



**Believe
to Achieve**



Code of Conduct for Employees March 2021

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1 Purpose

1.1 Kates Hill Community Primary School seeks to provide a safe and secure environment, which ensures the well-being and the very best outcomes of the children in our care. The aim of this Code of Conduct for employees is to set out the standards of conduct expected of all staff, clarifying what is expected in terms of professional behaviour and to provide further information for employees. This should be read in conjunction with our disciplinary procedures and the Teachers' Standards.

1.2 This Code should make it clear to employees the expectations Kates Hill 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 the Headteacher.

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 Employees should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

2.3 As recognisable figures in the local community the behaviour and conduct of Kates Hill 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.

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 Employees should recognise that they are in a position to influence children and young people through their slightest actions, comments and behaviours. All employees should work and be seen to work in an open and transparent way.

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 To do this employees must have fully read and understood our safeguarding policies, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times. All employees should know the names of the Designated Safeguarding Leads and the schools child protection arrangements. 4

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

4 Duty of care

Teachers and other staff are accountable for the way in which they exercise authority; manage risk; use resources; and protect pupils from discrimination and avoidable harm.

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement.

There are legitimate high expectations about the nature of the professional involvement of staff in the lives of pupils. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty of care towards their employees which requires them to provide a safe working environment for staff and guidance about safe working practices.

This means that ALL academy 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
- ☑ always act, and be seen to act, in the child's/staff members best interests
- ☑ avoid any conduct which would lead any reasonable person to question their motivation and intentions
- ☑ take responsibility for their own actions and behaviour

5 Exercise of professional judgement

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight however, behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the pupils which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge and in so doing, will be seen to be acting reasonably.

This means that where no specific guidance exists staff should:

- discuss the circumstances that informed their action, or their proposed action, with a senior colleague. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted
- always discuss any misunderstanding, accidents or threats with a senior leader
- always record discussions and actions taken with their justifications

6 Health & Safety

All employees must ensure that they:

- Familiarise themselves with the Health and Safety statements produced by the academy
- Read and understand the school's Health and Safety Policy
- Comply with Health and Safety Regulations and use any safety equipment and protective clothing which is supplied to you by the academy
- 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 academy community or visitors.
- Inform their line manager of any paid work undertaken elsewhere. This is to comply with the Working Time Regulations, which are a Health and Safety initiative.

7 Honesty and personal integrity

7.1 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 academy.

7.2 Employees uphold public trust in our school and maintain high standards of ethics and behaviour, within and outside 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.

7.3 Employees must have proper and professional regard for the ethos, policies and practices of our school and maintain high standards in their own attendance and punctuality.

7.4 Staff must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of school property and facilities.

8 Tackling discrimination

8.1 Employees are required to understand the types of discrimination and bullying that pupils and colleagues may be subject to. Employees are required to have read and understood our Equality and Diversity policy and Anti-Harassment policy.

8.2 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.

9 Professional boundaries and relationships

9.1 Employees in our academy 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.

9.2 Employees must ensure that they avoid behaviour which might be misinterpreted by others. This includes any medium of communication that they may have with pupils.

9.3 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.

9.4 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. Pupils are not employees friends and should not be treated as such.

9.5 Communication between employees and pupils, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, web-cams, websites, social networking sites, online gaming and blogs. Employees should not share any personal information with a pupil. They should not request, or respond to, any personal information from the pupil, other than that which might be appropriate as part of their professional role. Employees should ensure that all communications are transparent and open to scrutiny.

9.6 Employees should also be circumspect in their communications with pupils so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to pupils including e-mail, home or mobile telephone numbers, unless the need to do so is agreed with senior leadership and parents. E-mail or text communications between an employee and a pupil outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites, such as social networking, instant messaging or gaming.

9.7 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 Designated Safeguarding Lead immediately so that they can receive support on the most appropriate way to manage the situation.

9.8 For employees who are in a relationship with a colleague, parent or carer, or any other person associated with the academy we expect that they identify this to the Headteacher and ensure that this does not create a conflict of interest or affect their professional judgement or responsibilities in any way. Be aware that actions that bring the academy into disrepute could lead to disciplinary procedures being taken.

10 Appointment and Management of staff

Employees involved in the recruitment of internal and external staff must ensure that the decision to appoint is based on merit, (see the Recruitment and Selection Policy). An appointment that is based on anything other than the ability of the candidate to do the job may leave the academy vulnerable to allegations of discrimination. Employees must not be involved in an appointment where they are related to an applicant, or have a close personal relationship with him or her.

