



# Code of Conduct Policy

<b>Policy Reference No</b>	PT004
<b>Review Frequency</b>	Annually
<b>Reviewed</b>	September 2022
<b>Next Review Date</b>	Summer 2023

*(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)	

## Union Consultation

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

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

\* Colleagues – Refers to employees

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## **1 Purpose**

- 1.1 The aim of this Code of Conduct for colleagues is to set out the standards of conduct expected of all colleagues and to provide further information for colleagues. This should be read in conjunction with our disciplinary procedure, Teachers' Standards and the statutory guidance Keeping Children Safe in Education.
- 1.2 This Code should make it clear to colleagues the expectations the Trust has of them. Colleagues should note that this Code is not exhaustive in defining acceptable and unacceptable standards of conduct and colleagues must use common sense in adhering to the underpinning principles. If any colleague is ever unsure what the expectations are in any given circumstance, they should speak to their manager. The policy has been implemented following consultation with colleagues and recognised trade unions. It has been formally adopted by the Trust.
- 1.3 This policy does not form part of any colleagues contract of employment and may be amended at any time.

## **2 Scope**

- 2.1 Keeping Children Safe in Education (DFE 2022) sets out the requirement for a code of conduct, sometimes referred to as a staff behaviour policy. This Code applies to all colleagues regardless of length of service including those in their probationary period. It also applies to agency worker, volunteers and self-employed contractors although, unlike colleagues, breaches of the Code will not be managed through the disciplinary procedure.
- 2.2 As recognisable figures in the local community the behaviour and conduct of colleagues of the Trust outside of work can impact on their employment. Therefore, conduct outside work may be treated as a disciplinary matter if it is considered that it is relevant to the colleague's employment.

## **3 Safeguarding and promoting the welfare of young people**

- 3.1 All colleagues are responsible for safeguarding young people and promoting their welfare. This means that colleagues are required to take action to protect young people 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 young people 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 young people 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 2022 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.

## 4 Duty of care

4.1 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 young people' best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
- Take responsibility for their own actions and behaviour

## 5 Health & Safety

5.1 All colleagues must ensure that they:

- Undertake Health & Safety training as required
- Read and understand the 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 the Trust
- Comply with any hygiene requirements
- Comply with any accident reporting requirements
- Never act in a way which might cause risk or damage to any other members of the Trust community or visitors

## 6 Honesty and personal integrity

6.1 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.

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

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

- Treating young people 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 young people'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 young people's vulnerability or might lead them to break the law

6.4 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.

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

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

6.7 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.

6.8 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.

## 7 Tackling discrimination

7.1 Colleagues are required to understand the types of discrimination and bullying that young people 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.

7.2 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.

## 8 Professional boundaries and relationships

8.1 Colleagues in our Trust are in a position of trust in relation to our young people which means that the relationship between a colleague and a young person is not one of equals. It is a specific offence<sup>1</sup> 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.

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<sup>1</sup> Section 16 of The Sexual Offences Act 2003

- 8.2 Colleagues must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with young people.
- 8.3 Colleagues must not make sexual remarks to any young person or discuss their own sexual relationships with, or in the presence of young people. Colleagues must not discuss a young person's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a colleague towards any student is unacceptable and illegal.
- 8.4 Colleagues must ensure that professional boundaries are maintained at all times with both colleagues and young people. This means that colleagues should not show favouritism to any young person and should not allow young people to engage in any type of behaviour that could be seen to be inappropriate. Young people are not colleagues friends and should not be treated as such.
- 8.5 Colleagues should be aware that it is not uncommon for young people 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 a Designated Safeguarding Lead immediately so that they can receive support on the most appropriate way to manage the situation
- 8.6 For colleagues who are in a relationship with a colleague, parent or carer, or any other person associated with the 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 the Trust following appropriate consultation with both colleagues in order to seek agreement to the transfer.

