



LOCATION : SCHOOL HANDBOOK,SECTION 2, DOCUMENT 18

## EMPLOYEE CODE OF CONDUCT

**The Governing Body of Abbey Court School have formally adopted Medway Local Authorities Disciplinary Procedure for its own use.**

**This policy was last reviewed to ensure appropriateness and relevance in:**

**April 2010  
January 2012  
April 2014  
January 2016  
September 2017  
November 2019**



# Model Policy

## Employee Code of Conduct

*For adoption by School and Academies*

Medway's HR Schools team undertakes to check and review this model policy annually, and where necessary, update it to comply with current legislation and good HR practices.

All trade unions and professional associations formally recognised by Medway Council have been consulted in the development of this policy.

Latest revision – **September 2019**

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## **1 INTRODUCTION**

- 1.1 The following Code of Conduct for this school/academy's employees has been negotiated with trade unions and has been adopted by the Governing Body.
- 1.2 In addition to this policy, all staff employed under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the 'Teachers' Standards 2012' and in relation to this policy, Part 2 of the Teachers' Standards - Personal and Professional Conduct.
- 1.3 Employees should be aware that a failure to comply with the Code of Conduct could result in disciplinary action up to and including dismissal.

## **2 PURPOSE, SCOPE AND PRINCIPLES**

- 2.1 This Code of Conduct is designed to give clear guidance on the standards of behaviour that all employees at this school/academy are expected to observe. The school/academy will notify employees of this Code and the expectations therein.
- 2.2 Employees are role models and are in a unique position of influence and must adhere to behaviour that sets a good example to all the pupils/students within the school/academy. As a member of this school/academy community, each employee has an individual responsibility to maintain their reputation and the reputation of the school/academy, whether inside or outside working hours.
- 2.3 Whilst every effort has been made to ensure that the Code is as detailed as possible, situations may arise which are not specifically covered in the Code. Where this happens, employees are expected to use their professional judgement and act in the best interests of the school/academy and its pupils.
- 2.4 This Code of Conduct applies to:
  - all employees who are employed by the school/academy, including the Headteacher;
  - all employees in units or bases that are attached to the school/academy, including volunteers.
- 2.5 The Code of Conduct does not apply to:
  - employees of external contractors and providers of services (e.g. contract cleaners, school meal providers etc.); [Such employees will be subject to the relevant Code of Conduct of their employing body]

## **3 BREACHES OF THE CODE OF CONDUCT**

- 3.1 Failure to meet these standards of behaviour and conduct may result in disciplinary action up to and including dismissal.

3.2 Investigations of alleged breaches of this Code will be dealt with under the school/academy's disciplinary procedure.

3.3 If employees are in any doubt whether they may be in breach of this Code they should seek advice from the Headteacher. In the case of the Headteacher, advice should be sought from the Governing Body.

#### **4 WHISTLEBLOWING (PROTECTED DISCLOSURES)**

4.1 If an employee becomes aware of any conduct that is, or potentially may be, a breach of the Code or that it could bring the school/academy into disrepute, it should be reported to the Headteacher (or Governing Body if it is in regard to the Headteacher) under the school/academy's Whistleblowing Policy.

#### **5 GENERAL CONDUCT GUIDELINES**

5.1 Employees are expected to treat other colleagues, pupils and external contacts, such as parents, with dignity, fairness, equality and respect. **Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated by the school/academy.** This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, pupils and parents.

5.2 Employees must not misuse or misrepresent their position, qualifications or experience or bring the reputation of the school/academy into disrepute. Such behaviour may lead to disciplinary action.

5.3 All employees working with children will adopt high standards of personal conduct in order to maintain the confidence and respect of the public and to provide a role model. Employees should not:

- behave in a manner which would lead others to question their suitability to work with children.
- make, or encourage others to make, unprofessional personal comments which are offensive, derogatory, demeaning or humiliating to others.
- put themselves at risk of allegations of abusive or unprofessional conduct.

5.4 It is impossible to provide a definitive list of what is or is not acceptable conduct or behaviour but below are a few examples of what is unacceptable:

- (i) Discriminating against others i.e. treating others differently (especially less favourably) on the grounds of their gender, race, colour, ethnic or national origin, disability, marital status, family commitments, sexual orientation, age, HIV status, religious or political beliefs, social class, trade union activity.
- (ii) Employees are to treat their colleagues and others with dignity and respect at all times. Employees should respect managerial authority and undertake reasonable instructions.

- (iii) Acts of fraud or corruption or the use of school/academy resources for personal gain or the gain of others.
- (iv) Disclosing information of a personal nature about another person without their permission.
- (v) Any behaviour that may demean, distress or offend others, behaviour of a sexist or racist nature, or the use of sexual or suggestive remarks.
- (vi) The use of threatening or intimidating behaviour or any acts of violence.
- (vii) Any conduct or behaviour which is unethical and/or brings the school/academy or its employees into disrepute.
- (viii) Covert recording of any meeting or discussion is explicitly prohibited and any breach will be grounds for formal disciplinary action.

