

# Code of Conduct

## **Equalities Statement**

Over recent years, schools and academies have (in line with other institutions and public bodies) been working towards an improved understanding of the diverse nature of their communities. Much of the work is in response to new legislation that places an increased duty on schools, academies and other settings to tackle radicalisation and to establish a positive ethos of British Values. Legislation requires schools and academies both to eliminate direct or indirect discrimination, victimisation or harassment and to promote equalities for students, staff and others who use their facilities.

In our Trust we work to ensure that there is equality of opportunity for all members of our community who hold a range of protected characteristics as defined by the Equality Act 2010, as well as having regard to other factors which have the potential to cause inequality, such as, socio-economic factors.

December 2018

## **Terms used in this document**

Where reference is made to school throughout this document this also applies to the Central Trust staff, the Central Office, and the overall Trust.

For Central Services Staff any reference to the Headteacher relates to the Chief Operating Officer.

## **About this document**

Swale Academies Trust expects the highest standards of personal and professional conduct from all Employees. As such the Trust requires all Employees to act in a manner which reflects the values and ethos of the School and Trust.

Employees must ensure that their behaviour and actions are consistent with their position as a role model to pupils / students and are compatible with working with young people and in a School setting.

Employees must act with integrity, honesty and demonstrate ethical and respectful working practices towards pupils / students, colleagues, parents / carers and other members of the School community.

All Employees have a responsibility to observe appropriate professional boundaries and act at all times in a manner which safeguards and promotes the welfare of pupils / students.

Employees must disclose any relevant information which may impact on their job role or suitability to work with young people or in a School setting.

The Trust requires Employees to adhere to all Trust and School policies and observe the highest standards of business / financial practice.

Each Employee has an individual responsibility to act in a manner which upholds the Trust's interests and protects its reputation.

Employees are accountable for their actions and conduct and should seek advice from their line manager / Headteacher if they are not sure of the appropriate action to take.

Employees should be aware that a failure to comply with the following Code of Conduct could result in disciplinary action including dismissal.

This document explains the Trust's expectations with regards to the conduct of Employees in the following areas:

- Professional conduct
- Safeguarding Pupils / Students
- Use of ICT & Social Media

- Business Conduct

### **Scope**

This document applies to all current Employees of Swale Academies Trust.

This document should also be adhered to by all volunteers / governors / supply and agency workers engaged by the Trust.

Reference to the management role of the Headteacher/ Head of School in this document may include his / her identified nominee. In the case of the Headteacher this management function is undertaken by the Executive Headteacher or Director of Primary or Secondary.

### **Responsibilities of the School**

- Explain the provisions of the Code of Conduct to Employees and signpost Employees to other relevant policies, document and guidelines
- Provide additional advice and guidance to Employees in relation to queries they may have regarding the application of the code of conduct
- Coach, support and provide feedback to Employees on their performance in relation to the required standards of conduct
- Take appropriate action at the earliest opportunity to address breaches of the expected standards of conduct

### **Responsibilities of the Employee**

- To read, understand and comply with the Code of Conduct at all times
- To use this code, alongside other relevant Trust and School policies and professional codes, to guide them in their role
- To seek guidance from the Headteacher if they are unclear about the conduct or actions expected of them
- To alert the Headteacher at the earliest opportunity if they are aware that they have conducted themselves in a way which may have breached the expected standards of conduct.

### **Reference to Other Sources of Information**

This Code of Conduct is not exhaustive and does not replace the general requirements of the law, common sense and good conduct.

The Code of Conduct should be read in conjunction with a number of associated policies relating to conduct which are referred to throughout this document.

In addition to this document, all staff employed under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the provisions of the STPCD, the latest 'Teachers' Standards 2012' and in relation to this document, Part 2 of the Teachers' Standards -

Personal and Professional Conduct. Whilst this is a contractual requirement of Teaching posts only, the School expects all Employees to reflect these expectations in their conduct.

Part 2 of the Teachers' Standards is available on line via:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/283566/Teachers\\_standard\\_information.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283566/Teachers_standard_information.pdf);

All employees must ensure they have read understood and comply with Part 1 of the current version of Keeping Children Safe in Education. Further guidance regarding Safeguarding is in Part C of this document.

