultative forums and children's council to oversee child welfare in schools.
- These platforms are responsible for ensuring that children's rights are upheld within the educational system.

These provisions aim to create a nurturing educational environment that respects children's rights and fosters their development.

iii) Botswana Education Act

The Education Act of 1966 serves as the primary legal framework for education in Botswana. It has undergone several revisions to adapt to changing educational needs and policies.

Key Provisions Related to Teachers

- **Employment Terms:** The Act specifies the terms of employment for teachers, including rights and responsibilities, to promote a professional working environment.

The Education Act and its associated regulations provide a comprehensive framework for the governance of teachers in Botswana, focusing on qualifications, professional conduct, and ongoing development.

iv) Botswana Data Protection Act, 2024

The Data Protection Act of 2024 in Botswana establishes a comprehensive framework for the protection of personal data, including provisions relevant to teachers and learners in schools. This Act emphasizes transparency, accountability, and individual rights regarding personal data processing.

Key Provisions Relevant to Schools

Scope of Application

- The Act applies to all entities processing personal data in Botswana, including schools.
- It covers both automated and non-automated processing of personal data.

Data Subject Rights

- **Access:** Teachers and learners have the right to access their personal data held by schools.
- **Data Portability:** They have the right to receive their data in a structured, commonly used format.

Processing Children's Data

- Processing a child's data requires consent from a parent or guardian

Obligations of Schools as Data Controllers

- Schools must process personal data lawfully, fairly, and transparently.

The Data Protection Act of 2024 provides a robust framework for protecting the privacy of individuals including teachers and learners in Botswana, ensuring their personal data is handled with care and respect.

v) Botswana Public Service Act

The Botswana Public Service Act governs the structure and regulations of the public service. It aims to ensure effective management and standards within the public sector.

Key Provisions Relevant to Public Officers' Conduct

- **Conduct Standards:** Public officers are required to adhere to specific conduct standards, ensuring professionalism and accountability, further complying with the provisions of the General Orders.

vi) Botswana Cyber Crime & Computer related Crimes Act, 2018

The Cybercrime and Computer Related Crimes Act in Botswana aims to combat cybercrime and regulate activities related to computer systems. It includes provisions that can impact various sectors including education, individuals, and children.

Key Provisions Relevant to Education

- **Pornographic or Obscene material:** Criminalizes any Pornographic or Obscene material that involves a child.
- **Cyber bullying:** this includes cyber harassment, stalking and offensive electronic communication.

While the legislation and publications outlined above provide a foundational framework relevant to the development of the Teacher Code of Ethics, it is important to note that this list is not exhaustive. Additional legislative provisions and publications may also apply depending on the specific context and jurisdiction.

CHAPTER THREE: ETHICAL CLAUSES

5. ETHICAL VALUES

Ethical Values are crucial in the teaching profession, shaping Teachers' behaviour, judgment, and responsibilities. A Teacher Code of Ethics, based on **Integrity, Respect, Accountability, Fairness, Confidentiality, Professionalism, Excellence** ensures Teachers uphold high standards of professional Conduct. These values foster trust, equity, and mutual respect, reinforcing the Teacher's role as a moral exemplar. They help navigate challenges like student diversity, confidentiality, and professional boundaries. By embedding these values into a formal Code of Ethics, the teaching profession promotes accountability, ethical consistency, and strengthens public confidence in the education system.

To maintain the honour and dignity of the profession, and promote educational quality, Teachers should observe the below core Ethical Values and adopt appropriate professional Conduct.

5.1 Integrity

- Uphold honesty, transparency, and ethical behaviour in all professional dealings.
- Avoid conflicts of interest and maintain trust with students, colleagues, and the public.

5.2 Respect

- Treat all Learners, parents, and colleagues with dignity and fairness.
- Value cultural diversity, individual differences, and inclusive education.

5.3 Accountability

- Be accountable for one's teaching practices and Continuous Professional Development.
- Fulfilling professional duties diligently and reliably.

5.4 Fairness

- Treating all Learners, parents, and colleagues, without favouritism or discrimination.
- Ensuring assessments and disciplinary actions are just and unbiased.

5.5 Confidentiality

- Safeguard the privacy of student or colleague records and personal information.
- Avoid disclosing sensitive information without consent or legal obligation.

5.6 Professionalism

- Maintaining high standards of Conduct, appearance, and communication.
- Engaging in Continuous Professional Development.

