

# Staff Code of Conduct

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The code of conduct sets out the standards expected and the duty upon Trust employees to abide by it.

All employees have a responsibility and duty to keep students and themselves safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between our employees and our students. Our employees should demonstrate behaviour of integrity, maturity and good judgement.

## ***Applicability***

This Trust Code of Conduct applies to the Greenshaw Learning Trust as a whole and to all the schools and service units in the Trust, and to all employees of the Trust and its schools.

If there is any question or doubt about the interpretation or implementation of this Procedure, the GLT Head of HR should be consulted.

## ***Approval and review:***

This Code of Conduct was ratified by the Board of Trustees on 5<sup>th</sup> September 2017 following consultation with trade unions. It will be reviewed from time to time in full consultation with trade unions.

## ***The responsible officer(s):***

The GLT Head of HR

***This Procedure will be reviewed annually and is due for a review in September 2020.***

## **Staff Code of Conduct**

### Introduction

1. Policies
2. Appearance and dress
3. Attendance
4. Professional behaviour and conduct
5. Contact with Children and Young People and Abuse of Trust
6. Infatuations and Crushes
7. Physical Contact and Personal Privacy
8. Behaviour Management and Physical Intervention
9. One to One Situations and Meetings with Students
10. Transporting Students
11. Educational Visits and School Clubs
12. Declaration of interests
13. Probity of records
14. Gifts
15. School contacts
16. Appointment and management of staff
17. Health and safety
18. Alcohol and illegal drugs
19. School premises, equipment and communication
20. Social networking websites
21. Data protection
22. Remote Working

## **Staff Code of Conduct**

### **Introduction**

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All employees have a responsibility and duty to keep students and themselves safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between our employees and our students. Our employees should demonstrate behaviour of integrity, maturity and good judgement.

Following this code of conduct will help to safeguard staff from being maliciously, falsely or mistakenly suspected of or accused of professional misconduct in relation to students.

Employees must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection. 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 of conduct cannot provide a complete checklist of what is, or is not, appropriate behaviour for employees. However it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to students. Employees are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the students in their care.

The Staff Code of Conduct forms part of a staff member's employment contract and failure to comply with it and with the associated school policies may result in disciplinary action being taken, including legal action where it is warranted.

The Code has been issued to all staff and a copy of the Code is available from the Head of HR.

## **1. School policies**

This Code of Conduct should be read and adhered to in conjunction with the following Trust policies:

- Safeguarding Policy
- Health and Safety Policy
- Data Protection Policy
- Equal Opportunities Policy
- Whistleblowing Policy

*Please see your Head of HR for a copy of these policies.*

## **2. Appearance and dress**

An employee's dress and appearance are matters of personal choice and self-expression. However employees must ensure they are dressed decently, safely and appropriately for the tasks they undertake. Employees who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.

## **3. Attendance**

Staff are expected to:

- Attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days of work and holidays.
- Make routine medical and dental appointments outside of their working hours or during holidays, where possible.
- Refer to the Trust's policy on additional leave if they need time off for any reason other than personal illness.
- Follow the absence reporting procedure when they are absent from work due to illness or injury.

## **4. Professional behaviour and conduct**

All employees have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general. An individual's behaviour, either in or out of the workplace, should not compromise their position within the work setting or bring Greenshaw Learning Trust into disrepute.

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

Any sexual behaviour, by a member of staff, with or towards a student 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. All Trust employees who have contact with students are in positions of trust. The Sexual Offences (Amendment) Act 2000 specifically established a criminal offence of the abuse of trust in relation to teachers and others who are in relationship of trust with 16 -18 year olds.

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".

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. Employees should be aware that conferring special attention without good reason or favouring a student has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

A relationship between an employee and a student cannot be a relationship between equals. There is potential for exploitation and harm of students and all adults have a responsibility to ensure that the unequal balance of power is not used for personal advantage or gratification. It is important to recognise that women as well as men may abuse a position of trust.

