



Code of Conduct Policy

Policy Reference No	PT04
Review Frequency	Annually
Reviewed	September 2023
Next Review Date	Summer 2024

(This policy supersedes all previous Code of Conduct policies)

FLOURISHING FUTURES



Amendments

Policy Date	New Version Number	Summary of change	Comments
Dec 18	V1.3	Delete of Director of Operations Role & replaced with Senior Manager.	
Dec 18	V1.3	Delete Operations Team & replace with Business Support Team	
Mar 18	V1.4	Inclusion of DfE Guidance	Para 3.3
Sep 20	V1.5	To be reviewed annually	
Sep 20	V1.5	Chief Operating Officer role added (Member of TET)	
Sep 21	V1.6	Next Review Date changed to Summer Term 2022	
Sep 21	V1.6	Staff and employee replaced with colleague throughout	
Sep 21	V1.6	HR replaced with People throughout	
Sep 22	V1.7	Keeping Children Safe in Education 2021 date updated to 2022 throughout document	
Sep 22	V1.7	Health & Safety training added (5.1)	
Sep 22	V1.7	Reference to GDPR Policies added (9.5)	
Sep 22	V1.7	Trust Executive Team/Trust Leadership roles updated & replaced throughout document to reflect updated structure	
Sep 22	V1.7	Head of Academy replaced with Head Teacher throughout document to reflect updated structure	
Sep 22	V1.7	PPE guidance added (13.2)	
Sep 22	V1.7	Tattoo guidance updated (13.5)	
Sep 23	V1.8	Young People replaced with children throughout	
Sep 23	V1.8	Aims of policy section updated (1.1, 1.2, 1.5)	
Sep 23	V1.8	Allegations of abuse section added (4)	
Sep 23	V1.8	Low level concerns section added (5)	
Sep 23	V1.8	Dress and appearance section updated (15)	
Sep 23	V1.8	Requirement to raise concerns if a colleague has not demonstrated responsible behaviour at work related functions etc. (21.4)	

Union Consultation/External Review

Date	Action (meeting, email etc.)	Comments	Attendance
20/11/18	Draft policy sent to all unions and staff for comment	30 day consultation period	
30/05/23	Sent to PHP Law for external review		

* Trust – Refers to all Schools, Academies & Business Support Team within the Learning Academy Partnership

* Colleagues – Refers to employees

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1 Aims

- 1.1 This policy aims to set and maintain standards of conduct that we expect all colleagues to follow.
- 1.2 By creating this policy, we aim to ensure our Trust is an environment where everyone is safe, happy and treated with respect. The purpose of this Code of Conduct is to help all colleagues, contractors and volunteers to understand what is expected of them whilst working for our Trust. It is important that everyone understands the expectations set out in the Code of Conduct as failure to adhere could result in disciplinary actions.
- 1.3 Keeping Children Safe in Education (DFE 2023) sets out the requirement for a code of conduct, sometimes referred to as a staff behaviour policy. This Code of conduct applies to all colleagues regardless of length of service including those in their probationary period. It also applies to agency workers, volunteers, and self-employed contractors although, unlike colleagues, breaches of the Code will not be managed through the disciplinary procedure.
- 1.4 This policy does not form part of any colleague's contract of employment and may be amended at any time.
- 1.5 Please note that this code of conduct is not exhaustive. If situations arise that are not covered by this code, colleagues and senior leaders will use their professional judgement and act in the best interests of our Trust, our colleagues and our children.
- 1.6 While this policy should be followed, it should be adapted to take into account any needs due to any protected characteristic under the Equality Act 2010.

2 General Obligations

- 2.1 All colleagues are required to demonstrate consistently high standards of personal and professional conduct at all times. Colleagues are required to report any concerns regarding colleagues to their Manager or the People Team.
- 2.2 As recognisable figures in the local community, the behaviour and conduct of colleagues of our Trust outside of work can impact on their employment. Therefore, conduct outside work may be treated as a disciplinary matter if it is considered that it is relevant to the colleague's employment.

