

Code of Conduct

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Document information

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Purpose	To give clear guidance on the standards of behaviour expected of those working within the school/academy setting		

Document accessibility

If you would like this information in another language or format please speak to your Headteacher/Principal.

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1. Introduction

- 1.1 The Governing Body is required to set out a Code of Conduct for all school/academy employees. The following code has been consulted upon with trade unions and is recommended for adoption by the Governing Body.
- 1.2 All employees are expected to follow the Code of Conduct throughout every aspect of their work. A high degree of trust is placed in school/academy employees and it is acknowledged that they want to do their best and operate in a professional and appropriate manner. Employees have a duty to ensure that they operate legally and professionally. This Code is intended to provide a clear framework within which employees will work, in order to deliver the best that they can for the school/academy and its pupils/students.
- 1.3 Employees need to recognise and be aware that a failure to meet appropriate standards of behaviour and conduct in compliance with the Code of Conduct may result in disciplinary action, including dismissal.

2. Purpose and scope

- 2.1 The Code of Conduct is designed to give clear guidance on the standards of behaviour all school/academy employees are expected to observe, and the school/academy should notify them of this Code and the expectations therein. People who work in schools and academies are in a unique position of influence and must adhere to behaviour that sets a good example to all the pupils/students within the school/academy.
- 2.2 The Code of Conduct applies to:
 - all staff who are employed by the school/academy, including the Headteacher/Principal*;
 - all casual and temporary staff, including agency staff and volunteers;
 - all staff in units or bases that are attached to the school/academy
(*In the case of the Headteacher/Principal, any references to an employee's line manager should be taken to refer to the Chair of Governors)
- 2.3 The Code of Conduct does not apply to:
 - staff who are centrally employed by the LA;
 - employees of external contractors and providers of services (e.g. contract cleaners).
(Such staff will be covered by the relevant Code of Conduct of their employing body)
- 2.4 The procedure has been implemented following consultation with the Joint Negotiating Committee for Schools and Academies (Schools and Academies JNC) (including representatives from the recognised school and academy unions) and may be amended from time following further consultation.

3. Links with other procedures

- 3.1 The Code of Conduct draws together policies and requirements of the school/academy and aims to assist employees in performing their duties to the best of their ability. **All school/academy policies and procedures form part of the Code of Conduct and as such any breach of policies or procedures will be considered a breach of the Code.**

Employees are required to familiarise themselves with the contents of the Code and the documents referred to therein. It cannot cover every eventually and if in any doubt or any guidance is required, employees should consult their line manager or Headteacher/Principal.

3.2 **Complaints procedure**

The school/academy has a complaints procedure which deals with any issues that are not covered by other agreed procedures already in existence. Complaints should be dealt with promptly and in a courteous and sympathetic way. Employees who investigate complaints must make sure that any unexpected delays, difficulties or poor quality of service are explained to the complainant as courteously and as sympathetically as possible. Serious complaints must be reported to the Headteacher/Principal, or the Chair of Governors should the complaint be against the Headteacher/Principal.

4. **Honesty, integrity, impartiality and objectivity**

An employee must perform their duties with honesty, integrity, impartiality and objectivity. Employees have individual responsibility as part of their jobs for implementing policy, delivery of services and operational management of the school/academy. It is vital that employees understand that it is not just about reality. It is also about perception. The highest levels of integrity and responsibility are expected from all employees. This must be capable of demonstration and therefore actions which would lead to a loss of confidence through perceptions are as critical as any others.

5. **Accountability**

5.1 An employee is accountable to the Governing Body for their actions and are expected to comply with legislation, Terms and Conditions of Service and other written policies, procedures and guidelines.

5.2 During the course of work employees should at all times be aware of and comply with all relevant legislation; for example the Health and Safety at Work Act 1974, the Equality Act 2010, the General Data Protection Regulation (GDPR), Freedom of Information Act 2000, The Computer Misuse Act 1990 and any other legislation, including that relating to individual service areas. However this list is not exhaustive. Employees should also have read and understood the conditions of service under which they are employed, including all local policies and procedures which include for example the disciplinary, anti-harassment and equal opportunities policies and procedures. These policies and procedures are available from the school/academy. In addition, employees should be conscious of, and ensure that they are complying with, any other specific guidelines issued by their Headteacher/Principal or line manager. If an employee is a member of a professional institute or association they are also obliged to comply with any professional code of conduct including teachers' standards, accountancy professional bodies codes of conduct, social care codes of conduct.