For the purposes of this guidance the definitions of partners/relatives are ongoing personal and emotional relationships, marriage and close family members.

It is the policy of the academy that spouses/partners will not be employed where there will be a line management relationship between them relating to discipline promotion or pay adjustments and/or where they will be employed together in the area of contracts or finance. This will ensure that our parents and staff feel confident that decisions within the academy are made in a fair and equitable way based on the reasonable application of professional judgement. Equally managers and supervisors will want to ensure that their decisions are not influenced by personal considerations. The requirement of managers to maintain confidentiality may also put strains on personal relationships.

If a personal relationship develops where there is a line management responsibility, managers must investigate the situation and discuss the issues with the employees concerned. Where there is evidence that the working relationship will cause a conflict of interest i.e. where the service involves financial and/or contract work the manager must look for an alternative post for one of the employees involved. The decision of who should move to an alternative post must be based on the degree of impact the loss of either employee would have on the particular service. Each case must be decided on its merits to ensure that the decision made is on objective and reasonable grounds and not unfairly discriminatory.

There may be the opportunity to retain both employees in the same area if another manager can take on the line management element of the role in the same department or if the work can be re-arranged. A decision can only be made once a full investigation has taken place and the employees have had an opportunity to express their views. Where there is no alternative post or way of working, this may result in dismissal for "some other substantial reason". Managers must ensure that the decision to redeploy or dismiss is fair and based on measurable criteria. A full investigation must be undertaken before a decision is made. Dismissal is not automatic all other avenues must first be explored.

11 Absence from work

All leave should be approved prior to it being taken. This includes parental leave, special leave, etc. Failure to notify absence is unauthorised absence.

12 Poor timekeeping

Managers must set a timekeeping standard that is known to all employees. This standard should be applied consistently with employees arriving and departing from their place of work at the agreed times.

Employees must inform their managers/colleagues of their whereabouts and expected time of return when they are out of the office e.g. off-site meetings/visits etc.

13 Negligence

Negligence arises from failure by the employee to exercise reasonable care in his or her work. Employees must not cause loss or damage through carelessness, negligence, a reckless act or breach of instructions. It is only a disciplinary offence if the individual is considered to be personally responsible.

14 Refusal to obey a reasonable instruction

It is the responsibility of all employees to carry out reasonable instructions. In those circumstances where an employee refuses to obey a reasonable instruction, it will be necessary to investigate the situation and depending on the outcome of an investigation it may result in disciplinary action. See the Whistleblowing Policy, where refusal to carry out a reasonable instruction is linked to a matter of conscience.

15 Employees using private vehicles for academy business must ensure:

- The vehicle is road worthy and complies with Road traffic/Transport regulations.
- That the vehicle is insured for “business use”
- They are licensed to drive the vehicle
- They do not drive under the influence of drink/drugs or where there is ill health that may impair their ability to drive the vehicle safely.
- They abide by the current Road Traffic/Transport Regulations.

16 Registers

The taking of attendance registers by staff is a legal requirement. Failure to take registers, where there is not an appropriate reason, could lead to disciplinary action.

17 Confidentiality and protection of data

17.1 Members of staff may have access to confidential information about pupils, colleagues or other matters relating to the school. 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.

17.2 Confidential information about pupils should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously.

17.3 If an employee is ever in doubt about what information can or can’t be disclosed they should speak to a member of the Senior Leadership Team. Any media or legal enquiries should be passed to the Headteacher.

17.4 The school holds and processes data that is protected under the Data Protection Act 1998. Employees are expected to comply with the schools systems for collecting, storing and using data. 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 Headteacher.

17.5 Employees must not criticise the school, its policies or staff in open media such as internet 'blogs', websites, social networking sites, etc.

17.6 Employees must ensure that they have read and understood all of academy policies that relate to data including our IT policies.

18 Probity of records and other documents

The deliberate falsification of documents is not acceptable. Where an employee falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

Where an employee who has claimed any benefit, including housing benefit, either directly or indirectly and has failed to disclose their full earnings, this will be treated as gross misconduct and the employee may be dismissed and referred to the Police.

19 Confidentiality and protection of data

19.1 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. Employees should ensure that they have read and understood our Handling Policy. Staff should use their professional judgement at all times about the appropriateness of any physical contact.