3 Safeguarding and promoting the welfare of children

- 3.1 All colleagues are responsible for safeguarding children and promoting their welfare. This means that colleagues are required to take action to protect children from maltreatment, prevent impairment of young people's health or development and ensure that young people grow up

in circumstances consistent with the provision of safe and effective care. This will enable all children to have the best outcomes.

- 3.2 All colleagues must be aware of the signs of abuse and neglect and know what action to take if these are identified.
- 3.3 To do this a colleague must have fully read and understood our safeguarding policies, undertake safeguarding training as required, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times. In addition, all colleagues should be aware of current DfE guidance including Keeping Children Safe in Education 2023 and Guidance for Safer Working Practice for Adults who work with Children and Young People in Education 2020.
- 3.4 All colleagues must cooperate with Trust colleagues and with external agencies where necessary.
- 3.5 Colleagues should refer any concerns about another colleague to the Head Teacher/Manager or Designated Safeguarding Lead

4 Allegations of abuse

- 4.1 Keeping Children Safe in Education 2023 Part 4 Allegations of abuse made against Teachers and other staff including supply teachers and volunteers: this guidance will be followed where it is alleged that anyone working in the school including supply teachers and volunteers has:
 - Behaved in a way that has harmed a child, or may have harmed a child
 - Possibly committed a criminal offence against or related to a child
 - Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children
 - Behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- 4.2 Where a colleague or volunteer is involved in an incident outside school, which did not involve children but could have an impact on their suitability to work with children, the Trust will consider what triggered these actions and could a child in our Trust trigger the same reaction, therefore being put at risk.

5 Low level concerns

- 5.1 Our Trust **Managing Allegations Against Abuse of Colleagues Policy (PT27)** includes a section on low level concerns which enables all staff to share any concerns – no matter how small – about their own or another colleague's behaviour. Safeguarding and promoting the welfare of children is everyone's responsibility. Keeping Children Safe in Education 2023 Part 4 also covers concerns that do not meet the harm threshold and are classified as "low level" concerns. The term 'low-level' concern does

not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out in allegations of abuse detailed above.

- 5.2 Low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult, including supply colleagues, contractors and volunteers, working in or on behalf of the school may have acted in a way that:
- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
 - Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.
- 5.3 It is crucial that any such concerns, including those which do not meet the harm threshold are shared responsibly and with the right person, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of our Trust from potential false allegations or misunderstandings.
- 5.4 We wish to encourage an environment in our Trust where you feel confident to refer others or yourself. You may find yourself in a situation which could be misinterpreted or might appear compromising to others. Equally, you may, for whatever reason, have behaved in a manner which, on reflection, you consider falls below the standard set out in this staff code of conduct. Self-reporting in these circumstances can be positive for a number of reasons: it is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity; it demonstrates awareness of the expected behavioural standards and self-awareness as to your own actions or how they could be perceived; and, crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.
- 5.5 If you have any concerns that either one of your colleagues or yourself are not following this code of conduct you should report these to your Head Teacher/Manager immediately although it is never too late to share a concern. This can be verbally or in writing. If the concern is about the Head Teacher/Executive Head/Member of the Trust Leadership team it should be raised with the Chief Executive Officer.

6 Duty of care

- 6.1 Colleagues 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 our children's best interests
 - Avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
 - Take responsibility for their own actions and behaviour

7 Health & Safety

7.1 All colleagues must ensure that they:

- Undertake Health & Safety training as required
- Read and understand our Trust's Health and Safety Policy
- Comply with Health and Safety Regulations or instructions and use any safety equipment and protective clothing which is supplied by our Trust
- Comply with any hygiene requirements
- Comply with any accident reporting requirements
- Never act in a way which might cause risk or damage to any other members of our Trust community or visitors

8 Honesty and personal integrity

8.1 Colleagues are expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct at our Trust.

8.2 Colleagues must comply with any lawful or reasonable instructions issued by Leaders.

8.3 Colleagues uphold public trust in our Trust and maintain high standards of ethics and behaviour, within and outside school, by:

- Treating children 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 children's wellbeing, 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 children's vulnerability or might lead them to break the law

8.4 Colleagues must have proper and professional regard for the ethos, policies and practices of our Trust and maintain high standards in their own attendance and punctuality.

