



## TRUST IN LEARNING (ACADEMIES)

### CODE OF CONDUCT



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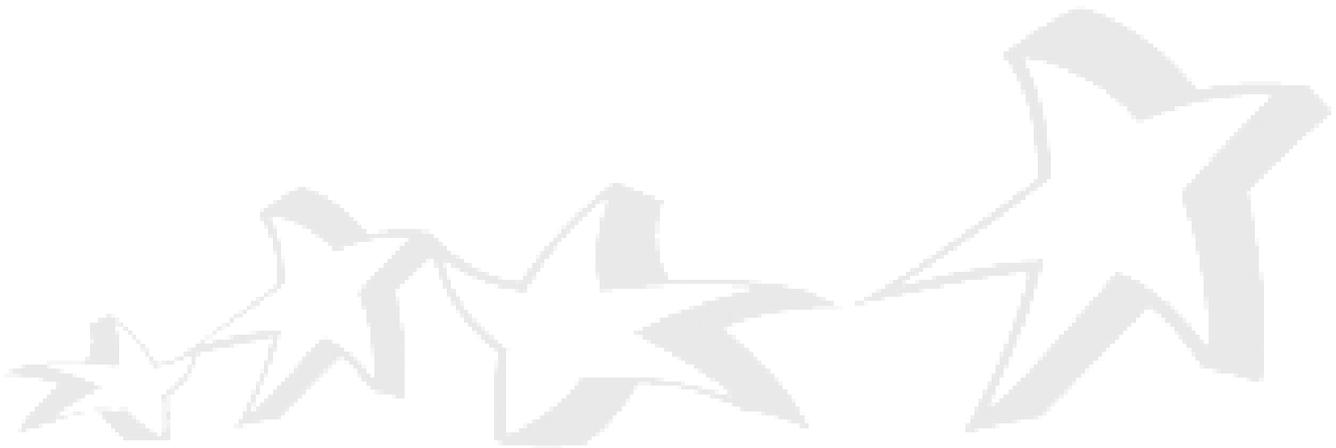
Date	Page	Change	Purpose of Change
October 2016			New Policy
September 2020	5	New bullet point (fourth point) within Key Principles	Due to change within KCSIE 2020
September 2020	19	Conduct outside work	New wording due to change with KCSIE 2020
September 2021	All	Links/wording changes	Updated links to KCSIE 2021 document and dates changed to 2021
September 2021	14	Low level concern	Insertion of wording regarding behaviour that is considered low level concern

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## 1. Introduction

This Code of Conduct ('the Code') sets out the professional standards expected and the duty upon staff, directors, governors and volunteers to abide by it.

All staff, directors, governors and volunteers are expected to behave professionally.

They are expected to comply with the law as it applies to their work in the Trust/academy/school particularly in matters such as health and safety, safeguarding of children, and the General Data Protection Act. They are also expected to carry out their duties in accordance with the relevant policies, procedures, rules and guidance adopted by the Academy Trust/Local Governing Body.

## 2. Key Principles

### Pupils

All staff, directors, governors and volunteers have a duty to keep pupils safe, promote their welfare and to protect them from sexual, physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrate integrity, maturity and good judgement. Following this Code will help to safeguard staff, directors, governors and volunteers from being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to pupils and the required professional standards.

Staff, directors, governors and volunteers must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection. Adults have a duty to report any child protection or welfare concerns to the designated member of staff in the Trust/academy/school. Anyone who has concerns must follow the Trust's Whistleblowing Policy which is available from the Trust in Learning (Academies) website. A member of staff who, in good faith, "whistleblows" or makes a public interest disclosure will have the protection of the relevant legislation.

This Code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for staff, directors, governors or volunteers. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to the required professional standards. There will be occasions and circumstances in which staff, directors, governors or volunteers have to make decisions or take action in the best interests of the pupil where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the pupils for which that individual is responsible.

Any member of staff who is found to have committed a breach of this Code will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Trust in Learning (Academies) (TiLA) Board and Local Governing Body will take a strict approach to serious breaches of this Code.

