

## Staff Code of Conduct Trust Policy

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Related Documents	
<i>Trust/school-mandatory policies</i>	Child Protection and Safeguarding Policy Managing Allegations of Abuse and Concerns against Staff Capability and Disciplinary Policy Data Protection Policy First Aid Policy Medical Conditions Policy Whistle-blowing Policy
<i>Optional school policies</i>	Staff ICT Acceptable Use Policy Agreement
<i>External</i>	DfE Keeping Children Safe in Education (published by Department for Education) Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education Settings (published by Safer Recruitment Consortium) DfE Teachers' Standards (published by Department for Education)

### Document Control

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01/10/21	1.0	Trustee approved – board meeting 29/09/21, with policy reference correction section 23.
17/01/22	1.1	Amendments made following updates to Keeping Children Safe in Education 2021 Trustee approved – Resources Committee resolution 16/12/21

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## Key Contacts

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Please note this list may be updated by the responsible officer when change arises in the organisation, without the need for committee meeting review/approval.

## 1 Introduction

The Board of Trustees of Athena-GEP (“the trust”), expect all those working for and on behalf of the trust, including in a voluntary capacity, to reflect the standards of conduct and behaviour contained within this document. This policy provides an overarching framework for all those working within the trust and recognises that there are individual circumstances within each school and expects that all members of staff adhere to individual school policies referred to below.

Whilst this code predominantly refers to ‘employees’ or ‘members of staff’, the code of conduct is also relevant to volunteers.

This code of conduct has regard to the DfE statutory guidance, Keeping Children Safe in Education and also includes extracts from Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education Settings<sup>1</sup>. The full version of this guidance should be used as a working reference document for all members of staff working with children and young people and it will be used during induction and to inform relevant policies and procedures within the trust.

The content and operation of this policy is reviewed as and when deemed necessary by the Local Governing Body. The policy is discretionary and does not confer any contractual rights.

**Employees will be expected to have regard to any updates to this code which have been brought to their attention.**

## 2 Statement on Personal Conduct

The trust expects all employees to promote and maintain high standards of personal conduct to sustain the good reputation of the trust and to safeguard and promote the welfare of children and young people. In particular, employees are expected to:

- Perform their duties to the highest possible standards, with honesty, integrity and impartiality and be accountable for their own actions.
- Maintain the confidence and respect of the general public and those with whom they work.
- Treat others with respect, fairness and dignity at all times.
- Communicate promptly any relevant concerns they may have about the quality of provision or the safety and welfare of children and young people.
- Familiarise themselves with systems and procedures, including reporting requirements, within the Trust that support the protection of children and to attend training and read safeguarding briefings provided to ensure that they remain up to date.
- Be aware that their behaviour inside and outside the workplace, as well as the behaviour of others in their personal lives, could compromise their position within the Trust in relation to the protection of children, loss of trust and confidence or bringing the employer into disrepute. It could also result in action by regulatory bodies.

In addition to this code of conduct, teachers are also expected to meet the professional conduct standards outlined in the DfE Teachers’ Standards.

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<sup>1</sup> May 2019, Safer Recruitment Consortium, adapted and updated from an original IRSC / DfE document

### **3 Compliance with Trust Instructions**

The trust expects all employees to comply with lawful written and oral instruction unless to do so would result in a health and safety risk.

### **4 Data Protection**

The trust takes its obligations under data protection laws very seriously. All staff are expected to familiarise themselves with the trust's Data Protection Policy and any associated procedures which govern day-to-day working practices as well as how to report a suspected data breach and to recognise when someone may have made a subject access request. If in any doubt you should consult your line manager promptly or contact the school's or the trust's data protection officer (whose details can be found within the Data Protection Policy).

#### **4.1 Disclosure of Information**

All employees should develop a clear understanding about what information can be disclosed to government departments, internal or external auditors, parents, pupils and the wider public, and what information should remain confidential. Any information made available should be provided in a clear and concise way. Employees should seek the advice of their line manager if they are at all unsure of the level of confidentiality which is required.

