

CODE OF CONDUCT FOR EMPLOYEES

Version	3.0
Approving Body	Trust Board
Date ratified	November 2018
Date issued	November 2018
Review date	November 2019
Owner	Trust CEO
Applies to	All Trust Schools, all Trust staff

Version	Date	Reason
1.0	September 2015	To establish a Trust wide policy
2.0	May 2017	In line with updated national guidance and Dorset CC model documentation.
3.0	November 2018	To reflect updates to the Keeping Children Safe In Education document and to adopt the Browne Jacobson model.

Contents

1 Purpose 3
2 Scope 3
3 Safeguarding and promoting the welfare of children 3
4 Duty of care 3
5 Health & Safety 4
6 Honesty and personal integrity 4
7 Tackling discrimination 5
8 Professional boundaries and relationships 5
9 Confidentiality and data protection 5
10 Physical contact with pupils 6
11 Social contact with pupils 6
12 Working one to one with pupils 6
13 Dress and appearance 7
14 Gifts and hospitality 7
15 Keeping within the law 7
16 Conduct outside of work and at work related functions 8
17 Review 8

1 Purpose

- 1.1 The aim of this Code of Conduct for employees is to set out the standards of conduct expected of all staff and to provide further information for employees. This should be read in conjunction with our disciplinary policy, Teachers' Standards and the statutory guidance Keeping Children Safe in Education.
- 1.2 This Code should make it clear to employees the expectations the Trust has of them. Employees should note that this Code is not exhaustive in defining acceptable and unacceptable standards of conduct and employees must use common sense in adhering to the underpinning principles. If any employee is ever unsure what the expectations are in any given circumstance they should speak to their line manager or ¹headteacher.
- 1.3 This Code does not form part of any employee's contract of employment and it may be amended at any time.

2 Scope

- 2.1 The Code applies to all employees regardless of length of service 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 staff of the Trust 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.

3 Safeguarding and promoting the welfare of children

- 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 or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care. This will enable all children to have the best outcomes.
- 3.2 All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.
- 3.3 To do this employees must have fully read and understood our child protection and safeguarding policies, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times.
- 3.4 All employees must cooperate with colleagues and with external agencies where necessary.

4 Duty of care

Staff must:

- Understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached

¹ Throughout the document headteacher also refers to executive headteacher and head of school as appropriate.

- Always act, and be seen to act, in our pupils' best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
- Take responsibility for their own actions and behaviour

5 Health & Safety

All employees must ensure that they:

- Read and understand the Trust's Health and Safety Policies
- Comply with Health and Safety Regulations or instructions and use any safety equipment and protective clothing which is supplied to you by the school or Trust
- Comply with any hygiene requirements
- Comply with any accident reporting requirements
- Never act in a way which might cause risk or damage to any other members of the Trust community or visitors.

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 at our Trust.
- 6.2 Employees must comply with any lawful or reasonable instructions issued by managers.
- 6.3 Employees uphold public trust in our Trust and maintain high standards of ethics and behaviour, within and outside school, by:
- Treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position
 - Having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - Showing tolerance of and respect for the rights of others
 - 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
 - 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, policies and practices of our Trust and maintain high standards in their own attendance and punctuality. Employees must treat all colleagues with respect, dignity, fairness and courtesy at all times.
- 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 Trust property and facilities.

7 Tackling discrimination

- 7.1 Employees are required to understand the types of discrimination and bullying that pupils and colleagues may be subject to.
- 7.2 Employees must not ignore any form of discrimination. This includes inappropriate jokes and banter. Employees must positively promote equality and diversity and inclusion at all times.

8 Professional boundaries and relationships

- 8.1 Employees in our Trust 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 offence² for a person aged 18 or over (e.g. teacher, 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 maintained at all times. 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.
- 8.5 For employees who are in a relationship with a colleague, parent or carer, or any other person associated with the school or Trust we expect that they identify this to their line manager or Headteacher 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 in order to seek agreement to the transfer.

