

Human Resources

Code of Conduct

Academy level contribution:	All Academies	
CEO approval:	Sean Kelly	Date: July 2023
Joint Negotiating Council (JNC) consultation (where applicable):		Date: June 2023
Board ratification:		Date: July 2023
Last reviewed on:		July 2023
Next review due by:		July 2025

Contents

1. Introduction.....	3
2. Scope	3
3. Safeguarding, promoting the welfare of children and recognising low level concerns	3
4. Duty of care	4
5. Health and safety.....	4
6. Honesty and personal integrity	5
7. Addressing discrimination	5
8. Professional boundaries and relationships.....	6
9. Confidentiality and data protection	6
10. Physical contact with pupils	7
11. Behaviour management	7
12. Social contact with pupils	7
13. Photography, videos and other images / media	8
14. Use of mobile phones / devices	8
15. Working one to one with pupils	8
16. Curriculum	8
17. Dress and appearance	9
18. Gifts and hospitality.....	9
19. Keeping within the law	9
20. Conduct outside work and at work related functions	10
21. Agency workers	11
22. Review of policy.....	11

1. Introduction

- 1.1. This policy aims to set out the standards of conduct expected of all staff. This should be read in conjunction with our Disciplinary Procedure, the Teachers Standards, and the statutory guidance in Keeping Children Safe in Education.
- 1.2. This Code should make clear the expectations the Trust has of employees and others who work with and on behalf of our Trust. This Code is, however, not exhaustive in defining acceptable and unacceptable standards of conduct and staff must use their common sense in adhering to the underpinning principles. Where staff are unsure of expectations, they should speak to their line manager or the Principal.
- 1.3. By creating this policy, the Trust aims to ensure that we create and maintain an environment where everyone is safe, happy, and treated with respect and with positive working relationships with peers and colleagues.
- 1.4. We expect that all staff will engage with our ethos, values and strategies for improvement and development.
- 1.5. We expect all staff, trustees, members, local governors, and volunteers to act with personal and professional integrity, respecting the safety and wellbeing of others.

2. Scope

- 2.1. The Code applies to all employees including those in their probationary period. It also applies to agency workers and self-employed contractors, although, unlike employees, breaches of the Code will not be managed through the Disciplinary Procedure.
- 2.2. As recognisable figures in the local community the behaviour and conduct of Trust staff outside of work can impact on their employment. Therefore, conduct outside work may be treated as a disciplinary matter if it is considered that it is relevant to the employee's employment (see the Disciplinary Policy) and may impact on their suitability to work with children.

3. Safeguarding, promoting the welfare of children, and recognising low level concerns

- 3.1. All employees are responsible for safeguarding children and promoting their welfare. This means that employees are required to take action to protect children from maltreatment, prevent impairment of children's health and/or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care, taking action to enable all children to have the best outcomes.
- 3.2. All employees should be prepared to identify pupils who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a pupil's life, from the foundation to the teenage years.
- 3.3. All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.

3.4. All employees must be aware of low-level concerns, no matter how small, and even if no more than causing a sense of unease or a “nagging doubt” – that an adult working in or on behalf of the Trust may have acted in a way that:

- a) Is inconsistent with the Code of Conduct, including inappropriate conduct outside of work.
- b) Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).

Examples of such behaviour could include, but is not limited to:

- a) Being over-friendly with pupils
- b) Having favorites
- c) Taking photographs of pupils on their mobile phone
- d) Engaging with a pupil on a one-to-one basis in a secluded area or behind a closed door; or
- e) Using inappropriate sexualized, intimidating, or offensive language

3.5. All employees must, therefore, fully read and understand the Trust’s Safeguarding and Child Protection Policy, be aware of the Trust systems for keeping children safe and must always follow the guidance in these policies at all times. All employees must attend any Child Protection training organised by the Designated Safeguarding Lead (DSL).

3.6. All employees must cooperate with colleagues and with external agencies where necessary.

4. Duty of care

4.1. Staff must:

- a) Understand the responsibilities which are part of their employment and their role and be aware that sanctions will be applied if these provisions are breached.
- b) Always act, and be seen to act, in our pupils’ best interests.
- c) Avoid any conduct which would lead any reasonable person to question their motivations and / or intentions.
- d) Take responsibility for their own actions and behaviour.