Where it is alleged that a member of staff, a governor or volunteer 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; or,
- behaved towards a child or children in a way that indicates s/he would 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
- behaved in a way that could bring or does bring the organisation into disrepute

then the Local Governing Body will follow the Trust/academy/school's Statement of Procedures for Dealing with Allegations of Abuse Against Teachers and Other Staff and Volunteers, the Whistleblowing policy and the guidance set out in Part Four of the [DfE's Keeping Children Safe in Education](#) (September 2023).

### **Other Staff and Colleagues**

Staff, directors, governors and volunteers are expected to act professionally. They are required to act with respect and dignity towards others and should not allow their personal interests to interfere with their work/ activities at the Trust/academy/school. They should not abuse their position in the Trust/academy/school to confer an advantage or disadvantage on any individual. Additionally, directors and local governors need to adhere to the [Nolan Principles](#), which are the basis of the ethical standards expected of public office holders.

### **3. Accountability**

Headteachers/Principals hold delegated responsibility for discharging the sound application of all Trust policies under the auspices of the Local Governing Body (LGB) as laid down in the scheme of delegation.

Therefore, should the subject of the application of this policy be the Headteacher/Principal, the Chair of Governors will be responsible for discharging the relevant policy.

Headteachers/Principals should inform the Chair of the LGB of all matters relating to serious breaches of this policy including any major incident to be addressed under this code of conduct promptly, preferably prior to action being taken insofar as is reasonably practicable. Serious breaches of this nature should also be communicated to the Chief Executive Officer of the Trust.

### **4. Policy Status**

This policy does not form part of any employee's contract of employment.

The Trust may alter or adapt this Policy, and any components of it, at any time provided it notifies the Chairs of the Local Governing Bodies.

### **5. Expected Professional Standards**

All staff, directors, governors and volunteers as appropriate to the role and/or job description of the individual, must:

- place the well-being and learning of pupils at the centre of their professional practice
- have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances

- treat pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality
- model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people
- respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education
- seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of school
- reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues
- ensure that the same professional standards are always applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity

Teachers are required to comply with the [Teachers' Standards September 1st 2012](#), in particular Part 2 Personal and Professional Standards.

All staff, directors, governors and volunteers must be familiar with and act in accordance with the [DfE's Part 1 of Keeping Children Safe in Education](#) (September 2023).

## 6. General Confidentiality

Staff and Governors must comply with the law on data protection and freedom of information and observe the Trust/academy/school's procedures for dealing with personal information about other employees, pupils or members of the public. Employees must ensure that they do not pass on any confidential, personal information received or obtained through their employment to anyone, whether inside or outside the Trust/academy/school, or to any organisation not entitled to that information, and must not use such information for personal advantage. Employees must, prior to disclosing any such information, seek guidance from the Trust/academy/school if they are uncertain as to whether or not the information can be passed on to the person or organisation. The Trust, and by implication each academy/school, as data controller in law, is responsible for ensuring that the necessary guidance on the Trust/academy/school's procedures for complying with the law, including the eight data protection principles, is made available to, and brought to the attention of, employees, including the arrangements for storing confidential information, whether held on paper or electronically.

Employees may request all the information held about them by the Trust/academy/school or other public authorities in accordance with legislation on the Freedom of Information. These Subject Access Requests cover all kinds of records, including e-mails.

## 7. Pupil Confidentiality

As data controllers, all schools are subject to the Data Protection Act 1998. In addition, teachers owe a common law duty of care to safeguard the welfare of their pupils. This duty is acknowledged in the provisions governing disclosure of information about pupils.

Members of staff and governors may have access to confidential information about pupils in order to undertake their responsibilities. In some circumstances the information may be sensitive and/or confidential. Confidential or personal information about a pupil or her/his family must never be disclosed to anyone 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. Information must never be used to intimidate, humiliate, or embarrass the pupil.

There are some circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated pupil protection responsibilities.

Confidential information about pupils must be held securely. Confidential information about pupils must not be held off the school site other than on security protected school equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.