5.3 **Safeguarding**

Employees have a duty to safeguard pupils/students from harm including physical abuse, sexual abuse, emotional abuse and neglect. The duty of safeguarding pupils/students includes the duty to report concerns about a pupil/student to the Designated Senior

Persons (DSP) for Child Protection. Employees are expected to familiarise themselves with the Child Protection Policy and Whistle blowing Procedure, and should read at least part one of the DfE document “Keeping Children Safe in Education”.

5.4 Employees are required to comply with the child protection procedures in the Walsall Safeguarding Children Board’s “Procedures Manual”

5.5 Employees must not act in a way that demeans or undermines pupils, their parents or carers, or colleagues. This includes activity social networking sites. Employees must take due care of pupils/students under their supervision to ensure their safety and welfare.

5.6 **Pupils/students development**

Employees must comply with school/academy policies and procedures that support the well being and development of pupils/students. Employees must co-operate and collaborate with colleagues and with external agencies where necessary to support the development of pupils/students and they must follow reasonable instructions that support the development of pupils/students.

5.7 **Dress code**

Employees should dress appropriately and safely for the work that they do and to meet the expectations of the school/academy. The school/academy reserves the right to set minimum standards of dress for employees.

5.8 **Equalities**

Employees have a duty to adhere to principles of equality and diversity across all interactions ensuring compliance with school/academy procedures and relevant legislation. The school/academy will not accept any form of unlawful or unfair discrimination on the grounds of age, disability, gender, gender identity, marital or civil partnership status, race, ethnic origin, colour, nationality, pregnancy or maternity, religion or belief (or no religion or belief), sexual orientation, class or social background, political belief or Trade Union affiliation. If an employee acts in a discriminatory manner, disciplinary action may follow as a consequence. Employees should refer to the equal opportunities policy for further information.

5.9 **Health and Safety**

Employees must, by law, take reasonable care for the health and safety of themselves and other people, including their students/pupils or colleagues, who might be affected by anything they do, or fail to do, at work. Employees should not do anything intentionally or recklessly or take any action which might endanger themselves or others, or interfere with what is provided in the interests of health, safety and welfare. Employees should make sure that they are familiar with the health and safety policy and act in accordance with it.

6. **Respect for others**

6.1 Employees should always be courteous, professional and helpful when dealing with other people, whether fellow employees, pupils, parents/carers, volunteers, contacts at external organisations or other stakeholders. Employees are expected to;

- Treat others with dignity and respect and contribute positively to a working environment that promotes these values.
- Not discriminate unlawfully against any person.
- Avoid personal prejudice in giving / refusing any service.
- Ensure all working relationships with colleagues demonstrate mutual respect.
- Provide the highest possible standards of service and appropriate advice to fellow employees. In carrying out their duties and responsibilities employees honesty and integrity must be beyond question. Employees must never use their authority or position for personal gain, or to enable colleagues or others to gain personally.

6.2 All employees who work in schools and academies should set examples of behaviour and conduct which can be followed by pupils/students. Employees must, therefore, demonstrate high standards of conduct in order to encourage our pupils/students to do the same. Employees must also avoid putting themselves at risk of unfounded allegations of abusive or unprofessional conduct, be this with regard to pupils/students or their carers. This includes activity taken by employees on social networking sites. Such conduct may result in disciplinary action, up to and including dismissal. Employees must maintain clear professional boundaries and confidentiality at all times. This Code helps all staff to understand what is and what is not acceptable.

7. Stewardship

7.1 All employees must ensure that they use funds entrusted to or handled by themselves in a responsible and lawful manner. Employees must not utilise property, vehicles or other school/academy facilities including equipment and materials for personal use unless expressly authorised to do so by the Headteacher/Principal.

7.2 Care and use of School/Academy resources

All equipment and vehicles belonging to the school/academy should be utilised with due care and attention. School/Academy resources, whether tangible assets such as materials, equipment and cash, or information, may not be used other than for the proper advancement of the work of the school/academy. The use of school/academy owned mobile phones and/or school/academy telephones must be in accordance with school/academy policy and for school/academy business only unless prior permission has been given by the Headteacher/Principal. School/academy vehicles must only be used for authorised purposes and employees should only carry passengers where this is part of their working duties. Unauthorised use of school/academy vehicles will render insurance cover void. In such circumstances, the employee would be personally liable to pay damages in the event of an accident causing injury and/or damage.

7.3 Security and use of computer equipment / data

The information technology systems operated by the school/academy and the information stored within are of paramount importance to the effective running of the school/academy. Provisions within The General Data Protection Regulation (GDPR) and The Data Protection Act 2018 along with the Computer Misuse Act 1990 all must be complied with. Employees must ensure that no unauthorised person gains access to equipment/data, which is within their scope of responsibility. User identifications and passwords must not be released to anyone, and passwords must be regularly changed. No data should be released unless to do so is in compliance with the requirements of GPDR.