Employees should not use any information gained in the course of their employment for personal gain, or pass it on to others who might use it in such a way. Information concerning another person's personal affairs should not be divulged without prior approval, except where that disclosure is required or sanctioned by law.

#### **4.2 Sharing Information about Pupils**

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 responsibility to pass information on without delay, but only to those with designated safeguarding responsibilities.

If a pupil – or their parent / carer – makes a disclosure regarding abuse or neglect, the member of staff should follow the trust's procedures. The adult should not promise confidentiality to a pupil or parent, but should give reassurance that the information will be treated sensitively.

If a member of staff is in any doubt about whether to share information or keep it confidential they should seek guidance from the Designated Safeguarding Lead.

#### **4.3 Media / Legal Enquiries**

Any media or legal enquiries should be passed to senior management.

### **5 Whistle-blowing**

If an employee becomes aware of activities which they believe to be illegal, improper, unethical or otherwise inconsistent with this code of conduct, the employee should report the matter in accordance with the trust's Whistle-blowing Policy or child protection procedure, as relevant. All employees are required to comply with any investigation undertaken as a result of such allegations being raised.

## **6 Appearance and Dress**

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, staff should select a manner of dress and appearance appropriate to their professional role, which may be necessarily different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be viewed as offensive or inappropriate will render themselves vulnerable to criticism or allegations.

Members of staff act as role models and often have a professional relationship with a range of other stakeholders. For most staff, appropriate dress will be smart office-wear with discreet jewellery and make-up and hair styled conservatively. In certain areas, an agreed uniform, protective clothing or other exceptions are in place (such as for PE staff, catering, premises and IT staff). Staff may wear sportswear or casual clothing and footwear for practical or physical activities. Staff should refer to their school for any specific appearance and dress expectations.

## **7 Drugs and Alcohol**

Employees must never arrive at work incapable through the effects of alcohol or drugs. Drinking alcohol or taking drugs (apart from appropriately prescribed medication or over-the-counter remedies) at work or during breaks is also strictly prohibited. The consumption of alcohol at staff events or meetings is subject to the authorisation of the headteacher (or CEO in the case of the central team).

## **8 Political Neutrality**

Employees should ensure that their own personal or political opinions do not interfere with any policy of the trust.

## **9 Appointment of Staff**

Employees should not be involved in a staffing appointment, or in any decision relating to the discipline, promotion or pay and conditions of another employee (or prospective employee) to whom they are related or have a close personal relationship.

Where a family member of a staff-member, governor or trustee is employed across the trust, this must be declared to the trust HR Manager.

## **10 Equality, Bullying and Harassment**

All employees and members of the local community have a right to be treated with fairness and equality. Employees must ensure that they comply at all times with the school's Equality Policy and other trust employment policies in relation to equality issues.

The bullying or harassment of other work colleagues, pupils or other members of the community is considered to be gross misconduct. Employees are expected to report any concerns or suspicions they may have about the treatment of others to their line manager or the headteacher.

## **11 Contractors and Competitive Tendering**

Contractors may include individuals who are temporarily working alongside trust staff, or employees of an external firm that has been awarded a contract to provide services. All contractors should be treated with courtesy and respect.

Any orders and contracts must be awarded by fair and open competition against other tenders. No special favour must be shown to current or recent former employees or associates in awarding contracts.

Employees must declare any relationship with a particular contractor, or any potential contractors, to the appropriate manager.

Employees should be clear on the separation of client and contractor roles. Senior employees who have both a client/contractor responsibility must be aware of the need for accountability and openness.

Employees privy to confidential information on tenders of costs relating to contractors should not disclose the information to any unauthorised party or organisation.

## **12 Use of the Trust's Materials, Property or Resources**

Employees must ensure that school or trust funds entrusted to them are used in a responsible and lawful manner. Employees should not make personal use of any school or trust property, facilities, equipment, materials, vehicles or resources unless properly authorised to do so.

## **13 Hospitality and Acceptance of Gifts**

The trust expects staff, members, governors and trustees to exercise the utmost discretion in giving and accepting gifts and hospitality when on school business. Particular care should be taken about a gift from a person or organisation that has, or is hoping to have, a contract with the school.