If a member of staff is in any doubt about the storage or sharing of information s/he must seek guidance from a senior member of staff. Any media or legal enquiries must be passed to senior management.

## 8. Propriety, Behaviour and Appearance/Dress

All adults working with children have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, pupils and the public in general. An individual's behaviour or actions, either in or out of the workplace, should not compromise her/his position within the work setting or bring the Trust/academy/school into disrepute. The misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

There is a general expectation that dress will be appropriate to the nature of the duties and responsibilities of the job and to any health and safety considerations that include the use of Personal Protective Equipment.

The Trust/academy/school values and welcomes the ethnic diversity of all its teachers and support staff and therefore dress codes will take account of ethnic and religious dress preferences with sensitivity ensuring that staff are free to observe them, subject to the needs of pupils' education. The Trust/academy/school should not impose a dress code requiring all staff to follow a much higher level of modesty than is normally accepted within British society. Dress must not be offensive, distracting, revealing, or sexually provocative, embarrassing or discriminatory. Political or other contentious slogans or badges are not allowed. Staff dress, including footwear, should not compromise the health and safety of

any employee, e.g. footwear must be closed and contain a back. Professional clothing does not include casual wear e.g. denim (this refers to all types and colour of denim and denim styled clothing).

Those who dress or appear in a manner which may be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.

Personal property of a sexually explicit nature such as books, magazines, CDs, DVDs or such material on any electronic media must not be brought onto or stored on the Trust/academy/school premises or on any Trust/academy/school equipment.

### **9. Sexual Contact with Children and Young People and Abuse of Trust**

A relationship between an adult and a child or young person is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults should maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report any incident with this potential.

Any sexual behaviour or activity by a member of staff, director, governor or volunteer with or towards a child or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. Where a person aged 18 or over is in a specified position of trust with a child or young person under 18 years, the Sexual Offences Act 2003 makes it an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity.

Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children', defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening".

Staff, directors, governors and volunteers must not have sexual relationships with pupils, have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, texts, electronic mail, phone calls, social networking contact or physical contact. The adult should not make sexual remarks to, or about, a child or young person or discuss their own sexual relationships with or in the presence of pupils. Staff, directors, governors and volunteers should take care that their language or conduct does not give rise to comment or speculations. Attitudes, demeanour and language all require care and thought.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person, and manipulate that relationship so that sexual abuse can take place. Staff, directors, governors and volunteers should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

## 10. Infatuations and Crushes

A child or young person may develop an infatuation with an adult who works with them. A member of staff or volunteer, who becomes aware that a pupil may be infatuated with him/herself or a colleague, must report this without delay to a senior colleague so that appropriate action can be taken to avoid any hurt, distress or embarrassment. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations.

Examples of situations which must be reported are given below:

- Where a member of staff or volunteer is concerned that he or she might be developing a relationship with a pupil which could have the potential to represent an abuse of trust,
- Where a member of staff or volunteer is concerned that a pupil is becoming attracted to him or her or that there is a developing attachment or dependency.
- Where a member of staff or volunteer is concerned that actions or words have been misunderstood or misconstrued by a pupil such that an abuse of trust might be wrongly suspected by others.
- Where a member of staff or volunteer is concerned about the apparent development of a relationship by another member of staff or volunteer, or receives information about such a relationship

## 11. Gifts

It is against the law for public servants to take bribes. Staff, directors, governors and volunteers need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Personal gifts must not be given to pupils. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the school's behaviour or rewards policy, recorded, and not based on favouritism.

## 12. Social Contact and Social Networking

Communication between pupils and adults, 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, emails, digital cameras, videos, web-cams, websites and blogs. Staff and volunteers should not share any personal information with pupils. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. If a pupil seeks to establish social contact, or if this occurs coincidentally, the adult should exercise his or her professional judgment in making a response and should ensure that all communications are transparent and open to scrutiny.

Staff and volunteers must not give their personal contact details such as home/mobile phone number; home or personal e-mail address or social networking details to pupils unless the need to do so is agreed in writing with senior management.