19.2 There may also be occasions where a pupil is in distress and needs comfort and reassurance which may include age appropriate physical contact. If an employee is 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 Designated Safeguarding Lead.

19.3 Physical contact, which occurs regularly with an individual student, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities).

19.4 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.

19.5 Sexual contact, including grooming patterns of behaviour, with pupils is unlawful and unacceptable in all circumstances. Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If an employee believes that an action could be misinterpreted, the incident and circumstances should be made clear to senior staff.

20 Intimate care

All children have a right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A care plan should be drawn up and agreed with parents for all children who require intimate care on a regular basis.

Children should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. When assistance is required, staff should ensure that another appropriate adult is in the room and is aware of the task to be undertaken.

Additional vulnerabilities that may arise from a physical disability should be considered with regard to individual teaching and care plans for each child. As with all arrangements for intimate care needs, agreements between the child, their parents and the organisation must be negotiated, agreed and recorded

This means that staff should:

- make other staff aware of the task being undertaken
- explain to the child what is happening
- consult with colleagues where any variation from agreed procedure/care plan is necessary
- record the justification for any variations to the agreed procedure/care plan and share this information with parents.

21 Social contact with pupils

21.1 Employees may use social networking sites for personal use. However, the school requires that profiles and photos of employees are 'locked down' as private so that pupils or parents do not have access to personal data or images.

21.2 Employees should not establish or seek to establish social contact, via any channels (including social media and online gaming), with pupils or parents 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. If there are any circumstances in which an employee has had to provide their personal contact details, including phone numbers, email address etc, to any pupil then they should report this to the Designated Safeguarding Lead.

21.3 Staff must deny current or recent pupils access to social media profiles, so as not to place themselves in a vulnerable position. Employees should be aware that they leave themselves open to a charge of professional misconduct if images of an employee in a compromising situation are made available on a public profile by anyone.

21.4 The school's advice to employees is not to connect to pupils via social media or other communication channels unless this is for professional purposes and that the employee can demonstrate that this is the case.

21.5 Our school is part of our community and we recognise that, as members of the community, employees will come into contact with pupils outside of the academy. We expect employees to use their professional judgement in such situations and to report to the Designated Safeguarding Lead, any contact that they have had with a pupil, outside of academy, that they are concerned about or that could be misinterpreted by others.

21.6 If a pupil does gain access to the profile of an employee by fraudulent means (impersonation or hacking), the Senior Leadership Team should be informed immediately.

21.7 Where relationships exist between staff and those who are also parents at the school, or personal friends who are parents at the school, social networking is acceptable but caution must be exercised so that professional standards are maintained and staff do not compromise themselves or the academy.

21.8 Employees should read and understand our Social Media policy and are not to bring the academy into disrepute via their own personal comments on social media.

22 Working one to one with pupil

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 of the school
- 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.

It is not permitted for one person to travel alone in a car with a pupil.

23 Dress and appearance

Whilst the school does not impose rigorous dress standards, staff are expected to present a reasonable and professional appearance and dress appropriately to the circumstances within their working environment. Employees should bear in mind that they are working with children. Smart and professional appearance is expected at all times for staff. Those who dress or appear in a manner which could be considered inappropriate could render themselves vulnerable to criticism or allegation. The school does not permit the wearing of clothes that are revealing, allow underwear to be seen, have offensive logos or writing, or are ripped or torn. 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 it is identified that an employee is wearing clothing that we do not find acceptable they will be informed.

This means that staff should ensure their appearance and clothing:

- Promotes a positive and professional image, including that for male staff that facial hair is either well shaved or trimmed and neat (charity days or events may be exempt)
- Is appropriate to their role
- Is not likely to be viewed as offensive, revealing or sexually provocative
- Does not distract, cause embarrassment or give rise to misunderstanding
- Further guidance:
- Leggings and jeggings are not appropriate professional attire
- Skirts and PE shorts should be an appropriate length (protection of modesty when seated should be a consideration and this applies to both genders), no shorter than just above the knee.
- 'Flip-flop' style footwear should not be worn, as it presents health and safety risk
- 'Party shoes' or stiletto heels are inappropriate, also presenting a health and safety risk
- Low cut and 'strappy' tops are also inappropriate.

24 Gifts and Hospitality

For many employees there will be a limited opportunity to accept gifts and hospitality, but all employees must be aware that it is not acceptable for them to accept bribes. Therefore any gift, promotional offer or hospitality, intended either for the employee or for the school that exceeds a nominal value of £15.00 must be declared to the

Business MANAGER) via gifts logbook 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 £15.00 should inform the Business MANAGER. Staff should make the Designated Safeguarding Lead 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; as this would not be acceptable.