8.5 Colleagues must treat all colleagues with respect, dignity, fairness and courtesy at all times.

8.6 Colleagues must ensure that their behaviour/conduct towards Leaders/Manager or colleagues is appropriate and professional at all times

- 8.7 Colleagues must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of Trust property and facilities.
- 8.8 Report any behaviour or situations which you may feel give rise to a complaint or misunderstanding in respect of your own actions. Also share situations with your Manager if you feel your actions might have sat outside this code of conduct.

9 Tackling discrimination

- 9.1 Colleagues are required to understand the types of discrimination and bullying that children and colleagues may be subject to. Colleagues are required to have read and understood our Equality and Diversity policy and undertake any training as required.
- 9.2 Colleagues must not ignore any form of discrimination. This includes inappropriate jokes and banter. Colleagues must positively promote equality and diversity and inclusion at all times.

10 Professional boundaries and relationships

- 10.1 Colleagues in our Trust are in a position of trust in relation to our children which means that the relationship between a colleague and a child is not one of equals. It is a specific offence¹ for a person aged 18 or over (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that young person, even if the relationship is consensual.
- 10.2 Colleagues must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with children.
- 10.3 Colleagues must not make sexual remarks to any child or discuss their own sexual relationships with, or in the presence of children. Colleagues must not discuss a young person's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a colleague towards any young person is unacceptable and illegal.
- 10.4 Colleagues must ensure that professional boundaries are maintained at all times with both colleagues and children. This means that colleagues should not show favouritism to any child and should not allow children to engage in any type of behaviour that could be seen to be inappropriate. Children are not colleagues friends and should not be treated as such.
- 10.5 Colleagues should be aware that it is not uncommon for children to become strongly attracted to a colleague or to develop an infatuation. If any colleague becomes aware of an infatuation, they should discuss it with

¹ Section 16 of The Sexual Offences Act 2003

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

- 10.6 For colleagues who are in a relationship with a colleague, parent or carer, or any other person associated with our Trust we expect that they identify this to their Manager and ensure that this does not create a conflict of interest or affect their professional judgement or responsibilities in any way. Where a colleague has managerial or Senior authority over another colleague with whom they are in a close personal relationship, the Trust reserves the right to transfer one or both colleagues to another role in our Trust following appropriate consultation with both colleagues in order to seek agreement to the transfer.

11 Confidentiality, monitoring and data protection

- 11.1 Colleagues may have access to confidential information about our children, colleagues or other matters relating to our Trust. This could include personal and sensitive data, for example information about a child's home life. Colleagues should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Colleagues should never disclose this information unless this is in the proper circumstances and with the proper authority.
- 11.2 If a colleague is ever in doubt about what information can or can't be disclosed, they should speak to their Head Teacher.
- 11.3 As part of the application of this policy, the Trust will collect, process and store personal data and special categories of data in accordance with our data protection policy. We will comply with the requirements of the Data Protection Legislation (being (i) unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulations ((EU) 2016/679 and any national implementing laws, regulations and secondary legislation, as amended and updated from time to time, in the UK and then (ii) any successor legislation to the GDPR 2018 or the Data Protection Act 1998) in relation to how we collect, hold and share special category personal data. Records will be kept in accordance with our Workforce Privacy Notice and our Records Management and Retention Policy and in line with requirements of Data Protection Legislation.
- 11.4 If any colleague becomes aware that data is at risk of compromise or loss or has been compromised or lost they must report it immediately to the Data Protection Officer, in order (where applicable) for relevant breaches to be reported to the Information Commissioner's Office within 72 hours.
- 11.5 Colleagues must read and understand our Data Protection and GDPR Policies and other relevant policies including in relation to criminal records information, recruitment and safer recruitment, internet, email and communications, information security, copies of which are available from the Head Teacher, Trust Business Support Team or from the Colleague Portal.