This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties. However, staff, members, governors and trustees should be aware that the receipt of gifts or excessive hospitality may compromise individuals, or more seriously, lead to prosecutions for corruption.

### **13.1 Receipt of Gifts**

Gifts or hospitality must not be accepted where it might be perceived to influence a decision in respect of purchasing goods or services, awarding contracts, preferential treatment or in the discharge of any other aspect of the school's or trust's day-to-day business. It is the responsibility of individual members of staff to refuse such offers and to report any possible conflict of interest and any cases where they believe that the school or trust may be compromised.

It is a criminal offence for employees or those working on behalf of the school or trust to corruptly receive any gift, loan, fee, reward or advantage for doing, or not doing anything, or showing favour, or disfavour, to any person in their official capacity.

In no circumstances should a statement ever be made in return for a personal gift or money.

It is expressly prohibited for an employee to accept any gift or hospitality from an organisation if they are actively involved in a tender process with the organisation on behalf of the school

or trust. This prohibition commences at the point that an invitation to tender is published and extends to a period of three months after a contract has been awarded.

For reasons of probity and transparency, the principle of receipt of gifts or hospitality extends to the spouse, partner or immediate family of the employee.

If an employee has any doubt about such an offer of a gift or hospitality, they are responsible for notifying and discussing this with their immediate manager.

Staff must not accept gifts, hospitality or benefits of any kind from a third party where it might be perceived that their personal integrity is being compromised, or that the school / trust might be placed under an obligation. Staff must not make use of their official position to further their private interests or those of others.

Within the guidance noted above, gifts and hospitality of low intrinsic value (such as promotional calendars or diaries, a working meal at a supplier's office, or small tokens of gratitude including gifts from pupils, parents and guardians) up to an estimated value of £50 can be accepted. If the value exceeds £50, approval of acceptance must be obtained from the local School Business Manager or headteacher (or CEO or Chair of Trustees, as appropriate to the individual receiving the gift). Approvals must be sought in a timely manner: within a fortnight of a gift being given.

Where approval is granted, any gift or hospitality received with an equivalent value of £50 or over must be recorded in the Register of Gifts and Hospitality kept by the School Business Manager, reported to the trust HR Manager and subject to annual audit.

In cases where a staff member receives a gift on behalf of the trust (or member school), the gift remains the property of the trust and should be recorded as a donation.

### **13.2 Giving Gifts**

It is inadvisable to give personal gifts to pupils or their families. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return.

Any reward given to a pupil should be in accordance with agreed practice, consistent with the trust's behaviour policies, recorded, and not based on favouritism.

## **14 Working Relationships and Social Contact Outside the Workplace**

Internal and external working relationships are formed on a daily basis with colleagues, pupils, parents and contractors. These should be conducted in a professional, friendly and respectful manner.

It is acknowledged that staff may have genuine friendships and social contact with parents of pupils, independent of the professional relationship. Staff should, however, also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the pupil and their parents, in order to 'groom' the adult and the pupil and/or create opportunities for sexual abuse, exploitation or radicalisation.

Staff should recognise that some types of social contact with pupils or their families could be perceived as harmful or exerting inappropriate influence on children, and may bring the trust into disrepute (e.g. attending a political protest, circulating propaganda).

If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise their professional judgement. This also applies to social contacts made through outside interests or the staff member's own family.

Some staff may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the staff member or seeks support outside of their professional role this should be discussed with senior management and where necessary referrals made to the appropriate support agency.

## **15 Communication with Children and Young People**

Employees should not seek to communicate, make contact with or respond to contact with pupils outside of the purposes of their work and should not give personal contact details (e.g. email address, home or mobile telephone numbers, details of web-based identities) to children.

The social media profiles of staff should not be made readily available to pupils. If staff do have a social media profile, they should not use their full name and they should not make any attempt to contact pupils or parents via social media. They should also set public profiles to private.