It is essential that staff ensure that all possible privacy settings are activated to prevent pupils from making contact on personal profiles and to prevent students from accessing photo albums or other personal information which may appear on social networking sites.

Staff must not have any pupils or any ex-pupils under the age of 18 as friends on their social networking sites. Staff are advised not to have any online friendships with any young people under the age of 18, unless they are family members or close family friends. Staff are advised not to have online friendships with parents or carers of pupils, or members of the Local Governing Body/Trustees. Where such on line friendships exist, staff must ensure that appropriate professional boundaries are maintained.

Staff are personally responsible for what they communicate in social media and must bear in mind that what is published might be read by us, pupils, the general public, future employers and friends and family for a long time. Staff must ensure that their on-line profiles are consistent with the professional image expected by us and should not post material which damages the reputation of the Trust/academy/school or which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct which may be dealt with under the Trust/academy/school's disciplinary procedure. Even where it is made clear that the writer's views on such topics do not represent those of the Trust/academy/school such comments are inappropriate.

### **13. Physical Contact and Personal Privacy**

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, culture and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.

Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If a member of staff or volunteer believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible by using the Trust/academy/school's procedure for recording incidents, and, if appropriate, a copy placed on the pupil's file.

Physical contact, which occurs regularly with a pupil or pupils, 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). Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the pupil's permission before initiating contact. Staff should listen, observe and take note of the pupil's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the pupil for the minimum time necessary.

There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a senior manager.

Some staff, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil

Pupils are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.

Staff with a job description which includes intimate care duties will have appropriate training and written guidance. No other member of staff or volunteer should be involved in intimate care duties except in an emergency.

#### **14. Behaviour Management and Physical Intervention**

All pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Staff and volunteers must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Deliberately intimidating pupils by shouting aggressively, hectoring or overbearing physical presence is not acceptable in any situation. Any sanctions or rewards used should be part of the School Behaviour Management policy.

Physical intervention can only be justified in exceptional circumstances. Non-statutory guidance is available from the Department of Education website. See 'Guide for Heads and School Staff on behaviour and discipline (including reasonable force) for maintained schools' and 'Use of reasonable force-advice for Head Teachers, Staff and Governing Bodies for all Schools and Academies'. Staff may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others. Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. The Trust/academy/school has a separate policy on the use of physical intervention.

All schools must have trained first aiders/appointed persons. Staff must have had the appropriate training before administering first aid or medication except in an emergency.

## **15. One to One Situations and Meetings with Pupils**

One to one situations have the potential to make children/young persons more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. Staff must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met. Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker and pupil. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any arrangements should be reviewed on a regular basis.

Pre-arranged meetings with pupils away from the premises or on site when the Trust/academy/school is not in session are not permitted unless written approval is obtained from their parent/ guardian and the head teacher or other senior colleague with delegated authority.

No child or young person should be in or invited into, the home of an adult who works with them, unless the reason for this has been established and agreed with parents/carers and a senior manager/Head teacher.

## **16. Transporting Pupils**

In certain situations e.g. out of school activities, staff, directors, governors or volunteers may agree to transport pupils. Transport arrangements should be made in advance by a designated member of staff and appropriate insurances obtained and evidence of insurance provided. Wherever possible and practicable, transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.

Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded

It is inappropriate for staff to offer lifts to a pupil outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with parents/carers.

There may be occasions where a pupil requires transport in an emergency situation or where not to give a lift may place a pupil at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

## **17. Educational Visits and School Clubs**

Staff and volunteers should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply. Please refer to the Trust/academy/school's policy on educational visits.

## 18. Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff. Staff and volunteers must not enter into or encourage inappropriate discussion about sexual activity or behaviour.

Please refer to the academy/school's policy on sex and relationships education.

## 19. Photography, Videos and other Creative Arts

Please refer to the Trust/academy/school's guidance on the use of images and the consent forms therein.