## **6 SAFEGUARDING PUPILS/STUDENTS**

- 6.1 All employees are responsible for and have a duty to safeguard pupils/students from:
- physical abuse
  - sexual abuse
  - emotional abuse
  - neglect
- 6.2 The duty to safeguard pupils/students includes the duty to report concerns about a pupil/student to the school/academy's Designated Senior Person (DSP) for Child Protection.
- 6.3 The school/academy's DSP is .....(Name).....
- 6.4 Employees should be provided with personal copies of the school/academy's Child Protection Policy and Whistleblowing Policy and employees should be familiar with these documents.
- 6.5 Employees must not demean or undermine pupils, their parents or carers, or colleagues.
- 6.6 Employees must take reasonable care of pupils/students under their supervision with the aim of ensuring their safety and welfare.
- 6.7 Employees must inform the Headteacher immediately if they, or a close family member, are being investigated, or have been investigated, in connection with a child protection/ safeguarding allegation outside of school/academy. In the case of a Headteacher, the matter should be reported immediately to the Governing Body.

## **7 PUPIL/STUDENT DEVELOPMENT**

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

## **8 HONESTY AND INTEGRITY**

- 8.1 Employees must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of school/academy property and facilities.
- 8.2 Employees are expected to maintain records which are accurate. The deliberate falsification of documents is wholly unacceptable and could constitute gross misconduct.
- 8.3 **Criminal actions** - Any employee who receives or is subject to a conviction, caution, ban, reprimand or final warning resulting from police action or who are arrested or convicted in relation to a criminal offence, or pending prosecution, be it in or outside work, must inform the Headteacher (the Governing Body if the Headteacher) immediately.

## **9 CONDUCT OUTSIDE WORK**

- 9.1 Employees must not engage in conduct outside work which could seriously damage the reputation and standing of the school/academy or the employee's own reputation or the reputation of other members of the school/academy community.
- 9.2 In particular, criminal offences that involve violence or possession or use of illegal drugs or sexual misconduct are likely to be regarded as unacceptable.
- 9.3 Employees must exercise caution when using information technology and be aware of the risks to themselves and others.
- 9.4 Employees must not engage in inappropriate use of social network sites which may bring themselves, the school/academy, school/academy community or employer into disrepute.
- 9.5 Employees may undertake work outside the school/academy, either paid or voluntary, subject to prior approval from the Headteacher, provided that it does not conflict with the interests of the school/academy nor be to a level which may contravene the working time regulations or affect an individual's work performance. The Headteacher must be notified of any such work being undertaken.

## 10 CONFIDENTIALITY

- 10.1 Where employees have access to confidential information about pupils/students or their parents or carers, they must not reveal such information except to those colleagues who have a professional role in relation to the pupil/student.
- 10.2 Employees are likely at some point to witness actions which need to be confidential. For example, where a pupil/student is bullied by another pupil/student (or by a member of staff), this needs to be reported and dealt with in accordance with the appropriate school/academy procedure. It must not be discussed outside the school/academy, including with the pupil/student's parent or carer, nor with colleagues in the school/academy except with a senior member of staff with the appropriate role and authority to deal with the matter.
- 10.3 However, employees have an obligation to share with their line manager or the school/academy's Designated Senior Person any information which gives rise to concern about the safety or welfare of a pupil/student. Employees must **never** promise a pupil/student that they will not act on information that they are told by the pupil/student.

## 11 APPLICATIONS FOR POSTS AND OTHER EMPLOYMENT MATTERS

- 11.1 Any decisions relating to new appointments or promotion, or any decision that affects someone's employment status (for example pay adjustments, access to training, matters relating to discipline or capability), should be made on merit and not on the basis of any other consideration.
- 11.2 Having a close personal or professional relationship with an applicant (internal or external) or with someone whose employment status is being reviewed could lead to accusations of bias, especially if there is involvement in any discussions relating to their application or review. Employees should make the relationship known to the Headteacher or, in the case of the Headteacher to the Governing Body.
- 11.3 **Declarations** – Employees should ensure that any information provided is correct and honestly given. When applying for a new post they may be asked to provide specific information about their prior work, personal health and/or criminal convictions and are expected to declare that the information is complete, truthful and accurate.
- 11.4 **Criminal records** - Having an existing criminal conviction need not affect anyone successfully applying for a post within the school/academy or their promotion prospects. Employees must declare any convictions that are not "spent" as defined by the Rehabilitation of Offenders Act. Some posts are exempt from the Act in which case all convictions must be declared and this will be made clear to employees when they apply for the post. Further information can be found in the Treatment of Ex Offenders Policy.