Staff should not attempt to contact pupils or their parents via social media, or any other means outside of the trust, in order to develop any sort of relationship. They will not make any efforts to find pupils' or parents' social media profiles.

Only equipment and services provided by the school or trust should be used for communication and employees are expected to adhere to the school's Staff ICT Acceptable Use Policy Agreement.

Employees are expected to report to their line manager any contact or correspondence with children they receive via personal contact mechanisms.

Members of staff should always report any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff to the headteacher or another senior manager.

Should a member of staff be concerned that an interaction between themselves and a pupil may be misinterpreted, or a staff member is concerned about a fellow staff member and a pupil, this should be reported in line with procedures set out in the Safeguarding Policy and/or Managing allegations of abuse and concerns against staff Policy.

## **16 Physical Contact with Pupils**

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, however it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs and any agreed care plan. Any physical contact should be in response to the pupil's needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Adults should therefore, use their professional judgement at all times.

Members of staff should:

- be aware that even well intentioned physical contact may be misconstrued by the pupil, an observer or any person to whom this action is described;
- never touch a pupil in a way which may be considered indecent;



- always be prepared to explain actions and accept that all physical contact be open to scrutiny;
- never indulge in horseplay or fun fights;
- always allow/encourage pupils, where able, to undertake self-care tasks independently;
- ensure the way they offer comfort to a distressed pupil is age appropriate;
- always tell a colleague when and how they offered comfort to a distressed pupil;
- establish the preferences of pupils;
- consider alternatives, where it is anticipated that a pupil might misinterpret or be uncomfortable with physical contact;
- always explain to the pupil the reason why contact is necessary and what form that contact will take;
- report and record situations which may give rise to concern;
- be aware of cultural or religious views about touching and be sensitive to issues of gender.

In certain curriculum areas (e.g. PE, drama or music), staff may need to initiate some physical contact with children, for example, to demonstrate technique in the use of equipment, adjust posture or support a pupil so they can perform an activity safely or prevent injury. Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the pupil. Contact should be relevant to their age / understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil. Staff working in these areas are expected to have regard to any particular guidance or protocols provided to them on appropriate physical contact.

### **16.1 Intimate / Personal Care**

The primary schools within the trust have an intimate care policy. All members of staff who may be called upon to provide such care should ensure they are familiar with, and act in accordance with, this policy.

## **17 Behaviour Management and Physical Intervention**

All members of staff must avoid any form of degrading or humiliating treatment to punish a pupil or use force as a means of punishment. Staff are expected to act as role models and should avoid shouting at children other than as a warning in an emergency situation. Adults may reasonably intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property or engaging in behaviour prejudicial to good order and to maintain good order and discipline. The use of physical intervention should, however, be avoided wherever possible and, where necessary, should only use minimum force and for the shortest time needed.

All members of staff are expected to understand and to follow the school's behaviour management and physical intervention guidelines within the school's Positive Handling, Anti-bullying, Behaviour and Exclusions policies; as appropriate to their role.

## **18 Sexual Conduct**

**Any** sexual behaviour by a member of staff with or towards a pupil is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a pupil under 18 years of age and sexual activity with a child could be a matter for criminal and/or disciplinary procedures.

## **19 Lone Working and One to One Situations Involving Pupils**

Staff working one-to-one with pupils, including visiting staff from external organisations, can be more vulnerable to allegations or complaints and should ensure that, wherever possible, there is visual access and/or an open door in one to one situations.

Members of staff should not arrange to meet with pupils from the school away from the work premises unless the necessity for this is clear and approval is obtained from a senior member of staff, the pupil and their parents/carers.

Staff are expected to adhere to the school's policies on lone working.

The school will conduct risk assessments in relation to the specific nature and implications of one-to-one work and any planned home visits.

## **20 Transporting Pupils / Educational Visits**

A designated member of staff will be appointed to plan and provide oversight of all transport arrangements and respond to any concerns that may arise. Staff should not offer lifts to pupils unless the need for this has been agreed by a manager.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles and with at least one adult additional to the driver acting as an escort. See the school's (optional) Private Car Transport Policy for further details.