Employees must also have due regard to other professional codes, policies and guidance which may be relevant to their specific role.

## **Professional Conduct**

### **General**

Employees are expected to demonstrate consistently high standards of personal and professional conduct.

Employees are required to work in a diligent and conscientious manner.

Employees are expected to work to the requirements of their job and are required to respect managerial authority and follow reasonable instructions.

Employees must conduct themselves in a manner which reflects the ethos and values of the School and adhere to Trust and School policies and procedures at all times.

Employees should ensure they work their contracted hours and are expected to maintain a high level of attendance and punctuality.

### **Honesty and Integrity**

Employees must maintain high standards of honesty and integrity in their work.

Employees should not behave in a manner which would call into question their motivation or intentions.

During the course of their work Employees should ensure they do not:

- Provide false / misleading information
- Destroy or alter information / records without proper authorisation
- Withhold information or conceal matters which they could reasonably be expected to have disclosed
- Misrepresent the Trust, the School or their position
- Accept or offer any form of bribe / inducement or engage in any other corrupt working practice

Should an Employee become aware of any conduct on the part of a colleague which raises concerns regarding health and safety, safeguarding or criminal activity – they have a duty to disclose this.

Allegations concerning fraudulent, dishonest or corrupt practices or the falsification or withholding of information may be addressed as a disciplinary matter.

## **Setting an Example**

School staff are role models and must adhere to behaviour that sets a good example to all the pupils/students within the School and is appropriate in a School setting.

This includes:

- Refraining from abusive or potentially offensive / discriminatory language or actions
- Demonstrating tolerance and respects towards others
- Observing boundaries appropriate to a School setting
- Ensuring any topics of conversation with pupils/students are suitable to the School setting / curriculum
- Refraining from allowing personal / political opinions to impact on the discharge of duties and/or unduly influence pupils /students
- Maintaining high standards of personal presentation, attendance and punctuality

Should Employees be in doubt about the appropriateness of their behaviour they should seek guidance from the Headteacher. Breaches of expected behaviour may be considered under the disciplinary procedure.

## **Confidentiality**

Employees may have access to confidential or sensitive information about pupils / students, colleagues or the business and operation of the School / Trust as part of their job role.

Such information must not be disclosed to any person who is not entitled to have access to this or legitimately needs it for work purposes.

Specifically, all Employees must:

- Work in accordance with the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000
- Observe the Trust's and the School's procedures for the release of information to other agencies and members of the public
- Not use or share confidential information inappropriately or for personal gain
- Not speak inappropriately about the school community, pupils, parents, staff or governors including discussing incidents, operational or employment matters with parents / members of the public
- Ensure all confidential data is kept secure and password protected

Should Employees be in doubt about the appropriateness of sharing information they should seek guidance from the Headteacher.

Please also refer to the Trust Data Protection Policy.

## **Working Relationships & Relationships with other Stakeholders / Community**

The Trust expects Employees to maintain positive and professional working relationships. Colleagues, pupils, parents and other stakeholders should be treated with dignity and respect.

Employees should be polite and courteous in their interactions with parents / pupils and other stakeholders / members of the School community.

Behaviour which constitutes bullying and harassment, intimidation, victimisation or discrimination will not be tolerated and may be addressed via the Trust disciplinary policy. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, children and parents.

Where an individual is employed in a school in which their child is a pupil they should ensure that appropriate professional boundaries are maintained.

Employees should treat all stakeholders in a fair and equitable way and not behave in a manner which may demean, distress, offend or discriminate against others.

Employees should ensure that policies relating to equality issues are complied with.

Employees should be aware of the Trust Complaints Procedure and address any concerns from parents / pupils and other stakeholders in accordance with this document.

Please also refer to the Trust Complaints Procedure.

## **Conduct Outside of the Workplace**

Employees must not engage in conduct outside of work which has the potential to:

- Affect or is likely to affect the suitability of the Employee to undertake their job role or work with children/young people or in a School setting
- Impact on the operation or reputation or standing of the Trust and the School
- Impact on the operation or reputation of the School's relationship with its staff, parents, pupils, or other stakeholders
- Seriously undermine the trust and confidence that the School has in the Employee to undertake their job role or work with children/young people or in a School setting

The above actions may be the subject of disciplinary action which could lead to dismissal.