Many school activities involve the taking or recording of images. This may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement. The Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child before any images are made such as those used for Trust/academy/school websites, notice boards, productions or other purposes.

Staff need to be aware of the potential for such images to be misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. There should be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

Adults should only use equipment provided or authorised by the Trust/academy/school to make/take images and should not use personal mobile telephones or any other similar devices to make/take images.

The following guidance must be followed:

- if a photograph is used, avoid naming the pupil
- if the pupil is named, avoid using the photograph
- photographs/images must be securely stored and used only by those authorised to do so
- be clear about the purpose of the activity and about what will happen to the photographs/images when the lesson/activity is concluded
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose

- ensure that all photographs/images are available for scrutiny in order to screen for acceptability
- be able to justify the photographs/images made
- do not take photographs in one to one situations
- do not take, display or distribute photographs/images of pupils unless there is consent to do so

## 20. Whistleblowing and Cyber-Bullying

Staff who have concerns about any alleged abuse or inappropriate use of ICT resources, virtual learning environments, camera/recording equipment, telephony, social networking sites, email or internet facilities or inappropriate communications, whether by pupils, parents, carers or staff, or others should alert their line manager. Where a concern relates to their line manager, this should be reported to Chief Executive Officer/Headteacher/chair of Local Governing Body. If a matter concerns child protection it should also be reported to the Designated Child Protection Officer.

Cyber-bullying can be experienced by staff as well as pupils. Staff should notify Chief Executive/Headteacher/Principal if they are subject to cyber-bullying. The Trust/academy/school will endeavour to protect staff and stop any inappropriate conduct.

## 21. Unacceptable Use of ICT Facilities and Monitoring

Posting, creating, accessing, transmitting, downloading, uploading or storing any of the following material (unless it is part of an authorised investigation) is likely to amount to gross misconduct and result in summary dismissal (this list is not exhaustive):

- pornographic or sexually suggestive material or images of children or adults which may be construed as such in the circumstances (that is, writing, texting, pictures, films and video clips of a sexually explicit or arousing nature),
- any other type of offensive, obscene or discriminatory material or criminal material or material which is liable to cause distress or embarrassment to [the Trust/academy/school] or others

The contents of our ICT resources and communications systems are our property. Therefore, staff should have no expectation of privacy in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on our electronic information and communications systems.

We reserve the right to monitor, intercept and review, without further notice, staff usage of our IT resources and communications systems, including but not limited to telephone, e-mail, messaging, voicemail, CCTV, internet and social media postings and activities, to ensure that our rules are being complied with and for the following purposes:

- to monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this Code:
- to assist in the investigation of alleged wrongful acts; or
- to comply with any legal obligation

Staff consent to monitoring by acknowledgement of this Code and the use of our resources and systems. We may store copies of data or communications for a period of time after they are created, and may delete such copies from time to time without notice. If necessary, information may be handed to the police in connection with a criminal investigation.

A CCTV system monitors the Trust/academy/school 24 hours a day. This data is recorded and may be used as evidence of any alleged wrong doing.

## 22. Reporting Concerns and Recording Incidents

All staff, directors, governors and volunteers must report concerns and incidents in accordance with the guidance set out in [DfE's Keeping Children Safe in Education](#) (September 2023), the Trust's whistleblowing policy and/or the Managing Allegations of Abuse Policy. The following is a non-exhaustive list of behaviours which would be a cause for concern:

An adult who:

- Allows a pupil/young person to be treated badly; pretends not to know it is happening
- Gossips/shares information inappropriately
- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way which is inappropriate for the job role
- Does not treat pupils fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses his/her position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a pupil or pupils
- Appears to have special or different relationships with a pupil or pupils
- Seems to seek out unnecessary opportunities to be alone with a pupil

Keeping Children Safe in Education also requires education settings to report any behaviour that is considered low level concern.

**Low-level Concerns** are concerns if the concern does not meet the criteria for an allegation; and the person has acted in a way that is inconsistent with the Code of Conduct, including inappropriate conduct outside of work. Example behaviours include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language

It is essential that these concerns are reported as they are often indicators and patterns of behaviour prior to any more serious actions.