The school/academy will monitor the use of computers/internet access on a regular basis to ensure compliance with relevant legislation and school/academy procedures.

8. Personal interests

8.1 Whilst employees' private lives are their own concern, employees must not allow their personal interests or activities to conflict with their role at the school/academy. Employees must not misuse their position or information acquired during the course of their employment to further their private interests or to confer an advantage or disadvantage to any person.

8.2 **An employee should not put themselves in a position where their job, or the interests of the school/academy and pupils and their own personal interests conflict.** This includes behaviour (including that in an employee's own time), which because of the nature of employment would undermine the school/academy confidence or trust in the employee or that would bring the school/academy into disrepute. In particular, employees must comply with the following requirements in relation to personal and/or conflicting interests;

8.3 Gifts & hospitality

Gifts with a minimum nominal value may be accepted such as pens, diaries and chocolates; however cash should not be accepted. Unacceptable gifts should be politely and where appropriate firmly refused. Employees should refer to the Headteacher/Principal for further guidance if in any doubt.

8.4 Financial and non-financial interests

Where an employee has any financial, private and personal interests with outside organisations or groups which may conflict with their duties, they must declare such involvement to the Headteacher/Principal for formal recording and they must not allow it to influence in any way how they carry out their work.

8.5 Examples of interests include friendship, membership of an association, organisation or society, school/academy governorship, and any other kind of relationship that could influence their judgment and give the impression that they might be acting from personal motives. Employees must inform their Headteacher/Principal in writing about any relationship they have with contractors or potential contractors which could be seen as giving them financial gain or advantage. Employees should declare any interests such as ownership of land and shares in any relevant company where a conflict of interest might exist. Employees are required to consult their Headteacher/Principal before accepting any company directorship or positions akin to directorships in any limited liability company, including membership of the board of a community association whether such an association is incorporated as a limited liability company or a registered charity or not.

8.6 Additional employment

Employees may undertake work outside school/academy, either paid or voluntary, provided that it does not conflict with the interests of the school/academy or its ethos and is not to an extent which may contravene the Working Time Regulations or affect an individual's work performance. This applies to all employees and workers including those on secondment, temporary assignment, agency work and working with voluntary organisations or trusts, or

board members. If there is a conflict, the Headteacher/Principal can formally request that the employee ceases to continue with their conflicting work.

8.7 Employees have a duty to take reasonable care of their own health and safety. Employees must inform their Headteacher/Principal in writing if they have/take up additional employment, particularly where this means that their total number of hours worked exceed an average of 48 hours per week, or where the additional work could have a detrimental effect on their health and safety.

8.8 **Alcohol / drugs**

All employees have a responsibility to ensure that they report fit for work duties and conduct themselves in a professional manner. Any employee who is under the influence of drugs or alcohol may present a health and safety risk to themselves, pupils/students or colleagues, or may present a risk to the school/academy through deficiency of performance and/or its reputation within the community. The consumption of alcohol on school/academy premises is not permitted and an employee may be asked to remove themselves from work where they are deemed unfit for work due to any substance misuse or where they may present a risk to themselves or others. The use of any illegal drugs or any prescription medicines that have not been prescribed for the user is expressly prohibited. It is a criminal offence to be in possession of, use or distribute an illicit substance. Such conduct may result in disciplinary action. Where it is established that there is an alcohol or drug dependency, the school/academy will provide assistance and support where appropriate and possible. Any continued unacceptable behaviour or performance may lead to disciplinary action, not excluding dismissal.

8.9 **Criminal offences**

Employees are expected to conduct themselves at all times (inside and outside of work) in a manner which will maintain confidence in both their integrity and the reputation of the school/academy. Employees must inform the Headteacher/Principal without delay if they are arrested, convicted, cautioned, subject to criminal investigation or formally warned of a crime. Employees do not need to disclose fixed penalty notices for minor driving offences except where driving is a key requirement of the employees' role or the conviction results in disqualification. Employees sentenced to immediate imprisonment may be dismissed without notice or compensation in lieu of notice.

8.10 **Use of social networking sites**

Employees must exercise caution when using information technology and be aware of the risks to themselves and others. Employees must take reasonable care when using social networking sites to ensure that they comply with the Code of Conduct and the school/academy policy for Internet use. Failure to comply with such action could result in disciplinary action against them, not excluding dismissal.