9 Confidentiality and data protection

- 9.1 Members of staff may have access to confidential information about pupils, colleagues or other matters relating to the Trust. This could include personal and sensitive data, for example information about a pupil's home life. Employees should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Employees should never disclose this information unless this is in the proper circumstances and with the proper authority.

² Section 16 of The Sexual Offences Act 2003

- 9.2 We will comply with the requirements of **Data Protection Legislation** (being (i) unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulation ((EU) 2016/679) 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). 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.

10 Physical contact with pupils

- 10.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils. Employees must ensure that they only do so in ways that are appropriate to their professional role and in response to the pupil's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the pupil. Employees should always be able to explain why they have made physical contact with a pupil.
- 10.2 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.
- 10.3 Sexual contact, including grooming patterns of behaviour, with pupils is unlawful and unacceptable in all circumstances.

11 Social contact with pupils

- 11.1 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.
- 11.2 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 school. We expect staff to use their professional judgement in such situations and to report to their line manager or Headteacher 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 Working one to one with pupils

- 12.1 There will be times where an employee is working one to one with a pupil and this is acceptable. Employees need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore it is important that employees:
- Avoid meeting on a one to one basis in secluded areas
 - 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 their line manager if the pupil becomes distressed or angry.

13 Dress and appearance

Working in our Trust employees 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 and in line with Health and Safety requirements. 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 times. If an employee is unsure whether any item of clothing is inappropriate then they should not wear it to work. Employees can always speak to their line manager if they are unsure. Where we identify that an employee is wearing clothing that we do not find acceptable they will be informed.

14 Gifts and hospitality

For many of our employees there will be a limited opportunity to accept gifts and hospitality, but all staff must be aware that it is not acceptable for staff to accept bribes. Therefore any gift, promotional offer or hospitality, intended either for the employee or for the school or Trust that exceeds a nominal value of £25 must be declared to the Trust Business Director and permission must be obtained before accepting. If an employee is ever unsure, then the best course of action is to politely decline the offer.

It is traditional for pupils and their parents or carers to give gifts as a small token of appreciation or as a thank you to members of staff at certain times throughout the academic year. This Code of Conduct is not designed to stop that practice. Staff may accept gifts from pupils and their parents or carers provided that they meet this definition. Any member of staff receiving a gift with a value of greater than £25 should inform their line manager. Staff must make their line manager or Headteacher aware of any pupil who is giving them gifts on a regular basis, or any pupil or parent or carer who expects something in return for a gift.

Staff should not give gifts to pupils unless this is part of a recognised practice in line with the behaviour policy.

15 Keeping within the law

15.1 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.

15.2 Employees must ensure that they:

- Uphold the law at work
- 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. This includes, for example:
 - submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)
 - breaching copyright on computer software or published documents
 - sexual offences which will render them unfit to work with children or vulnerable adults
 - crimes of dishonesty which render them unfit to hold a position of trust.
- Write and tell the Headteacher (CEO if they are the Headteacher, Chair of Trustees if they are the CEO) 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).

16 Conduct outside of work and at work related functions

- 16.1 Unlike some other forms of employment, working at our Trust means that an employee's conduct outside of work could have an impact on their role.
- 16.2 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 community. Employees should be aware that any conduct that we become aware of that could impact on their role within or affect the Trust's reputation will be addressed under our disciplinary procedure.
- 16.3 We therefore expect employees to make us aware immediately of any such situations that have happened outside of work.
- 16.4 Employees are required to demonstrate responsible behaviour at work-related functions and work-related social events that take place outside normal work hours and to act in a way that will not have a detrimental effect on our reputation.

17 Review

This Code of Conduct is reviewed and amended annually by the Trust. We will monitor the application and outcomes of this code of conduct to ensure it is working effectively.

Declaration of receipt

I confirm that I have read the Staff **Code of Conduct** and **Guidance for Safer Working Practice for those working with children and young people in education settings, October 2015** and understand that any unlawful or unsafe behaviour could lead to appropriate legal or disciplinary action being taken.

Name: *(please print)*:

Signature: Date:

Please return this slip to your Headteacher as soon as possible