## **Duty to Disclose**

Employees have a duty to immediately disclose to the Headteacher, prior to the start of their employment, at the start of their employment or during the course of their employment, any change in their circumstances or any information which may affect or is likely to affect the suitability of the Employee to undertake their job role or work with children / young people or in a School setting.

This includes, but is not restricted to:

- the Employee being subject to any police investigation / enquiry, arrest, ban, charge, caution, reprimand, warning, fine or pending prosecution or criminal conviction. This includes any actions committed overseas which would be subject to a police investigation or formal action if such actions had been committed in any part of the United Kingdom
- the Employee being subject to any referral, made to, or any investigation, proceedings, or prohibition order being undertaken by the National College for Teaching and Leadership, General Teaching Council for Scotland, or the Education Workforce Council in Wales
- the Employee being subject to the inclusion on the DBS Children's Barred List and any change in DBS status during employment, or any referral, made to, or any, investigation or proceedings being undertaken by the DBS
- the Employee being subject to any referral, made to, or any investigation, proceedings, or prohibition order being undertaken by any other regulatory or professional authorities or actions of other agencies relating to child protection and/or safeguarding concerns
- the Employee being subject to any orders made in relation to the care of children, the refusal or cancellation of registration relating to childcare, or children's homes, or being prohibited from private fostering
- the Employee being subject to any 'live' disciplinary process, formal sanction or any other relevant information arising from a previous or current secondary employment / voluntary work which may impact on the Employee's suitability to undertake their role or work with children/young people or in a School setting. This includes substantiated safeguarding allegations
- the Employee's close personal relationships outside of the workplace presenting a "risk by association" to the safeguarding of children / young people.

This list is not exhaustive. Should an employee be unclear about whether it is appropriate to disclose a matter they are encouraged to seek guidance from the Headteacher at the earliest opportunity.

Employees must also report any current or historical information in the public domain or which is likely to come into the public domain which may be of relevance to their job role or their suitability to work with children / young people or in a School setting or matters which may be subject to adverse media attention or have a detrimental impact on the reputation of the School.

In addition, in the case of individuals who work with, or manage the education of, early years pupils (under the age of five) during school hours, and children up to the age of eight in relation to activities outside of the school day (for example breakfast or after school club employees), the following legislative provisions also apply.

In accordance with the Childcare (Disqualification) Regulations 2009 (Section 75 of the Childcare Act 2006) an Employee should immediately disclose to the Headteacher if at any point during their employment they:

- Are disqualified from providing childcare provision or being involved in the management of such provision, including where any application for an Ofsted waiver from disqualification has been made, regardless of whether such an application was successful.

Such employees also have a duty to ensure that they are fully aware of their obligations and will be asked by the school to confirm that they understand and comply with these provisions.

Further guidance relating to Employee's obligations under the Childcare (Disqualification) Regulations 2009 including details of the relevant offences which may result in disqualification by association and which must be disclosed to the school is available at:

[https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006;](https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006)

Employees should seek clarification from the Headteacher if they are unclear whether they are required to disclose certain information under this provision.

In all cases disclosures will be handled sensitively and discreetly, and in accordance with the relevant data protection principles and the data protection act. Such disclosures may result in a suspension from duties while an investigation or risk assessment takes place or an Ofsted waiver application is made (where applicable).

Any failure to disclose any information required in the course of employment or any other information that may have a bearing on an individual's suitability to carry out their job role or work with children/young people or in a School setting may be the subject of disciplinary action which could lead to dismissal.

### **Secondary Employment**

Employees should ensure that their activities outside of work do not conflict with their duty to the School.

Employees must discuss with their Headteacher and obtain their consent before taking up additional paid / unpaid employment or engaging in any other business.

Requests will not be unreasonably refused providing that:

- It does not affect or is unlikely to affect the suitability of the Employee to undertake their job role or work with children/young people or in a School setting
- It does not conflict with the interests of the School / Trust or have the potential to bring the School / Trust into disrepute
- There is no detrimental impact on an Employee's work performance or their own or others health and safety.
- Privileged or confidential information is not shared

- Work is undertaken outside of the School and of contracted hours of work
- The activity is not in direct competition with those of the School

It is an Employee's responsibility to monitor the hours they work and ensure they are rested and refreshed to be able to carry out their role. An average working week of 48 hours across all employments should not normally be exceeded unless the Employee has elected to opt out of the Working Time Regulations.