### **23. Other Employment**

Staff should ensure that any additional employment does not conflict with the capacity to fulfil the employee's contract of employment with the Trust/academy/school.

The provisions of the Working Time Regulations are covered by the provisions of the School Teachers' Pay and Conditions Document and the contracts of employment for support staff require them to inform their head teacher if they work for another employer and the number of hours which they are required to work for that employer. If the contract of employment with the Trust/academy/school is the primary employment contract then the head teacher may refuse permission for other employment where a conflict of interest exists, or the number of hours worked has implications for the health and safety of pupils, or there are significant implications for the Trust/academy/school's duty of care to its employees.

Employees undertaking other employment must not use school time or equipment for that purpose without the permission of the Head Teacher.

Employees in any doubt should ask the school for advice.

### **24. Criminal Charges and Convictions**

Staff, directors, governors and volunteers must notify the Chief Executive/Headteacher/Principal if charged with, or convicted of, any criminal offence, or accepts a formal police caution, and should do so as soon as possible after the charge, caution or conviction. If the headteacher is the subject of the charge he or she must inform the Chair of Governors or the Academy Trust. Depending on the circumstances failure to inform may result in disciplinary action.

The Trust/academy/school acknowledges that a caution is not a criminal conviction, but employees must be aware that cautions have to be declared during Disclosure and Barring checks unless they meet the filtering rules of the Disclosure and Barring Service.

The Trust/academy/school acknowledges that an employee charged with an offence is innocent until proved guilty. However, special considerations will apply if the offence is one of those which is on the list of offences relevant to safeguarding (a full list is available on the Disclosure and Barring Service's website) or if an employee is imprisoned on remand pending trial.

Information given to the Trust/academy/school will be treated as confidential and stored securely in the same way as other confidential personal information, having regard to the guidance from the Disclosure and Barring Service on the length of time for which particular kinds of information should be stored.

### **25. Publications and Dealing with the Press**

Staff, directors, governors and volunteers must not make comments to the press or other media, including social networking sites, on behalf of the Trust/academy/school unless specifically authorised to do so by the head teacher. Where requests for comments are received they must be passed on to the head teacher, who may then wish to seek advice from the Academy Trust.

Staff, directors, governors and volunteers should not publish any material which brings the Trust/academy/school into disrepute.

Staff, directors, governors and volunteers may make disclosures of public interest to other appropriate organisations or the press (whistle-blowing) provided that those disclosures meet the legal requirements of the Public Interest Disclosure Act and should take advice from their union or Public Concern at Work before doing so.

If staff, directors, governors or volunteers wish to publish an article unconnected with the Trust/academy/school then the article should not link them to the Trust/academy/school.

## **26. Equipment and Materials**

Staff, directors, governors and volunteers must not use the equipment and premises of the Trust/academy/school, or of other places where they work during their contract of employment, for unauthorised purposes. If they are permitted to use equipment, premises or materials for private purposes, the use must not interfere with the work of the Trust/academy/school and they must pay any costs incurred, including costs of paper and printing. They may make personal telephone calls if necessary in their own time, paying for the cost of the call if they use a telephone belonging to the Trust/academy/school. Permission for use of any facilities will be on the understanding that the use is reasonable.

Union facility time agreements permit the use of telephone with reasonable privacy if available, with payment of outgoing calls, also use of printing and word processing equipment, where available, for union work within the Trust/academy/school provided that this does not interfere with the work of the Trust/academy/school and subject to payment for the materials used.

## **27. Political Restrictions**

The legislation on political restrictions specifically exempts head teachers of Trust/academy/schools, colleges or other educational establishments and also teachers and lecturers in such establishments. Until January 2010 there was also a prohibition on support staff paid on spinal column 44 and above, but this provision of the Act was then repealed.

## **28. Political, Philosophical or Religious Neutrality**

The Trust/academy/school will not concern itself with the political, philosophical or religious beliefs of individuals. Teachers who breach the relevant provisions of the Teachers' Standards, whether by reason of their beliefs or otherwise, may be subject to investigation under the disciplinary procedure.