5.7 Excellence

- Commitment to consistently delivering high-quality results and striving for continuous improvement

CHAPTER FOUR: TEACHER CONDUCT

6. TEACHER AND THE LEARNER

5.1 The Teacher shall:

- 6.1.1 recognise Learners as partners in education;
- 6.1.2 acknowledge the uniqueness, individuality, and specific needs of each Learner, guiding and encouraging each to realise his or her potentialities;
- 6.1.3 respect the dignity, beliefs and rights of Learners and in particular children, which includes child friendly environment;
- 6.1.4 strive to enable Learners to develop a set of values consistent with the fundamental rights contained in the Constitution of Botswana and Children's Act;
- 6.1.5 use appropriate language and behave professionally in his or her interaction with Learners so as to earn respect from the Learners;
- 6.1.6 as far as practicable, protect a Learner from conditions, that distract learning, such as noise and disruptions, inappropriate use of mobile phones gadgets, and ignoring their medical needs;
- 6.1.7 avoid committing or permitting any form of child abuse such as physical, psychological or verbal;
- 6.1.8 avoid committing or permitting any form of humiliation, bullying and harassment;
- 6.1.9 exercise authority with compassion;
- 6.1.10 protect a Learner from conditions detrimental to their health such as poor ventilation or sanitation, and ignoring their medical needs
- 6.1.11 not discriminate against a Learner based on gender, race, religion, tribe, colour, physical characteristic, disability, socioeconomic status, place of origin or age;
- 6.1.12 Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law;
- 6.1.13 not gift or accept gifts, favours or any form of payments, from or to a Learner or parent which could be reasonably perceived as being used to influence the Teacher's professional decisions or actions;
- 6.1.14 shall not use professional relationships with students for private advantage;
- 6.1.15 refrain from engaging in communications with any Learner beyond the boundaries of a professional relationship without a

valid reason, including via written / electronic / online means (including social media);

- 6.1.16 refrain from engaging in any form of sexual Misconduct which includes behaviour, physical contact, speech or other communication of a sexual nature, inappropriate touching and voyeurism;
- 6.1.17 refrain from producing, publishing or possessing Pornographic Content or obscene material relating to Learners and or exposing Learners to pornographic material;
- 6.1.18 refrain from courting or socialising with Learners (including online and via social media) outside a professional context;
- 6.1.19 refrain from causing a Learner to engage in illicit drug consumption and trafficking, human trafficking or other illegal activities in accordance with local statutory law; and
- 6.1.20 refrain from spreading own political, or religious beliefs or other ideologies that maybe harmful to a Learner.

7. TEACHER AND THE PARENT/GUARDIAN

6.1 The Teacher shall:

- 7.1.1 recognise Parents/Guardians as partners in education, and promote a harmonious relationship with them;
- 7.1.2 refrain from offering a Bribe in any form to Parents/Guardians;
- 7.1.3 do what is practically possible to keep Parents/Guardians adequately and timeously informed about the well-being and progress of the Learner;
- 7.1.4 provide a Parent/Guardian with relevant information concerning activities of an Educational Institution, progress and or challenges of a Learner when requested or required to do so by a Parent/Guardian; and
- 7.1.5 consider the Parents/Guardians' perspective when making decisions which have an impact on the education or wellbeing of a Learner.

8. TEACHER AND THE COMMUNITY

7.1 The Teacher shall:

- 8.1.1 recognise that an Educational Institution serves the community, and therefore acknowledges that there will be differing customs and beliefs in the community;
- 8.1.2 Conduct him/herself in a manner that does not show disrespect to the values, customs, norms and act as a role model in the community;
- 8.1.3 in upholding the dignity of the profession, may actively participate in the development of the community; and
- 8.1.4 keep parents and the school community informed of and appropriately involved in decisions about educational programs.

9. TEACHER COLLEGIALITY

8.1 The Teacher shall:

- 9.1.1 refrain from any form of abuse (physical, verbal, psychological, emotional);
- 9.1.2 use appropriate forums for constructive debate on professional matters;
- 9.1.3 use proper professional procedures in place to address issues of professional incompetence or misbehaviour;

- 9.1.4 treat colleagues with courtesy and respect, valuing their input, sharing expertise and knowledge in collaborative contexts;
- 9.1.5 not make an adverse report to anyone on the work or Conduct of another Teacher without first acquainting that Teacher with the nature and contents of the report;
- 9.1.6 not promote any form of unfair discrimination against a colleagues;
- 9.1.7 shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law;
- 9.1.8 refrain from sending unsolicited sexual messages and or pornographic material to colleagues;
- 9.1.9 refrain from sexual harassment (physical or otherwise) of his or her colleagues; and
- 9.1.10 refrain from undermining the status and authority of his or her colleagues, to ensure the smooth running of the Educational Institution.