### **Dress and Presentation**

All Employees must ensure their dress, personal appearance and personal hygiene is appropriate to the professional nature of their role in the School and promotes a professional image.

Dress should be appropriate to the activities an Employee is engaged in and any related health and safety requirements.

Suitable protective equipment must be worn where provided and appropriate. Uniforms should be worn where provided.

Employees should wear their identity badges at all times.

Employees should not dress in a manner that is potentially offensive, revealing or sexually provocative.

Wherever possible, tattoos and body piercings should not be exposed (except earrings).

The Trust recognises the diversity of cultures and religions of its Employees and will take a sensitive approach where this affects dress and uniform requirements.

### **Smoking and the use of drugs and alcohol**

The Trust is a no- smoking establishment. Smoking and the use of e-cigarettes or "vaping" is not allowed on School premises or during working time Staff should also refrain from smoking immediately outside of the school entrances.

Employees must not consume / use alcohol, illicit drugs or other illegal substances in the workplace or be under the influence of such substances whilst at work.

Employees must ensure that any use of alcohol / other substances outside of work does not adversely affect their work performance, attendance, conduct, working relationships, health and safety of themselves and others or damage the Trust's and School's image and reputation.

## **Health and Safety at Work**

All Employees must, by law, take reasonable care for their own health and safety and that of others in the workplace.

Employees are required to comply with the Trust Health and Safety policy and agreed procedures at all times.

This includes:

- avoiding risk of injury or danger to yourself or others
- using any protective clothing and equipment supplied
- complying with hygiene requirements
- reporting, at the earliest opportunity, any hazards, defects, accidents or incidents to the Headteacher or other designated person
- not interfering with, or misusing, anything provided for health, safety or welfare
- informing the School of any medical condition or medication which has been prescribed which may have an impact on health and safety in the workplace

Managers should also be aware of and comply with any additional health and safety obligations associated with their role.

Please also refer to the Trust Health and Safety Policy.

## **Contact with the Media**

All enquiries from the media should be directed to the Headteacher.

Employees should not make contact with or comment to the media about matters relating to the School without the prior approval of the Headteacher.

Employees should speak to the Headteacher in the first instance about any concerns they have regarding their own employment or operation of the school and / or may refer to the Trust Whistleblowing or Grievance policies if they wish to raise a formal complaint.

Should an Employee speak directly to the media about non-school matters care should be taken to ensure that it is clear that any opinions expressed are personal and that the individual is not acting on behalf of / representing the School.

Any contact with the media in a personal capacity should be compatible with the Employee's role and their position working with children / young people or in a school setting and must not negatively impact on the reputation of the Trust and the school.

## **Whistleblowing**

Employees may raise concerns about any aspect of the operation of the School which is not directly related to their own employment through the Whistleblowing Policy.

Employees raising a concern with reasonable grounds for doing so will not be subject to discrimination, harassment or victimisation.

Please also refer to the Trust Whistleblowing Policy.

## **Misconduct**

Failure to follow the Code of Conduct may result in disciplinary action, including dismissal.

Employees should ensure they are familiar with type of conduct which may be regarded as a breach of School rules.

Examples of behaviours which are likely to be regarded to constitute misconduct are set out in the Appendix to the School's Discipline and Conduct Policy and Procedure. Allegations of misconduct will be managed in accordance with this procedure.

# Safeguarding Pupils / Students

## General Obligations

All Employees have a responsibility to:

- Safeguard pupils / students from physical abuse, sexual abuse, emotional abuse and neglect
- Promote the welfare of pupils / students and provide a safe environment in which children can learn
- Identify children who may be in need of extra help or who are suffering, or are likely to suffer, significant harm
- Report as soon as possible and without delay any concerns regarding child protection / safeguarding to the Headteacher / Designated Safeguarding Lead (or Chair of Governors where concerns relate to the Headteacher)

All Employees must ensure they have read, understood and comply with:

- Part 1 of Keeping Children Safe in Education. This Guidance can be accessed via the following link <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>;
- School Safeguarding Policy
- The School's Behaviour Management Policy
- Additionally, Employees with managerial responsibilities must ensure they comply with the procedure for Managing Allegations Against Staff and Parts 2-4 of Keeping Children Safe in Education and Safeguarding Procedures for Managing Allegations Against Staff
- School to specify any other relevant documents

Employees must attend and comply with any training as required by the School associated with the safeguarding of pupils / students.