Staff should not give gifts to pupils unless this is part of a recognised practice in line with the school's behaviour and rewards systems.

25 Business Contacts

In this section, "business contact" refers to any person, body or organisation with which the academy is involved on a financial or charitable basis (including contractors; developers; consultants; regional or national charities). This also includes business contacts who are potential suppliers (e.g. they are tendering for future business).

25.1 Declaration of gifts

Any gifts that are received should be declared in writing to the Governing Body on the Register of Gifts and Hospitality (Appendix 1) with the exception of those items specifically identified in sections 6.4 and 6.5 below. This document shall remain available for inspection by the Trust's Internal Audit department.

25.2 Gifts or hospitality to an employee

Where a business contact offers a personal gift, personal payment or other incentive such as secondary employment to an employee, these should not be accepted and should be returned with a suitable official letter. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality.

If it is not possible to return gifts then the employee who deals with that supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to these are:

- Low cost, functional items suitable for business use rather than personal use and displaying the supplier's logo e.g. diaries, calendars and pens. These items may be accepted and do not have to be included in the Register of Gifts and Hospitality.
- Gifts offered by parents or students to academy staff to express their thanks, such as boxes of chocolates, however, only gifts with an individual value of £25 or less may be accepted. Such gifts do not have to be declared in writing to the Governing Body or be included in the Register of Gifts and Hospitality. For the avoidance of doubt employees must always refuse gifts of money.

Where hospitality in the form of meals and drinks is offered by a business contact, this is only acceptable where it forms part of a normal business meeting (for example, refreshments at training events or meals at evening meetings). Offers of hospitality to specific events, such as a dinner or sporting event, should only be accepted after authorisation from the Governing Body.

These would normally only be approved where there is a clear and demonstrable benefit to the academy and the hospitality would not expose the academy to criticism that the business contact was exerting undue influence. These should be recorded in the Register of Gifts and Hospitality.

Visits by employees to exhibitions, demonstrations, conferences, business meals and social functions in connection with the academy's business and authorised by the academy, shall be at the academy's expense.

25.3 Gifts or hospitality to the academy

Where a business contact sends a gift to the academy (for example, a stationery supplier sending a gift), these should not be accepted and should be returned to the supplier. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality.

If it is not possible to return the gift, the employee who usually deals with the supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to this are low cost, functional items suitable for business use (as opposed to personal use), such as diaries, calendars or pens, may be accepted and do not have to be declared on the Register of Business Interests.

26 Mobile Telephones

Employees may bring their mobile telephones into the school. It is inappropriate to use a mobile telephone in a classroom or in areas frequented by pupils. In cases of unexpected personal circumstance or potential emergency a mobile 'phone may be used only if sanctioned by the senior leadership team. It is forbidden to use a mobile 'phone to text or use social media during lesson time or to take any photographs. Personal 'phones and devices should remain locked away and only used during non-contact time when no children are around.

27 Keeping within the law

27.1 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.

27.2 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 academy, 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 immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed at the school (this includes outside of their working hours). The Headteacher and/or governors will then need to consider whether this charge or conviction damages public confidence in the school or makes the employee unsuitable to carry out their duties.
 - Declare any criminal disclosures of partners.

28 Conduct outside of work

28.1 Unlike some other forms of employment, working at our school means that an employee's conduct outside of work could have an impact on their role.

28.2 Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the school or the employee's own reputation or the reputation of other members of the academy community.

Employees should be aware that any conduct that we become aware of that could impact on their role within the school or affect the academy's reputation will be addressed under our disciplinary procedure.

28.3 The school therefore expects employees to make the Senior Leadership Team aware immediately of any such situations that have happened outside of the academy.

29 Internet Use

Kates Hill has a clear policy about access to and the use of the Internet. Please refer to the acceptable use of Internet policy for further guidance. Under no circumstances should adults in the school access inappropriate images. Accessing child pornography or indecent images of children on the internet, and making, storing or disseminating such material, is illegal and, if proven, will invariably lead to the individual being barred from work with children and young people. Using school equipment to access inappropriate or indecent material, including adult pornography, would normally lead to disciplinary action, particularly if as a result pupils might be exposed to inappropriate or indecent material.