5. Health and safety

5.1. All staff must ensure that they:

- a) Read and understand the Trust’s Health and Safety Policy and all safety arrangements including those for fire, first aid and other emergencies set out by the Academy / Trust.
- b) Comply with health and safety regulations or instructions and use any safety equipment and protective clothing which is supplied by the Trust.

- c) Comply with any hygiene requirements.
- d) Comply with any accident reporting requirements.
- e) Never act in a way which might cause risk or damage to any other members of the Trust's community or visitors.
- f) Inform their line manager or the Principal of any paid work undertaken elsewhere. This is to comply with the Working Time Regulations.

6. Honesty and personal integrity

- 6.1. Employees are expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct within the Trust.
- 6.2. Employees must comply with any lawful or reasonable instructions issued by managers and senior leaders.
- 6.3. Staff uphold public trust in our Trust and maintain high standards of ethics and behaviour, within and outside their work by:
 - a) Treating pupils with dignity, building relationships always rooted in mutual respect and observing proper boundaries appropriate to their professional position.
 - b) Having regard for the need to safeguard pupils' wellbeing, in accordance with statutory provisions.
 - c) Showing tolerance of and respect for the rights of others including peers and colleagues.
 - d) Not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.
 - e) Ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- 6.4. Employees must have proper and professional regard for the ethos, values and policies and practices of the Trust and maintain high standards in their own attendance and punctuality.
- 6.5. Staff must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of the Trust's property and facilities.

7. Addressing discrimination

- 7.1. Staff are required to understand the types of discrimination and bullying that pupils and colleagues may be subject to. Staff are required to have read and understood the Trust's Equality and Diversity Policy and Anti-Harassment and Bullying Policy.
- 7.2. Any form of discrimination must not be ignored. This includes inappropriate jokes and banter. Staff must positively promote equality, diversity, and inclusion at all times.

8. Professional boundaries and relationships

- 8.1. Trust employees are in a position of trust in relation to our pupils, which means that the relationship between an employee and a pupil is not one of equals. It is a specific offence for a person aged 18 or over (e.g., a teacher or youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual.
- 8.2. Employees must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with pupils.
- 8.3. Employees must not make sexual remarks to any pupil or discuss their own sexual relationships with, or in the presence of pupils. Employees must not discuss a pupil's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a member of staff towards any pupil is unacceptable and illegal.
- 8.4. Employees must ensure that professional boundaries are always maintained. This means that employees should not show favouritism to any pupil and should not allow pupils to engage in any type of behaviour that could be seen to be inappropriate. Pupils are not employees' friends and should not be treated as such.
- 8.5. Employees should be aware that it is not uncommon for pupils to become strongly attracted to a member of staff or to develop an infatuation. If any member of staff becomes aware of an infatuation, they should discuss it with the Principal immediately so that they can receive support in the most appropriate way to manage the situation.
- 8.6. For employees who are in a relationship with a colleague, parent or carer, or any other person associated with the Trust, we expect that they identify this to the Principal or the CEO and ensure that this does not create a conflict of interest or affect their professional judgement or responsibilities in any way. Where an employee has managerial authority over another employee with whom they are in a close personal relationship, the Trust reserves the right to transfer one or both employees to another role in the Trust following appropriate consultation with both employees to seek agreement to the transfer.

9. Confidentiality and data protection

- 9.1. Members of staff have access to confidential information about pupils, colleagues or other matters relating to the Trust. This could include personal and sensitive data, for example about a pupil's home life. Employees should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Staff should never disclose this information unless this is in the proper circumstances and with the proper authority.
- 9.2. If a member of staff is ever in doubt about what information can or cannot be disclosed, they should speak to their line manager or the Principal.
- 9.3. We will comply with the requirements of **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018). Employees are expected to comply with the Trust's systems as set out in our Data Protection Policy. If any employee becomes aware that data is at risk of compromise or loss or has been compromised or lost, they must report it immediately to the Data Protection Officer, in order (where applicable) for relevant breaches to be reported to the Information Commissioner's Office within 72 hours.

- 9.4. Employees must read and understand our Data Protection Policy and other relevant policies including in relation to criminal records information, recruitment and safer recruitment, internet, email and communications, information security, copies of which are available on the Trust's website.