## Appropriate relationships with students

Employees must maintain appropriate professional boundaries with pupils / students.

Employees are expected to act in an open and transparent way that would not lead any reasonable person to suspect their actions or intent. In order to protect both children and themselves, Employees should also avoid behaviour that might be misinterpreted by others.

## Allegations Against Members of Staff and Volunteers

All Employees have a duty to report to the Headteacher / DSL at the earliest opportunity the conduct of a colleague which may place a child at risk.

Where the concerns relate to the Headteacher these should be reported to the Chair of Governors.

Failure to report such concerns may be regarded as a disciplinary matter.

### **Other Safeguarding Considerations**

#### **Prevent Duty**

Schools have a duty to protect children / young people from radicalisation and extremism.

All staff have a responsibility to report any concerns about pupils / students who may be 'at risk' to the Headteacher / designated staff member.

#### **Female Genital Mutilation**

Teachers have a legal duty to report to the police where they discover an act of Female Genital Mutilation appears to have been carried out on a pupil / student.

All Staff have a responsibility to discuss any concerns with the Headteacher / designated staff member

Please refer to Part 1 and Annex A of the current version of Keeping Children Safe in Education for further guidance.

## ICT and Social Media

### General Obligations

Employees should ensure that they have read, understand and comply with the School ICT Acceptable Use Policy at all times.

Whilst at work or using a work device all Employees must:

- Ensure all electronic communication with pupils / students, parents / carers, colleagues and other stakeholders is compatible with their professional role, appropriate boundaries and in line with School policies.
- Not use work IT equipment to browse, create, transmit, display, publish or forward any material / images which is illegal, sexually explicit, obscene or could offend, harass or upset others or anything which could bring an Employee's professional role or the School / Trust into disrepute.
- Not use personal IT equipment to browse, create, transmit, display, publish or forward any materials / images which are illegal or could offend or harass others or anything which could bring an Employee's professional role or the School / Trust into disrepute.
- Ensure that ICT system security is respected and password protocols are observed – including the use of strong passwords and encryption.
- Not install personal software on School equipment or make unauthorised copies of School registered software.

School may specify which approach applies:

Limited use of School internet, email and ICT equipment for personal purposes is permitted, provided this is within the scope of the School ICT Acceptable Use Policy and does not impact on an individual's job role.

Access to gaming, gambling, social networking sites or internet chatrooms from School devices is not permitted

OR

Use of school internet, email and ICT equipment for personal purposes is not permitted.

Employees should seek guidance from their Headteacher if they are unclear about the conduct or actions expected of them.

Breaches of expected use of ICT may be considered under the disciplinary procedure.

## **Use of Social Media**

Employees must ensure that their online presence / profile is compatible with their professional role.

All Employees should:

- Ensure appropriate privacy settings are applied when using social media sites
- Refrain from sharing confidential / privileged information, discussing incidents, operational or employment matters or making critical / negative comments about the Trust / School / pupils / parents or colleagues on such forums
- Not browse, create, transmit, display, publish or forward any material / images which is illegal, could offend or harass or anything which could bring an Employee's professional role or the School / Trust into disrepute
- Never share / post images of pupils
- Not post images of work colleagues without permission.
- Not access or update social media sites using school devices / during working time (school may wish to amend / delete this depending on their local approach)

Employees should not make contact with student / pupils or parents via social media accounts or have these individuals as social media 'friends' / 'contacts'. It is also recommended that Employees do not have ex- pupils or their families as social media 'friends'.

Employees should seek guidance from their Headteacher if they are unclear about the conduct or actions expected of them.

## **Use of Personal Mobile Phones / Devices**

Employees are not permitted to make / receive personal calls / texts, send / receive emails or access internet / social media during work time where children are present.