30 Use of academy premises, equipment & communication systems

Academy equipment and systems (phone, email and computers) are available only for academy related activities and should not be used for the fulfilment of another job or for personal use. This is unless authorised by the Principal (NB for the Principal this is the Chair of Governors) ; in case of an emergency, or where used for brief periods outside of working hours.

This includes photocopy facilities, stationery and premises. It also applies to access provided for remote use (e.g. hand held portable devices etc.) and to staff working outside of academy premises and using their own IT equipment.

Illegal, inappropriate or unacceptable use of academy equipment or communication systems may result in disciplinary action and in serious cases could lead to an employee's dismissal. This list is not exhaustive and includes;

- creating, sending or forwarding any message that would reasonably be considered inappropriate or unacceptable.
- committing or implying commitment to any contractual arrangements.
- accessing, publication or circulation of illegal, offensive, unacceptable ,inappropriate or non-work related material.
- any illegal activities.
- posting confidential information about the academy and/or other employees, children or parents.
- gambling or gaming.
- unauthorised use of academy facilities (or employee's personal IT equipment), for personal use during employee's working time .

Employees receiving inappropriate communication or material or who are unsure about whether something h/she proposes to do might breach this policy should seek advice from their Principal.

The academy has the right to monitor e-mails, phone-calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems Communication systems may be accessed when the academy suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity.

Accredited Trade Union representatives can use academy communication systems for the purposes of undertaking trade union duties and these will be treated as confidential.

Passwords should not be shared and access to computer systems must be kept confidential. Breach of this confidentiality may be subject to disciplinary action.

Where appropriate the academy should consider a system of proxy access. Any academy equipment that is used outside academy premises, for example laptops, should be returned to the academy when the employee leaves

employment or upon request by the Principal lead to the individual being barred from work with children and young people.

Using school equipment to access inappropriate or indecent material, including adult pornography, would normally lead to disciplinary action, particularly if as a result pupils might be exposed to inappropriate or indecent material.

31 Social networking websites

Academy employees must not access social networking websites for personal use (i.e. non- job related use) during work time.

Access to some journals, blogs and social networking sites is permitted during work time for the purposes of undertaking job related duties only. Academy employees must act in the best interests of the academy and not disclose personal data or information about any individual including staff, young people or children. This includes images. Access may be withdrawn and disciplinary action taken if there is a breach of confidentiality or defamatory remarks are made about the academy, staff, young people or children.

The academy respects an employee's private life. However, it must also ensure that confidentiality and its reputation are protected. Employees using social networking websites in their private life;

- must refrain from identifying themselves as working for the academy, in a way which has, or may have, the effect of bringing the academy into disrepute.
- must not identify other academy employees, children or young people without their consent.
- must not make any defamatory remarks about the academy, its employees, children or young people, or conduct themselves in a way that is detrimental to the academy.
- disclose personal data or information about the academy, employees, children or young people, that could breach the Data Protection Act 1998, for example, posting photographs or images of children or young people.
- must not allow students to access their personal social networking accounts and where they are contacted by a student they should bring it to the Principal's attention.

32 Personal websites and blogs

Employees who wish to set up personal web-forums, weblogs or 'blogs' must do so outside of work, not use academy equipment and adhere to the points detailed in the paragraph above.

33 Personal interests

The interests of the school or the way in which employees do their job must not be influenced by personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that an employee is using their position with or knowledge of the a school for personal gain or that they could be influenced by improper motives. If an employee belongs to outside organisations, including voluntary organisations, there must be no conflict with their job or school interests. Employees should advise the Headteacher or Line Manager in writing about anything that could give this impression.

34 Declaration of interests

An employee is required to declare this where the group or organisation would be considered to be in conflict with the ethos of the academy. Membership of a trade union or staff representative group would not need to be declared.

Employees should also consider carefully whether they need to declare to the academy their relationship with any individual(s) where this might cause a conflict with academy activities. For example, a relationship with a Governor, another staff member or a contractor who provides services to the academy.

Failure to make a relevant declaration of interests is a very serious breach of trust and therefore if employees are in doubt about a declaration, they are advised to take advice from their academy or union.

35 Copyright

Employees should be aware that 'intellectual property' such as software, ideas, documents, etc. created during your employment belongs to the academy. All files, materials, the media upon which they are located and all software programmes or packages which are utilised or developed solely for or in connection with employees' work remain the property of the academy.