## **6. Infatuations and Crushes**

Employees must recognise that a student may be strongly attracted to a member of staff and/or develop infatuation. An employee who becomes aware that a student may be infatuated with him/herself or a colleague, must report this without delay to the designated member of staff so that appropriate action can be taken. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the student. It should also be recognised that careless and insensitive reactions may provoke false accusations. Whilst the risk of infatuation is not limited to younger members of staff, newly qualified teachers must recognise their particular vulnerability to adolescent infatuation.

Seeking advice in circumstances where concerns arise. Examples of situations which must be reported are given below:

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

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

There are occasions when it is entirely appropriate and proper for employees to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role.

When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one student in one set of circumstances may be inappropriate in another, or with a different student.

Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If an employee believes that an action could be misinterpreted, the incident and circumstances should be reported.

Physical contact, which occurs regularly with a student or students, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to students 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, employees should seek the student's permission before initiating contact. Staff should listen, observe and take note of the student's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the student for the minimum time necessary.

There may be occasions when a distressed student 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 an employee has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a senior leader.

Some staff, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with students in order to support a student 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 student'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 student.

Students 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 students, 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 students 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 should be involved in intimate care duties except in an emergency.

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

All students have a right to be treated with respect and dignity. Staff must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation. Shouting aggressively or hectoring is not acceptable in any situation. Deliberately intimidating students by overweening physical presence is not acceptable in any situation.

The circumstances in which staff can physically intervene with a student are covered by Section 93 of the Education and Inspections Act 2006 and supplemented by the DCSF guidance document "The Use of Force to Control or Restrain Students 2007". Staff may legitimately intervene to prevent a student 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.

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.

## **9. One to One Situations and Meetings with Students**

Staff working in one-to-one situations with students are more vulnerable to allegations. 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 students 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 of the school 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 students away from the Trust premises or on the Academy/school site when the Academy/school is not in session are not permitted unless approval is obtained from their parent/guardian and the Headteacher or other senior colleague with delegated authority.

## **10. Transporting Students**

In certain situations, e.g. out of school activities, staff may agree to transport students. Wherever possible transport arrangements should be made in advance by a designated member of staff. 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.

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

Staff should take particular care when supervising students in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff remain in a position of trust and the same standards of conduct apply. The Trust has a policy on educational visits which forms part of this Code of Conduct.

## **12. Declaration of interests**

Employees are required to declare an interest if their relationship with any individual or group or organisation (or to make a nil declaration) might be considered to or appear to be in conflict with the interests or ethos of the Trust or its activities. (Membership of a trade union or staff representative group would not need to be declared.)

Failure to make a relevant declaration of interests is a very serious breach of trust and, therefore, if employees are in doubt about a declaration, they are advised to contact the Head of HR or their trade union.

### **13. Probity of records**

The deliberate falsification of documents is not acceptable. Where an employee falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

Where an employee has claimed any state benefit, either directly or indirectly, or has failed to disclose their full earnings, this will be treated as gross misconduct and the employee may be dismissed and referred to the police.

### **14. Gifts**

Staff 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 students or parents wish to pass on small tokens of their appreciation to staff, e.g. at Christmas or as a thank-you, and this is acceptable. However it is not acceptable to receive gifts on a regular basis or of any significant value.

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

### **15. School contacts**

Employees shall not use school business contacts for acquiring materials or services at trade/discount prices for non-school activities, unless participating in concessionary schemes arranged by trade unions or other such groups.

### **16. Appointment and Management of Staff**

Any employee involved in the recruitment of staff, whether externally or internally, must ensure that the decision to appoint is based on merit. Staff must not be involved in the recruitment process if they are related to an applicant or have a close personal relationship with them.

## **17. Health and safety**

Staff members must:

- Be familiar with and adhere to the school's Health and Safety Policy and must ensure that they take every action to keep themselves and everyone in the school environment safe and well.
- Comply with health and safety regulations and use any safety equipment and protective clothing which is supplied to them.
- Comply with hygiene requirements.
- Comply with accident reporting requirements.
- Inform their line manager of any paid work which is undertaken elsewhere, for compliance with Working Time Regulations.