Employees should ensure that mobile devices are silent at all times whilst in the classroom, office or where children are present. Mobile devices should not be left on display.

Employees should not use their personal equipment (mobile phones / cameras / tablets) to take photos or make recordings of pupils / students.

## **Monitoring of Usage**

Emails, documents or browsing history on School systems should not be considered to be private and may be monitored and recorded to ensure the safety of pupils / students and ensure compliance with this document. This monitoring will be proportionate and will take place in accordance with data protection / privacy legislation.

The School may address concerns regarding unauthorised, unacceptable or inappropriate use of ICT systems / devices or social media as a disciplinary matter.

## **Business Conduct**

### **Use of Financial Resources**

The Trust requires Employees to observe the highest standards of business / financial practice.

Employees should ensure that School / public funds with which they are entrusted are used in a responsible and lawful manner.

Employees must comply with the Trust's stipulated financial regulations and any other relevant policies / audit requirements.

Appropriate authorisation should be sought for any expenditure and audit trail / suitable records kept.

School monies, credit / debit cards and accounts should not be used for personal purposes.

The use of personal credit cards / accounts to purchase goods and services on behalf of the School should be avoided unless prior agreement from the Headteacher is obtained.

All expense claims for travel and subsistence should be appropriately authorised and accompanied by receipts / proof of purchase.

Personal loyalty cards should not be used when making purchases on behalf of the School.

### **Personal Use of Equipment and Resources**

Employees may not make personal use of the School's property, materials or facilities unless authorised to do so by the Headteacher.

### **Declaration of Interests**

The Trust recognises that Employees may wish to take an active role in the local community and undertake additional personal / business activities outside of work.

In the majority of instances such activities will have no impact on their role in School. However, on occasion there may be a potential conflict of interest.

Employees should therefore declare annually to the Headteacher any financial or non-financial interests which may conflict with those of the School. Employees should also declare membership of any professional bodies / organisations which may conflict with their School role.

Should Employees be in doubt about whether a conflict of interest may exist they should seek guidance from the Headteacher.

### **Contracting out of Services**

Employees should follow agreed School protocols for the award of contracts to external providers.

Employees should adhere to School rules regarding the separation of roles in procurement / tendering process.

In particular care should be taken to ensure competition between prospective contractors is fair and open and that all competing parties are treated equally.

Employees should ensure that preferential treatment is not shown to current / former Employees or partners, close relatives or friends / associates in the award of contracts.

Employees must not accept any form of financial or other inducement which may be offered by a potential contractor. All such approaches should be reported to the Headteacher.

Confidential information relating to the tendering process, must not be disclosed to any unauthorised party or organisation.

### **Gifts and Hospitality (see Gifts and Hospitality policy)**

Employees should not accept significant gifts from parents / carers, pupils / students, actual or potential contractors or outside suppliers which could compromise the individual or the School.

Employees should notify the Headteacher should they receive any unsolicited gifts and return the item with a polite refusal letter to the sender. A record should be kept of all gifts which are received.

Small tokens of appreciation which have no substantial financial value (less than £25) such as presents from pupils / students at the end of term may be accepted and do not have to be declared.

Employees may only accept an offer of hospitality if there is a genuine need to do so in order to represent the School in the community. Employees should discuss any invitations with the Headteacher.

Where the School receives sponsorship of a School activity / event, care should be taken to ensure that this does not infer that the sponsor will receive preferential treatment in any future contracting / tendering process. An Employee or their partner, family member or friend may not benefit from the sponsorship.

### **Appointments**

An Employee should not be involved in a recruitment process or promotion decision where one of the applicants is a relative, partner or close friend.

### **Political Activity**

Employees may engage in political activity outside of work – however they should not allow personal / political views to interfere with their duties. Any activity should be compatible with the Employee’s responsibility as a role model to pupils / students.

Where an Employee is involved in political activity outside of work – care must be taken to ensure that it is clear that any opinions expressed are personal and that the individual is not acting on behalf of / representing the School.

### **Intellectual Property**

Any intellectual property created by an Employee during the course of their employment will be considered the property of the school, unless specific permission is granted to the Employee to have ownership of such materials.