10. Physical contact with pupils

- 10.1. There are occasions when it is entirely appropriate and proper for staff to have physical contact with a pupil. Staff must ensure that they only do so in ways appropriate to their professional role, in response to pupils' needs at the time and in accordance with the Trust's policies.
- 10.2. Employees should always be able to explain why they have made physical contact with a pupil. Staff should ensure that they have read and understood the Trust's Physical Intervention Policy.
- 10.3. There may also be occasions when a pupil is in distress and needs comfort and reassurance which may include age-appropriate physical contact. If staff are placed in this position, then they should consider the way in which they offer comfort, ensuring that it is not open to misinterpretation and is always reported to the Lead DSL.
- 10.4. Staff may legally physically intervene with pupils to prevent them from committing a crime, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Physical force should never be used as a form of punishment.
- 10.5. Any sexual contact, including grooming patterns of behaviour, by a member of staff with or towards a pupil is unlawful and unacceptable in all circumstances.

11. Behaviour management

- 11.1. Staff should not use any form of degrading or humiliating treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards a pupil is completely unacceptable.
- 11.2. Where pupils display difficult or challenging behaviour, staff should follow the Trust's Behaviour Policy using strategies appropriate to the circumstance and situation.

12. Social contact with pupils

- 12.1. Employees should not establish or seek to establish social contact, via any channels (including social media), with pupils for the purposes of securing a friendship or to pursue or strengthen a relationship. Employees should use their work provided equipment only for communicating electronically with pupils.
- 12.2. The Trust's advice to staff is not to connect to pupils via social media or other communication channels unless this is for professional purposes and that the members of staff concerned can demonstrate that this is the case.
- 12.3. Our Trust is part of our community, and we recognise that, as members of the community, employees will come into contact with pupils outside of the Trust. We expect staff to use their professional judgement in such situations and to report to their line manager any contact that they have had with a pupil, outside of school, that they are concerned about or that could be misinterpreted by others.

- 12.4. The Trust recognises that staff, parents, and pupils, utilise social media within personal and professional contexts. The Trust's Social Media Policy, which staff should refer to, sets out guidelines staff must adhere to for both professional and personal use to maintain control and present a professional profile on online platforms. Staff should also refer to the Trust's ICT User policy.

13. Photography, videos, and other images / media

- 13.1. Many educational activities involve recording images. These may be undertaken as part of displays, publicity, to celebrate achievement and to provide records of evidence of an activity. Under no circumstances should staff use their personal equipment to take images of pupils at or on behalf of the Trust.

14. Use of mobile phones / devices

- 14.1. Staff are not permitted to use their own mobile devices whilst pupils are present. This includes making or receiving calls or sending texts. Use of personal mobile devices must be restricted to non-contact time and to areas where pupils are not present (such as a staff room). There may be circumstances in which it is appropriate for a member of staff to have use of their mobile device during contact time e.g., for emergency contact by their child/their child's school or in the case of acutely ill dependents or family members. In such cases, staff members must seek permission from the Principal or their Line Manager to allow for special arrangements in advance. If special arrangements are not deemed necessary, staff can use the Academy / Trust office number as a point of emergency contact.
- 14.2. Please refer to the Trust's IT User Policy for supplementary information about use of mobile devices.

15. Working one to one with pupils

- 15.1. There will be times when a member of staff is working one to one with a pupil and this is acceptable. Staff need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore, it is important that staff:
- Avoid meeting on a one-to-one basis in secluded areas of the Academy.
 - Ensure that the door to the room is open or that there is visual access into the room.
 - Inform a colleague or line manager of the meeting, preferably beforehand.
 - Reports to the line manager if the pupil becomes distressed or angry.

16. Curriculum

- 16.1. Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This can be supported by developing ground rules with pupils to ensure sensitive topics can be discussed in a safe learning environment. The plan should highlight particular areas of risk and sensitivity and care should be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied, e.g., health and social care, PHSE and drama.

- 16.2. The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or of a political or otherwise sensitive nature. Responding to pupils' questions requires careful judgement and staff should take guidance in these circumstances from the Lead DSL.