It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so. They should also be aware of and adhere to current legislation regarding the use of car seats for younger children. Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum carrying capacity is not exceeded.

Staff should never offer to transport pupils outside of their normal working duties, other than in an emergency or where not doing so would mean the pupil may be at risk. In these circumstances the matter should be recorded and reported to both their manager and the pupil's parent(s). The school's Health and Safety Policy Arrangements and (optional) Educational Visits Policy set out the arrangements under which staff may use private vehicles to transport pupils.

Educational visits will be undertaken in accordance with the school's optional Educational Visits Policy and any member of staff accompanying pupils on an educational visit are required to familiarise themselves with and adhere to this policy.

## **21 Administering First Aid and Medication**

Any member of school staff may be asked to become a qualified first-aider or to provide support to pupils with medical conditions, including the administration of medicines, but cannot be required to do so unless this forms part of their contract of employment. Any such employee will receive suitable training and will be expected to adhere to school guidelines and policies on undertaking such responsibilities. See school (mandatory) First Aid and Medical Conditions Policies.

## **22 Health and Safety**

All employees have a shared duty to help prevent injuries or accidents occurring at work by complying with the trust's Health and Safety Policy and all instructions relating to safety and security procedures within the school's Health and Safety Policy document.

## **23 Photography, Videos and Other Images**

The school has strict rules of the taking and use of images which must be aligned with the Child protection and Data Protection Policy. All members of staff should have regard to these rules. Under no circumstances should members of staff use their personal equipment to take images of pupils at, or on behalf of, the school or display or distribute images of pupils except as authorised by the school and with appropriate consent.

## **24 Declaration of Personal Interests and Outside Commitments**

Employees are responsible for ensuring that their private interests, beliefs and personal associations do not conflict with their professional duties.

All employees should declare any non-financial or financial interest which might conflict with the ethos or work of the school or trust or any relationship which, by the employee's association with that person, might adversely affect the school's or trust's reputation, attract negative publicity or potentially bring into question the employee's suitability to work with children and young people.

Declarations should be made via the School Business Manager (or for the headteacher via the Chair of Governors) who should ensure that a written record is made in accordance with the school's procedure. Declarations must extend to acknowledging the involvement of a relative or partner of an employee in an organisation with which the school does business (or seeks to do business), particularly if they are directors, partners or hold senior managerial positions in those organisations.

Where employees are in any doubt about whether any personal relationships, interests, or outside commitments should be declared in particular circumstances, they should either declare the information in any case, or else seek further advice from the SBM or the headteacher.

## **25 Secondary Employment**

Employees are able to take up additional employment other than at the school or trust provided the employment concerned does not constitute a conflict of interest or adversely affect their employment at the school or trust.

Employees should, however, keep the school informed of other employment they undertake so that the school may ensure that the 48-hour weekly working time limit under the Working Time Regulations 1998 is adhered to. In the event that an employee's combined working hours are likely to exceed this figure they will be asked to sign a working time 'opt out' agreement.

## **26 Honesty and integrity**

Employees should maintain high standards of honesty and integrity in their role. This includes when dealing with pupils, handling money, claiming expenses and using the trust's property and facilities. Employees will not accept bribes.

Employees will ensure that all information given to the trust is correct. This should include:

- Background information (including any past or current investigations/cautions related to conduct outside of school)
- Qualifications
- Professional experience

Where there are any updates to the information provided to the trust, the member of staff will advise the trust as such as soon as reasonably practicable. Consideration will then be given to the nature and circumstances of the matter and whether this may have an impact on the member of staff's employment.

## **27 School and Trust Policies**

The trust and individual schools have in place a range of policies, some of which have been referred to in this code of conduct. Employees are expected to familiarise themselves with any policy the school or trust has provided or drawn to their attention and to ensure that they take account of any future policy changes communicated to them. If in doubt about the application or interpretation of any policy an employee should seek advice from his/her line manager in the first instance.

## **28 Policy status and review**

The content and operation of this policy is reviewed as and when deemed necessary by the Board of Trustees. The policy is discretionary and does not confer any contractual rights.