Employees have a duty to ensure that the contents of such media;

- is not defamatory against the school/academy, its employees, pupils/students or their parents/carers;
- does not bring the school/academy into disrepute;
- does not damage the reputation of the school/academy, the employee, or the community;

- does not include pictures of children or employees at the school/academy, without prior permission.

8.11 Relationships at work

Employees may in the course of their duties enter into a personal relationship with a colleague. In the event of this happening, they should ensure that such a relationship does not conflict with their work activities or the school/academy. In order to avoid accusations of a possible conflict, employees in this situation are strongly advised to disclose this relationship in confidence to the relevant manager(s)/chair of governors concerned. Employees should be aware that in order to demonstrate transparency and integrity, there should be no line management responsibility and accountability between the two employees, especially if the objectivity and professionalism of the manager could be called into question. Where this is not possible due to the size of the school/academy for example, then the management arrangements must be professional, impartial and of the highest professional standards.

- 8.12 Employees who enter into a personal relationship with a parent/carer must take steps to ensure they do not put themselves at risk of allegations of unprofessional conduct.

9. Reporting procedures

9.1 Confidential reporting - Whistleblowing

In the event any employee becomes aware of any activities that they believe to be illegal, unethical, improper or otherwise inconsistent with this Code of Conduct or any other school/academy policy or procedure, they should report the matter to the Headteacher/Principal in the first instance or through the Whistleblowing Procedure.

Confidential reporting is intended to encourage and enable employees to report serious concerns confidentially without fear of reprisal or recrimination. Under the Public Interest Disclosure Act 1998, employees are legislatively protected in the event they raise any concerns. Employees should refer to the Whistleblowing Procedure for further information.

9.2 Bribery and corruption

The school/academy does not tolerate any form of bribery and corruption. Employees need to be aware that bribing another person or receiving a bribe are serious criminal offences under the Bribery Act 2010.

10. Openness

- 10.1 Where information is private, sensitive or not appropriate for a wider audience there will be a need for confidentiality. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone who is not entitled to receive it, or needs to have access to it for the proper discharge of their functions. If in doubt employees should check with their line manager or Headteacher/Principal. Any requests to access personal data relating to an individual employee or pupil must be handled in line with GPDR and the Data Protection Act 2018, Data Protection (Processing of Sensitive Personal Data)(Elected Representatives) Order 2000 and the common law duty of confidentiality. Employees should not use any

information obtained during their employment for personal gain or benefit, nor should they pass it to others who might use this in such a way. Employees are expected to;

- Ensure they do not disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of the person authorised to give it, unless they are required to do so by law.
- Ensure they do not prevent another person from gaining access to information to which that person is entitled to by law.
- Adhere to the GDPR and any other relevant legislation relating to the disclosure of information and ensure that confidentiality is not breached.
- Consider whether the location of confidential communications is appropriate. Employees who view, overhear or otherwise come into contact with private information, must ensure confidentiality is maintained at all times.

10.2 Pupil information

Where employees have access to confidential information about pupils/students (or their parents or carers), they must not disclose such information, except to those colleagues who have a professional role in relation to the pupils/student.

10.3 All employees are likely at some point to witness actions which need to be confidential. For example, where a pupil/student is bullied by another pupil/student (or by a member of staff), this needs to be reported and dealt with in accordance with the appropriate school /academy procedure. It must not be discussed outside the school/academy, including with the pupil's/students parent or carer, nor with colleagues in the school/academy except with a senior member of staff with the appropriate role and authority to deal with the matter.

10.4 Employees have an obligation to share with their manager or the Designated Senior Person, any information which gives rise to concern about the safety or welfare of a pupil/student. Employees must **never** promise to a pupil/student that they will not act on information that they are told by the pupil/student.

10.5 Media contact

Only certain employees are authorised to interact with and give information to the press and other media. If you are approached by the press or media, advise that it is not appropriate to give any information or comment on the matter and refer the enquiry to the Headteacher/Principal immediately. Employees authorised to give information to the press and other media must give only the facts of a situation and must not express an opinion in relation to these facts.

Employees must not contact the press or other media unless specifically authorised to do so. Contacting the media without such permission may lead to disciplinary action, not excluding dismissal.

11. Appointment of staff

Employees involved in appointments should ensure that those appointments are made only on the basis of merit. An employee must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee including agency workers, who is a relative or friend. The onus is on

the employee to declare those people they would define as a 'friend' using their own personal judgment in accordance with the spirit of this Code, in particular honesty, integrity, impartiality and objectivity. In the above, 'relative' includes a spouse, civil partner, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, cousin or the spouse or partner of any of the preceding persons; and 'partner' above means someone you are in a relationship with.