12 Physical contact with children

- 12.1 There are occasions when it is entirely appropriate and proper for a colleague to have physical contact with our children. Colleagues must ensure that they only do so in ways that are appropriate to their professional role and in response to the child's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the child. Colleagues should always be able to explain why they have made physical contact with a child.
- 12.2 There may also be occasions where a child is in distress and needs comfort and reassurance which may include age appropriate physical contact. If a colleague is in this position, then they should consider the way in which they offer comfort, ensuring that it is not open to misinterpretation. It should always be reported to a Designated Safeguarding Lead (age appropriate).
- 12.3 A colleague may legally physically intervene with children 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.
- 12.4 Sexual contact, including grooming patterns of behaviour, with children is unlawful and unacceptable in all circumstances.

13 Social contact with children

- 13.1 Colleagues should not establish or seek to establish social contact, via any channels (including social media), with our children for the purposes of securing a friendship or to pursue or strengthen a relationship. Colleagues should use their work provided equipment only for communicating electronically with students. If there are any circumstances in which a colleague has had to provide their personal contact details, including phone numbers, email address etc, to any child then they should report this to a Designated Safeguarding Lead.
- 13.2 The Trust's advice to colleagues is not to connect to our children via social media or other communication channels.
- 13.3 Our Trust is part of our community and we recognise that, as members of the community, colleagues will come into contact with children outside of the workplace. We expect colleagues to use their professional judgement in such situations and to report to a Designated Safeguarding Lead any contact that they have had with a child, outside of school, that they are concerned about or that could be misinterpreted by others.

14 Working one to one with children

14.1 There will be times where a colleague is working one to one with a student and this is acceptable. Colleagues need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore, it is important that colleagues:

- Avoid meeting on a one-to-one basis in secluded areas of the school/academy
- Ensure that the door to the room is open or that there is visual access into the room
- Inform a colleague or Manager of the meeting, preferably beforehand
- Reports to their Manager if the student becomes distressed or angry

15 Dress and appearance

15.1 Colleagues must ensure they are dressed decently, safely and appropriately for the tasks they undertake and ensure they promote a positive and professional image.

15.2 Our Trust does not feel it necessary to identify a list of prescribed items of apparel or footwear, nor does it feel it appropriate to define acceptable (or unacceptable) types (or colours) of hairstyle and jewellery (although health and safety considerations will be deemed paramount with regard to all these categories). However, it does expect that colleagues will refrain from dressing (or appearing) in an unprofessional manner or one which might be seen as a Safeguarding concern. Outfits will not be revealing, and clothes will not display any offensive or political slogans.

15.3 Colleague dress must be smart, professional and appropriate to the job they do. Colleagues can always speak to their Manager if they are unsure. Remember, we are models for the high expectations of appearance that we expect from our children.

Should the appearance of any staff member be felt inconsistent with observation of the dress code this matter should be brought to the attention a Manager. If it is their opinion that a breach of the dress code has been identified, they will initially raise the matter with the individual concerned to explain the precise area of concern. Should there be any disagreement as to whether the code has been breached then the matter will be escalated to the Head Teacher /Executive Head/ Member of Trust Leadership Team/Member of Trust Executive Team (as appropriate).

16 Drugs and alcohol

16.1 It is not permitted to consume alcohol or any (illegal) substances on Trust premises and to be under their influence during work hours. Therefore, it is a disciplinary offence to be under the influence of alcohol and/or substances whilst at work or when representing our Trust, or if it believed to have affected a colleague's ability to conduct their duties.

- 16.2 Our Trust expressly prohibits the use of any illegal drugs (including psychoactive substances, formerly known as 'legal highs'), or any prescription drugs that have not been prescribed for the user, if they impair the judgement or are abused.
- 16.3 It is a criminal offence to be in possession of, use or distribute an illegal drug, or to produce, supply or possess these with the intent to supply illegal drugs. If any such incidents take place on Trust premises, vehicles or at Trust functions, they will be investigated and may lead to disciplinary action being taken and report to the police.
- 16.4 Colleagues must inform their Manager in confidence regarding any prescribed medication that may have an effect on their ability to carry out their work safely and/or to care for or supervise children in their care. They should seek medical advice before continuing to take such medication and discuss the advice received from their GP or Occupational Health with their Manager or another appropriate Manager. Managers must ensure that the affected colleagues only work directly with children, if medical advice confirms that the medication is unlikely to impair the colleague's ability to look after children properly.
- 16.5 Colleagues' medication must be kept out of reach of young people at all times.
- 16.6 Colleagues suffering from drug and/or alcohol dependency encouraged to declare these to the Head Teacher /Executive Head/ Member of Trust Leadership Team/Member of Trust Executive Team (as appropriate) or the Trust People Team. The Trust will aim to signpost them to appropriate support services.