## 12 HEALTH AND SAFETY

12.1 All employees have a statutory duty to maintain a safe working environment and to take reasonable care to ensure the personal health and safety of themselves and any others who may be affected by their work activities. Because the consequences of poor health and safety can potentially be very serious there is a duty on all employees to not knowingly fail to abide by Health and Safety regulations, for example, failing to follow instructions on warning signs, or interference with essential safety equipment such as fire alarms and fire extinguishers.

## 13 USE OF PREMISES, EQUIPMENT & COMMUNICATION SYSTEMS

13.1 School/academy equipment and systems (e.g. phone, email and computers) are available only for school/academy-related activities – **they should not be used for another job/ personal use** unless this has been authorised by the Headteacher. Where Trades Union facility arrangements exist, recognised Trades Unions representatives may use school/academy equipment to discharge their duties.

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

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

13.3 Employees who are unsure if something he/she receives or proposes to do might breach this policy should seek advice from the Headteacher.

13.4 The school/academy has the right to monitor e-mails, phone-calls, internet activity or document production (e.g. to detect misuse, protect systems from viruses and to investigate suspected fraud and/or child protection offences).

13.5 Personal equipment – employees must not use their own personal equipment such as mobile phones or cameras to make recordings of pupils, parents or

other employees.

## **14 SOCIAL NETWORKING WEBSITES, SOCIAL CONTACT & E-SAFETY**

14.1 Employees working in schools/academies **should not seek or establish e-relationships with children/parents** through social networking sites.

14.2 Internal email systems should only be used in accordance with the school/academy's usage policy. Email communications can be legally binding and should be used in a responsible and professional manner. Employees should not use email to send messages, which are defamatory or divulge confidential information or that could be seen as offensive or obscene.

14.3 Employees are strongly advised, in their own interests, to take steps **to ensure that their personal data is protected** from anybody who does not have permission to access it.

14.4 This means that employees should:

- refrain from identifying themselves as working for the school/academy in a way which has the effect of bringing the school/academy into disrepute.
- not identify other staff or children without their consent.
- not make any defamatory remarks about the school/academy, its staff, children, parents or any other school/academy community members.
- not disclose data or information about the school/academy, employees or, children that could breach the Data Protection Act 1998, for example, posting photographs or images of children or young people.
- not allow pupils to access their personal social networking accounts.
- ensure that personal social networking sites are set as private and pupils are never listed as approved contacts.
- never access the social networking sites of pupils.
- not give their personal contact details to children including their mobile telephone number.
- not use internet or web-based communication channels to send personal messages to a child/young person.

Note: Employees with children in the school/academy are exempt from the last three bullet points where it directly relates to the parental supervision of their child(ren).

14.5 Employees who work with children should not seek to have social contact with the families of children they work with, unless the reason for this contact has been firmly established and agreed with senior leaders.

14.6 Failure to comply with the guidelines on employee use of social networking sites may lead to disciplinary action being initiated.

## **15 CONTACT WITH THE MEDIA**

15.1 Employees should not have contact with the media without the permission of the Headteacher. Any member of staff who receives a request for information or comment from any form of media, must refer the matter to the Headteacher and the Governing Body should be consulted.

15.2 Employees must not leak information to the media either directly or by careless comment. Any such leaks to the media will be considered a disciplinary offence.

## **16 GIFTS AND HOSPITALITY**

16.1 Employees must not accept significant personal gifts from pupils, parents, contractors and outside suppliers, other than insignificant tokens such as pens or diaries or small festive/end of term gifts.

16.2 Personal gifts from individual members of staff to students are inappropriate and could be misinterpreted, so should be avoided.

16.3 Gifts from suppliers or associates of the school/academy must be declared to the Headteacher, with the exception of “one off” token gifts from students or parents.

16.4 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the school/academy in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the school/academy should be seen to be represented. They must be properly authorised and recorded.

16.5 When hospitality has to be declined the person offering it should be courteously but firmly informed of the procedures and standards operating within the school/academy.

16.6 When considering whether or not to accept hospitality, employees must be sensitive to the timing of decisions and the letting of contracts for which a provider may be bidding. Employees must never accept hospitality from a contractor during a tendering period.

16.7 Acceptance by employees of hospitality whilst in attendance at relevant conferences and courses is acceptable if it is clear that:

- the hospitality is for the school/ academy rather than personal,
- if the school/academy gives consent in advance, and
- if the school/academy is satisfied that any purchasing decisions are not compromised.

- 16.8 Where visits are required to inspect equipment etc., employees must ensure that the school/academy meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.
- 16.9 **Recording offers of gifts or hospitality** - To protect the school/academy and individuals from any accusation of bias, and regardless of whether or not a gift or hospitality is accepted, all offers must be recorded in the school/academy's hospitality/gift reporting book.

## **APPENDICES**

### ***FOR INFORMATION ONLY***

APPENDIX 1 – Guidance for Safer Working Practice for those working with Children and Young People in Education Settings May 2019