36 Use of school resources and equipment

Facilities, equipment, vehicles, materials and other resources provided by the school for use in your work must not be used for any other purpose without permission or appropriate payment (e.g. photocopying, private telephone calls). Mobile telephones are provided exclusively for business use and must not be used to make private calls. In this context a call 'home' to advise that you have been unavoidably delayed because of work would not be considered a private call.

37 Smoke free environment

All the school buildings, workplaces and vehicles are smoke free areas. Since July 2007, it has been against the law to smoke in workplaces; failure to comply is now a criminal offence.

38 Drugs and alcohol

Employees must not take drugs, alcohol or any other substance before work, during a break or at lunch time that is capable of causing their behaviour, judgement or performance at work to be affected. This is particularly important for employees who drive, operate machinery, have responsibility for vulnerable pupils, and who come into contact with members of the public and/or visitors. (N.B. It is equally inappropriate for those working in close proximity to service users such as children and vulnerable adults to have alcohol on their breath even though this may not amount to drunkenness.)

39 Criminal charges, cautions and convictions

Employees must advise their Line Manager immediately if they are charged with or cautioned or convicted of any criminal offence whilst you are an employee of the school. While such proceedings will not necessarily affect employment, the academy needs to be sure there are no implications for its reputation, safety of children or in relation to the role the employee undertakes.

40 Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Please refer to the academy Whistle Blowing Policy

Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of senior leadership and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

41 Sharing concerns and recording incidents

All staff should be aware of the school's child protection procedures, including procedures for dealing with allegations against staff. Staff who are the subject of allegations are advised to contact their professional association. In the event of an incident occurring, which may result in an action being misinterpreted and/or an allegation being made against a member of staff, the relevant information should be clearly and promptly recorded and reported to senior staff. Early discussion with a parent could avoid any misunderstanding.

Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with pupils so that appropriate support can be provided or action can be taken.

This means that staff:

- *should be familiar with the School's Child Protection procedures*
- *should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the school or workplace. - See Safeguarding Policy for further information*

42 Review

This Code of Conduct is reviewed and amended every 3 years by the school. We will monitor the application and outcomes of this code of conduct to ensure it is working effectively.

Appendix I

Any of the examples of unacceptable behaviour listed below may be considered as misconduct or gross misconduct depending on the relevance to your role, your seniority, the seriousness of the act and particular circumstances. Those underlined normally will be considered as gross misconduct. The list is not exhaustive and other unacceptable behaviour not specifically listed nevertheless may be considered as misconduct or gross misconduct:

- a) unpunctuality, misuse of time and time recording, unauthorised absence from work;
- b) refusing to comply with reasonable orders and instructions;
- c) deliberately causing damage to academy or council property;
- d) harming or endangering other persons or property, e.g. by contravening safety rules;
- e) neglect of duty/lack of due care or diligence, disruptive behaviour, poor attitude;
- f) fighting, threatening or actual violence towards, physical assault or abuse of another person whilst at work (NOTE: this does not include reasonable physical restraint necessarily carried out in the course of duty);
- g) theft, unauthorised removal, misappropriation, improper or unauthorised use of council or other property, systems (including telephones, IT, email and internet), vehicles, equipment, name or other resources. This may include loss by failing to properly secure or safeguard;
- h) failure to report criminal convictions, particularly those which may be relevant to the type of work undertaken, e.g. driving convictions where the work necessitates driving on academy business, indecent assault where working with children or vulnerable adults;
- i) fraudulent or misleading practices and/or omissions in connection with official duties, e.g. deliberately falsifying academy or council documents, reports, etc.;
- j) fraudulent or false claims for payment of salary, expenses and/or allowances, etc. or seeking financial gain by deception;
- k) acts involving bribery or corruption;
- l) any action for which it would be appropriate for the academy as an employer to take legal proceedings (irrespective of whether such proceedings are taken);
- m) sexual misconduct at work;
- n) wilfully breaching any academy or county council policy or procedure;
- o) drunkenness, being unable to carry out duties through the influence of any substances including drugs, whether or not prescribed, and alcohol, or for any other avoidable reason. (N.B. It is equally inappropriate for those hosting visitors or working in close proximity to service users such as children and vulnerable adults to have alcohol on their breath even though this may not amount to drunkenness.);
- p) possession, buying or selling of weapons, illegal substances or materials at work;
- q) any breach of trust or security in respect of information or procedures;
- r) obtaining or attempting to obtain access to any information (including information held or stored by electronic means) to which the employee is not entitled;

Signed (Chair of Governors)..... Date.....