17. Dress and appearance

- 17.1. Our staff are role models to our pupils and how they present themselves is important. Our expectation is that staff are decently, appropriately, and professionally dressed in work at all times. We do not permit the wearing of clothes that are revealing, allow underwear to be seen, have offensive logos or writing, or are ripped or torn at any time. Employees can always speak to their line manager if they are unsure. When we identify that an employee is wearing clothing that we do not find acceptable, they will be informed.

18. Gifts and hospitality

- 18.1. For many staff there will be a limited opportunity to accept gifts and hospitality, however, all staff must be aware that it is not acceptable for staff to accept bribes. Any gift or promotional offer or hospitality, intended either for a member of staff or for the Academy or Trust that exceeds a nominal value of £25 must be declared to the CFO and permission must be obtained before accepting.
- 18.2. The Trust has a policy and register on the acceptance of gifts, hospitality, awards, prizes and any other benefit which might be seen to compromise their personal judgment or integrity, which is referenced within the Finance Policy. When giving gifts, the Trust must ensure that the value of the gift is reasonable, the decision is fully documented, and has due regard to propriety and regularity in the use of public funds.
- 18.3. Members of staff may not give personal gifts to pupils unless this is part of a recognised practice in line with the Trust's Behaviour Policy.

19. Keeping within the law

- 19.1. All staff are expected to operate within the law. Unlawful or criminal behaviour, at work or outside work, may lead to disciplinary action, including dismissal, being taken. However, being investigated by the police, receiving a caution, or being charged will not automatically mean that an employee's employment is at risk.
- 19.2. Employees must ensure that they:
- a) Uphold the law at work.

- b) Never commit a crime away from work which could damage public confidence in them or the Trust or which makes them unsuitable for the work they do with children. This includes, for example:
 - i. submitting false or fraudulent claims to public bodies (for example, income support, housing, or other benefit claims)
 - ii. breaching copyright on computer software or published documents
 - iii. sexual offences which will render them unfit to work with children or vulnerable adults.
 - iv. crimes of dishonesty which render them unfit to hold a position of trust.
 - v. domestic violence at home.
- 19.3. Write and tell the Principal (or CEO if they are the Principal,) immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed at the Trust (this includes outside of their working hours). The Principal and/or CEO will then need to consider whether this charge or conviction damages public confidence in the Trust or makes the employee unsuitable to carry out their duties in working with children.

20. Conduct outside work and at work related functions.

- 20.1. Unlike some other forms of employment, working at the Trust means that an employee's conduct outside work could have an impact on their role.
- 20.2. Staff must not engage in conduct outside work, which could seriously damage the reputation and standing of the Trust or the employee's own reputation or the reputation of other members of the Trust's community. Employees should be aware that any conduct that the Trust becomes aware of that could impact on their role and question their suitability to work with children within the Trust or affect the Trust's reputation will be addressed under our disciplinary procedure.
- 20.3. The Trust, therefore, expects employees to make us aware immediately of any such situations that have happened outside the Trust to allow consideration of what may have triggered actions and whether a pupil in school could trigger the same reaction and be put at risk.
- 20.4. Employees are required to demonstrate responsible behaviour at work-related functions and work-related social events that take place outside the normal hours of work and to act in a way that will not have a detrimental effect on our reputation.
- 20.5. Staff must not behave in a way outside work that may impact on their suitability to work with children. This includes behaviour which does not directly involve a child/children. Should we become aware of any such incident or behaviour, we may treat the issue as a safeguarding matter and manage it in accordance with the Keeping Children Safe in Education statutory guidance document. Staff should be aware that their behaviour, either in or out of the workplace, that the Trust considers may impact on an employee's suitability to work with children will be addressed under the Trust's Disciplinary Procedure and may lead to a referral to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (TRA), where appropriate.

21. Agency workers

- 21.1. The Trust will investigate allegations made against agency workers with the cooperation of the agency concerned. Whilst the Trust may decide to cease using the services of an agency worker, this will not prevent the investigation of allegations and liaising with the Local Authority Designated Officer (LADO) to determine a suitable outcome. The Trust expects agency workers and agencies to cooperate with investigations and with external agencies, where appropriate.
- 21.2. The Trust will discuss with the agency whether it may be appropriate for them to consider suspending an agency worker, or whether the Trust may be prepared to redeploy an agency worker during an investigation.

22. Review of policy

- 22.1. This policy is reviewed and amended biannually (every 2 years) by the Trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.