## **9 Confidentiality, monitoring and data protection**

- 9.1 Colleagues may have access to confidential information about our young people, colleagues or other matters relating to the Trust. This could include personal and sensitive data, for example information about a young person'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.
- 9.2 If a colleague is ever in doubt about what information can or can't be disclosed they should speak to their Head Teacher.
- 9.3 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.

- 9.4 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.
- 9.5 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.

## **10 Physical contact with young people**

- 10.1 There are occasions when it is entirely appropriate and proper for a colleague to have physical contact with our young people. Colleagues must ensure that they only do so in ways that are appropriate to their professional role and in response to the young persons needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the young person. Colleagues should always be able to explain why they have made physical contact with a young person.
- 10.2 There may also be occasions where a young person 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).
- 10.3 A colleague may legally physically intervene with young people to prevent them from committing a crime, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Physical force should never be used as a form of punishment.
- 10.4 Sexual contact, including grooming patterns of behaviour, with young people is unlawful and unacceptable in all circumstances.



## **11 Social contact with young people**

- 11.1 Colleagues should not establish or seek to establish social contact, via any channels (including social media), with our young people 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 young person then they should report this to a Designated Safeguarding Lead.
- 11.2 The Trust's advice to colleagues is not to connect to our young people via social media or other communication channels.
- 11.3 Our Trust is part of our community and we recognise that, as members of the community, colleagues will come into contact with young people 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 young person, outside of school, that they are concerned about or that could be misinterpreted by other

## **12 Working one to one with young people**

- 12.1 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

## **13 Dress and appearance**

- 13.1 Working in our Trust colleagues are role models to our young people and how they present themselves is important. Our expectations are that colleagues are decently, appropriately and professionally dressed in work at all times (including whilst on training, inductions etc). If a colleague is unsure whether any item of clothing is inappropriate, then they should not wear it to work. Colleagues can always speak to their Manager if they are unsure. Where we identify that a colleague is wearing clothing that we do not find acceptable they will be informed.

For example:

- Beach wear
- Sports Wear (unless teaching PE or other related activities)
- Cropped tops
- Clothing with tears, holes and rips or that is not clean
- Offensive badges, emblems or logos on clothes
- Jeans
- Very short miniskirts
- Casual Shorts (issued or smart shorts maybe worn)
- Low cut tops & transparent clothing

13.2 Please note staff must ensure that where provided, Personal Protective Equipment (PPE) is worn as required.

13.3 Colleagues may wear religious and cultural dress (including head scarves, skullcaps and turbans) unless it breaches this policy or compromises the health and safety of the wearer, their colleagues or any other person.

13.4 Face piercing must be covered.

13.5 Tattoos must not be offensive to others. Where they are deemed to be offensive or inappropriate, they must be appropriately covered.

## 14 Drugs and alcohol

14.1 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 the Trust, or if it believed to have affected a colleagues ability to conduct their duties.

14.2 The 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

14.3 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.

14.4 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 young people 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 young people, if medical advice confirms that the medication is unlikely to impair the colleague's ability to look after young people properly.

14.5 Colleagues' medication must be kept out of reach of young people at all times.

14.6 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.

## **15 Criminal charges and convictions**

15.1 There is a requirement for colleagues to inform the Head Teacher /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.

## **16 E-Safety/Online Safety**

16.1 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.

## **17 Gifts and hospitality**

17.1 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.

17.2 It is traditional for our young people 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 young people 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.

## 18 Keeping within the law

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

18.2 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 the Trust, or which makes them unsuitable for the work they do. This includes, for example:
  - Submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)
  - Breaching copyright on computer software or published documents
  - Sexual offences which will render them unfit to work with 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.***

18.3 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 at the 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.

## 19 Conduct outside of work and at work related functions

19.1 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.

19.2 Colleagues must not engage in conduct outside work which could seriously damage the reputation and standing of the 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 the Trust's/Academies reputation will be addressed under our disciplinary procedure.

19.3 We therefore expect colleagues to make us aware immediately of any such situations that have happened outside of the workplace.

19.4 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.

## **20 Review of policy**

- 20.1 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.