10. TEACHER AND THE PROFESSION

9.1 The Teacher shall;

- 10.1.1 recognise the Employer as a partner in education;
- 10.1.2 acknowledge that the exercising of his or her professional duties occurs within a context requiring co-operation with and support of colleagues;
- 10.1.3 promote the ongoing development of teaching as a profession;
- 10.1.4 act in a manner which maintains the honour and dignity of the profession inside and outside of school time;
- 10.1.5 behave in a way that enhances the dignity and status of the teaching profession and that does not bring the profession into disrepute;
- 10.1.6 dress in a manner consistent with the dignity and honour of the teaching profession;
- 10.1.7 gain and maintain public trust and confidence by delivering quality education to all the Learners;
- 10.1.8 be knowledgeable about his/her legal and administrative rights and his/her responsibilities towards the management;
- 10.1.9 not demand for a Bribe from the Learners or the public in relation to the discharge of his or her duty;

- 10.1.10 not engage in activities which may adversely affect the quality of the Teacher's professional service;
- 10.1.11 not involve himself or herself in examination malpractices;
- 10.1.12 not misrepresent official policies of the school or educational organizations;
- 10.1.13 not use institutional or professional privileges for personal or partisan advantage;
- 10.1.14 refrain from any contravention of the statutes and regulations of the Republic of Botswana, relevant to the provisions of this Code;
- 10.1.15 refrain from carrying and/or keeping dangerous weapons in the school premises;
- 10.1.16 refrain from engaging in malicious communication and Cyberbullying on the social media;
- 10.1.17 refrain from indulging and/or being in possession of intoxicating, illegal, and/or unauthorised substances including alcohol and drugs within the school premises and/or whilst on duty;
- 10.1.18 refrain from racial unfair discrimination and or making racist and / or tribalistic comments; and
- 10.1.19 strive to enhance the teaching profession attractiveness and respectability by demonstrating and maintaining high ethical standards.

11. TEACHER AND THE EMPLOYER

10.1 The Teacher shall:

- 11.1.1 acknowledge that certain responsibilities and authorities are vested in the Employer through legislation, and serves his or her Employer to the best of his or her ability;
- 11.1.2 carryout lawful instructions from management personnel and also have the right to seek clarification through clearly determined procedure and channel;
- 11.1.3 fulfil his or her contractual obligations to the best of his or her ability to the Employer until released by mutual consent or according to law;
- 11.1.4 must inform and declare his or her business interests to the Employer prior to executing them; and
- 11.1.5 refrain from discussing or disclosing Confidential Information to unauthorised persons which he or she has obtained in the course of his or her duties as a Teacher.

12. TEACHER AND THE COUNCIL

11.1 The Teacher shall;

- 12.1.1 familiarise him/herself with the provisions of the Code;
- 12.1.2 Comply with the provisions of this Code;
- 12.1.3 Inform the Council and/or relevant authorities of alleged or potential breaches of the Code within his/her knowledge;
- 12.1.4 fully co-operates with the Council as and when required;
- 12.1.5 must ensure that the Council is duly informed of her/his intention to be removed from the Register as per BOTPCO Act; and
- 12.1.6 accept and comply with the procedures and requirements of the Council, including but not limited to the Registration & Licensing Procedures, the Disciplinary Procedures of the Council and the payment of compulsory fees.

CHAPTER FIVE: SCHOOL LEADERSHIP

As the primary leader and custodian of institutional integrity, the school head or principal play a pivotal role in shaping the moral climate of the school. The following duties reflect the ethical expectations placed upon school leadership and underscore the principal's commitment to fostering a culture of Integrity, Respect, Accountability Fairness, Confidentiality, and Professionalism.

13. THE SCHOOL LEADERSHIP

12.1 The School Leadership shall;

- 13.1.1 be bound by the Code and shall set a good example in the strict observance of all provisions of the Code.
- 13.1.2 enforce the observance of the Code by all Teachers under him or her in accordance with the Laws, regulations and provisions relating to the Education Service and shall promptly deal with all breaches of the Code.
- 13.1.3 enrol Learners into the Educational Institution without discrimination and within the regulations and provisions of the laws in force in Botswana;
- 13.1.4 accept that he or she has a professional obligation towards the education and induction into the profession of new members of the teaching profession;
- 13.1.5 collect and receive relevant Educational Institution dues, gifts, donations and endowments according to established procedures;
- 13.1.6 account for all the money and assets collected and received on behalf of the Educational Institution;
- 13.1.7 implement policies issued from time to time by the relevant authorities;
- 13.1.8 keep all Educational Institution records in his or her custody in safe condition and ensure all that such records contain correct and updated information;
- 13.1.9 not connive with members of staff or any other person to commit an offence, or any act that will bring the profession into disrepute within or outside the Educational Institution;
- 13.1.10 not conceal any act of Misconduct committed by a member of his or her staff or by any Learner of the school, whether committed within or outside the Educational Institution;