Employees may not display party political posters, including party political election material, in the Trust/academy/school, unless it is part of the curriculum or used as a teaching aid (for example, in a lesson on citizenship).

## **29. Equal Opportunities**

The Trust/academy/school is committed to the promotion and implementation of equal opportunities both internally and externally.

The Trust/academy/school aims to ensure that everyone who comes into contact with it is treated equally, and with courtesy and respect, and not in any way disadvantaged by factors which could prevent the implementation of fair policies and operations.

The Trust/academy/school will recognise the differences which exist and will seek to understand the needs of people within the groups which are afforded protection or assistance through this policy.

The employer expects all its employees to uphold its Equality and Diversity Policy, which will be available in the Trust/academy/school, and to accept the duty not to discriminate, either in employment practices or in the provision of facilities and services by reference to age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This commitment is made clear in the Trust/academy/school's Equality Code which is compliant with the Equality Act 2010.

### **30. Recruitment and Selection**

If involved in making appointments governors and staff must:

- Ensure that such appointments are made on the basis of a fair recruitment and selection procedure
- Ensure that their personal preferences should not influence judgements made
- Declare their interest where related to an applicant or having a close personal relationship outside Trust/academy/school with an applicant. If the Head Teacher has a personal relationship outside Trust/academy/school this interest should be declared to the Chair of Governors in the first instance. The Chair of Governors should report any declaration of interest to the Local governing body.
- Adhere to the statutory guidance in the [DfE's Keeping Children Safe in Education](#)

### **31. Alcohol, illegal substances and medication**

The Trust/academy/school accepts that alcohol is legally and freely available and acknowledges that some illegal substances are also readily obtainable. Staff, directors, governors and volunteers are not expected to use illegal substances. They must ensure that the use of alcohol outside of Trust/academy/school does not adversely affect their work performance, and that, in accordance with their obligations under health and safety legislation, they take reasonable care of the health and safety of themselves and other workers whilst at work. The Trust/academy/school will not accept staff, directors, governors or volunteers arriving at work under the influence of alcohol or illicit drugs and whose ability is impaired by reason of the consumption of alcohol or illicit drugs or who consume alcohol in contravention of the Trust/academy/school's policy on the consumption of alcohol or take illicit drugs on the premises. They should also have regard to the expectation that they will not bring the Trust/academy/school into disrepute. The Trust/academy/school has similar expectations around the use of illegal substances, but staff are reminded that any adverse publicity around such use is more likely to damage the Trust/academy/school's reputation than are complaints about the member's abuse of alcohol.

Staff are prohibited from the consumption of alcohol on the Trust/academy/school premises or during working time off the premises unless specific permission has been given by the Head Teacher.

The governing body recognises that alcoholism and other addictions are illnesses and that staff should be offered appropriate support. The Trust/academy/school must also consider the effects of legally prescribed drugs or certain types of medication on the performance of staff and deal with these under the appropriate attendance procedures, undertaking a risk assessment where necessary and taking occupational health or other specialist advice as appropriate.

Staff who are prescribed a type of medication which they have not taken before should make themselves aware of possible side-effects. In accordance with their duty to take reasonable care of their own and their colleagues' health and safety they should advise the Trust/academy/school if the medication starts to affect their ability to do their job or travel safely to work, or if there is a likelihood that this will happen. The Trust/academy/school should undertake risk assessments and take occupational health or other specialist advice as appropriate.