17 Criminal charges and convictions

- 17.1 There is a requirement for colleagues to inform the Head Teacher/Manager /Executive Head/ Member of Trust Leadership Team/Member of Trust Executive Team (as appropriate) if they are subject to a Police investigation or are charged with or convicted of any criminal offence during their employment; this includes cautions.

18 E-Safety/Online Safety

- 18.1 Colleagues must exercise caution when using information technology and be aware of the risks to themselves and others. Colleagues must ensure that they comply with the Trusts E-Safety Policies at all times.

19 Gifts and hospitality

- 19.1 For many of our colleagues there will be a limited opportunity to accept gifts and hospitality, but all colleagues must be aware that it is not acceptable for colleagues to accept bribes. Therefore, any gift, promotional offer or hospitality, intended either for the colleague or for the

Trust that exceeds a nominal value of £25.00 must be declared on the Trust gift register and permission must be obtained before accepting. If a colleague is ever unsure, then the best course of action is to politely decline the offer.

- 19.2 It is traditional for our children and their parents or carers to give gifts as a small token of appreciation or as a thank you to our colleagues at certain times throughout the academic year. This Code of Conduct is not designed to stop that practice. Colleagues may accept gifts from our children and their parents or carers provided that they meet this definition. Any colleague that receives a gift with a value of greater than £25.00 should inform the Head Teacher who will then decide whether the gift can be accepted. A colleague should make the Head Teacher aware of any student who is giving them gifts on a regular basis, or any student or parent or carer who expects something in return for a gift, as this would not be acceptable.

20 Keeping within the law

- 20.1 Colleagues are expected to operate within the law. Unlawful or criminal behaviour, at work or outside work, may lead to disciplinary action, including dismissal.

- 20.2 Colleagues must ensure that they:

- Uphold the law at work
- Never commit a crime away from work which could damage public confidence in them or our Trust, or which makes them unsuitable for the work they do. This includes, for example:
 - Submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)
 - Breaching copyright on computer software or published documents
 - Sexual offences which will render them unfit to work with children, young people or vulnerable adults
 - Crimes of dishonesty which render them unfit to hold a position of trust

This list is intended as a guide and is not exhaustive.

- 20.3 Colleagues should write and tell their Head Teacher/Manager immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed by our Trust (this includes outside of their working hours Head Teacher /Executive Head/ Member of Trust Leadership Team/Member of Trust Executive Team (as appropriate)will then need to consider whether this charge or conviction damages public confidence in the Trust or makes the colleague unsuitable to carry out their duties.

21 Conduct outside of work and at work related functions

- 21.1 Unlike some other forms of employment, working at our Trust means that a colleague's conduct outside of work could have an impact on their role.
- 21.2 Colleagues must not engage in conduct outside work which could seriously damage the reputation and standing of our Trust/Academy or the colleague's own reputation or the reputation of other members of the Trust community. Colleagues should be aware that any conduct that we become aware of that could impact on their role within the Trust/Academy or affect our Trust's/Academies reputation will be addressed under our disciplinary procedure.
- 21.3 We therefore expect colleagues to make us aware immediately of any such situations that have happened outside of the workplace.
- 21.4 Colleagues are required to demonstrate responsible behaviour at work-related functions and work-related social events that take place outside normal work hours and to act in a way that will not have a detrimental effect on our reputation. If you have any concerns that either one of your colleagues or yourself has not followed this code of conduct you should report these to your Head Teacher/Manager immediately.

22 Review of policy

- 22.1 This policy is reviewed every year or upon change of relevant legislation. We will monitor the application and outcomes of this policy to ensure it is working effectively.