- 13.1.11 not receive a Bribe in relation to the discharge of his or her duties;
- 13.1.12 report any act of Misconduct on all matters concerning Learners and Teachers without fear, favour, bias or discrimination;
- 13.1.13 not carry out or transact any private business within or outside the school premises while on official duty;
- 13.1.14 use all avenues open to him or her to report Code breaches to the appropriate authorities for action;
- 13.1.15 ensure that Learners and staff have access to his/her office and are free to raise concerns or seek resolution for any grievances.

The provisions of this Code under Teacher Collegiality Conduct shall apply under School Leadership, *mutatis mutandis*.

CHAPTER SIX: ENFORCEMENT OF THE CODE

14. ENFORCEMENT OF THE CODE

- 13.1** A Teacher who contravenes or fails to comply with any provision of this Code commits a Misconduct and must be dealt with in terms of this Code and the BOTEP CO Act.
- 13.2** A Teacher charged with a criminal offence in a court of law, whether the matter is still pending, or he or she is found guilty or not guilty of such offence, may be charged with Misconduct, if the offence constitutes a Misconduct in terms of or under this Code and the BOTEP CO Act.
- 13.3** A Teacher who is aggrieved or dissatisfied with the decision of the Disciplinary Committee may appeal the decision to the Appeals Committee within 14 days.
- 13.4** A person who alleges that a Teacher has contravened a provision of this Code and the BOTEP CO Act, may lodge a complaint with the Council.
- 13.5** A complaint lodged with the Council shall be dealt with in accordance with this Code and the BOTEP CO Act.
- 13.6** All matters dealt with by the appropriate authority shall be kept confidential and shall not be divulged to unauthorized persons.
- 13.7** Teachers who breach the Code shall be removed from the Register and consequently have their Teaching License Cancelled.

15. LODGING A COMPLAINT/BREACH

Any person who reasonably believes or suspects that a Teacher has committed any breach shall immediately lodge a complaint with the Council.

15.1 How To Lodge a Complaint/Breach

The complaint should preferably be through:

- 15.1.1 Writing,
- 15.1.2 Ethics hotline (includes anonymous tip-offs),
- 15.1.3 Telephone,
- 15.1.4 Email,
- 15.1.5 Walk-ins,

15.1.6 other available means

The reporter should clearly disclose the alleged breach of the Code.

All reported breaches or complaints will be handled by the investigations unit.

15.2 Investigations

To establish a structured transparent, and effective process for conducting investigations into allegations and complaints of Teacher Misconduct:

- 15.2.1 ensure that alleged breaches of the Code are investigated;
- 15.2.2 may, in investigating any alleged breach of the Code;
 - 15.2.2.1 interview complainants and other possible witnesses;
 - 15.2.2.2 interview the Teacher who is alleged to have breached the Code;
 - 15.2.2.3 gather evidence relevant to the alleged breach;
- 15.2.3 must keep a record of the investigations; and
- 15.2.4 if the investigations are satisfied that there is sufficient evidence of a breach of the Code by a Teacher, the unit may refer the matter for a disciplinary hearing.

15.3 Disciplinary Procedures

To establish a structured transparent, independent, impartial and neutral disciplinary process.

The Disciplinary Committee shall:

- 15.3.1 inform the Teacher of the nature of allegations and invite him/her for hearing of the case in writing, 21 days before the hearing;
- 15.3.2 In conducting the disciplinary proceedings consider all the evidence before it including oral evidence; and
- 15.3.3 Within 28 days from the date of hearing inform the Teacher of its decision and reasons there of.

15.4 Appeal Against The Decision Of The Disciplinary Committee

- 15.4.1 Any person aggrieved by the decision of the Disciplinary Committee may, within 14 (fourteen) days from the date of the decision of the Disciplinary Committee, appeal to the Appeals Committee, by delivering the notice of Appeal.

15.4.2 The Appeals committee shall then consider the Appeal within 30 days from the date of delivery of the Notice of Appeal.

16. REVIEW

This Code may be reviewed from time to time as the Council may deem appropriate.

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