### 32. Conduct Outside Work

[Keeping Children Safe in Education 2023](#) includes the definition to identify when the Trust has a statutory obligation to investigate a member of staff or volunteer. That definition is:

- Behaved or may have behaved in a way that indicates they may not be suitable to work with children

Therefore, where a member of staff 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 school/ Trust has a statutory duty to investigate the circumstance surrounding the incident. This will be done through a preliminary meeting under the Trust's Disciplinary Policy. Where there is a belief that the member of staff or volunteer falls within the KCSIE 2021 definition, referral will be made to the Local Area Designated Officer. Any person who falls under the remit of this policy MUST inform the school/Trust if there is an incident outside school which they were involved in, which would fall under the KCSIE 2021 definitions. This will include:

- Inflicting physical harm on another person
- Action that could bring the school/ trust into disrepute
- Publication of information that relates to alcohol/ drug or substance misuse
- Public use of illegal drugs
- Publication of discriminatory views or behaviour
- Actions of a discriminatory or bullying nature

The code will apply to work-related social events, even when taking place away from the workplace and outside of normal working hours. It is in everyone's interests to impose certain rules of conduct for the protection and comfort of all. Specifically, staff who attend work-related social events must adhere to the following rules and principles:-

- It is strictly forbidden for any employee to use illegal drugs, at any work-related social event whether on Trust/academy/school premises or not
- The Trust's Dignity at Work Policy will also apply to work-related social events
- Staff should not say or do anything at a work-related social event that could offend, intimidate, embarrass or upset any other person, whether intended as a joke or not

- Swearing and aggressive language are unacceptable at work-related social events
- Staff must not behave in any way at any work-related social event that could bring the Trust/academy/school into disrepute
- Any breach of the rules will render the employee liable to disciplinary action under the Disciplinary Procedure, up to and including summary dismissal

The above rules are in place for the benefit of all members of staff and to ensure that everyone can enjoy work-related social events in an atmosphere of conviviality without fear of being made to feel uncomfortable by another employee's conduct.

### **33. Health and Safety**

Staff, directors, governors and volunteers have a duty to take reasonable care of themselves and to cooperate with management under the Health and Safety at Work Act 1974. These responsibilities are identified in the Trust/academy/school's Health and Safety policy.

Staff are required to act at all times in accordance with this policy and generally to act in such a way to take reasonable care of their own safety and that of others.

Any action which potentially puts at risk the health and/or safety of themselves or others will be viewed seriously and may be investigated under the disciplinary procedure. Staff, directors, governors, volunteers and other individuals may also face criminal prosecution for breaches of health and safety legislation.

### **34. Attendance**

Staff contracts of employment contain the main terms and conditions of their employment with the Trust/academy/school.

Staff must follow the Trust/academy/school's requirements for reporting absence due to sickness and for helping the Trust/academy/school ensure that it has a record of all persons on the premises and of any approved overtime working by signing in/out daily.

It is expected that staff are available for work during the hours specified in their contract and take an unpaid lunch break as directed/appropriate.

### **35. Smoking**

The Trust/academy/school is a non-smoking educational establishment

No-one is permitted to smoke in or on any of the premises owned or occupied by the Trust/academy/school, at any time. This also includes the use of electronic cigarettes.

Smoking in contravention of the above may result in disciplinary action.

When smoking off Trust/academy/school premises but in work hours staff should be mindful of the image and reputation of the Trust/academy/school and ensure that they are discrete and out of plain view of pupils.

### 36. Identity Badges

There is an expectation that all staff, directors, governors and volunteers issued with identity cards/badges will wear them visibly at all times in Trust/academy/school and when they represent the Trust/academy/school and have them available for presentation or inspection when required.

Staff must take care of their identity card and security lanyard (even when not at work). Staff must allow the Trust/academy/school to update photos when required in order to maintain the security of the signing in system.

Staff are expected to support the management of other adults in the building by following the procedures for signing in and checking the identity of other adults.

### 37. Following Instructions

Staff, directors, governors and volunteers are expected to follow all reasonable and proper instructions by a person with the authority in the Trust/academy/school to issue such instructions unless:

- There is a danger to a person's health and safety
- They are in conflict with British Values as defined in law from time to time
- There is good reason to believe that the instructions are improper, for example by conflicting with the safeguarding of children, the financial regulations or other aspects of the law
- It does not comply with Trust/academy/school policy and practice

The head teacher and senior leaders within the Trust/academy/school must be able to justify their instructions and decisions in line with their delegations, authority, and school.