## **18. Alcohol and illegal drugs**

The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. Employees are expected to attend work without being under the influence of alcohol or illegal drugs.

If alcohol or drug usage impacts on an employee's performance, the school has the right to discuss the matter with the employee and take appropriate action, including referral to the police.

## **19. School premises, equipment and communication**

- School equipment and systems are available only for Trust/school related activities and should not be used for the fulfilment of another job or for personal use, unless specifically authorised by Senior Leadership.
- Illegal, inappropriate or unacceptable use of Trust equipment or communication systems may result in disciplinary action and, in serious cases, could lead to an employee's dismissal.
- Employees receiving inappropriate communication or material or who are unsure about whether something he/she proposes to do might breach this Policy, should seek advice from the Head of HR.
- The Trust/School reserves the right to monitor emails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems or when the school suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity.
- Passwords should not be shared and access to computer systems must be kept confidential except on the express request of the Executive

Headteacher or Network Manager. Breach of this confidentiality may be subject to disciplinary action.

- Trust/School equipment that is used outside school premises, for example laptops, should be returned when the employee leaves employment unless requested to do so for an alternative reason by a Senior Leader.
- Employees must not give their personal details such as home/mobile phone number; home or email address to students unless the need to do so is agreed with Senior Leadership.

## **20. School / Trust networking websites**

- Employees must not access social networking sites for personal use during their working day.
- Access to some journals, blogs and social networking sites is permitted during classes for the purposes of undertaking job related duties only.
- Employees must act in the best interests of the Trust/school and not disclose personal data or information about any individual, including staff members, children and young people.
- Trust employees must not establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship.

This includes social networking sites such as MYSpace, Twitter, Facebook, Instagram, Snapchat and blogging .If contact occurs coincidentally, employees should exercise their professional judgement in making a response and be aware that such social contact in person, by phone or on the internet could be misconstrued and may place employees in a vulnerable position.

Access may be withdrawn and disciplinary action taken if there is a breach of confidentiality or defamatory remarks are made against any individual in the Trust.

## **21. Data protection and Confidentiality**

- Staff members are required, under the Data Protection Act 2018, to collect, maintain and dispose of sensitive or personal data in a responsible manner.
- Staff members should not disclose sensitive information about the school, its employees or students, to anyone other than on a need to know basis. In circumstances where information does need to be shared but identity does not need to be disclosed the information should be used anonymously.
- There are some circumstances in which a member of staff may be expected to share information about a student, 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 responsibility. Failure in these circumstances will result in disciplinary action.

- Staff members have the right to request access to data that is held about them and such requests should be made to the Head of HR.

## **22. Home/Remote Working**

The Data Protection Act 2018 applies to all paper and electronic information that you create and receive as part of your employment with the Trust, regardless of where you work or store that information.

It is the duty of any employee working at or from home to take all reasonable precautions to protect information which is stored in the home relating to their employment with Greenshaw Learning Trust.

The employee must consider access that other people residing in or visiting the home may have to the information and eliminate this access. Specifically the employee is under a duty to:

- keep filing cabinets and drawers locked when they are not being used;
- keep all documentation belonging to the organisation under lock and key at all times except when in use; and
- set up and use a unique password for the computer and work related files.

Furthermore, the computer and any other equipment provided by Greenshaw Learning Trust for the employee must be used only for work-related purposes and must not be used by any other member of the family at any time or for any purpose. No personal data is to be stored on the equipment provided by the Trust.

Information must be kept secure when in transit between home and work and not left unattended.

Information which contains data about any identifiable living individuals is subject to the Data Protection Act. Employees working at or from home need to know and understand their obligation to keep data confidential and secure.

Homeworkers must ensure any computer at home that holds work related information files has up-to-date anti-virus software.

Employees working at or from home using a broadband connection should ensure they have a secure network (password protected) and a properly configured firewall.

Work related information files and documentation taken or stored at home must also be accessible to anyone with the Trust who needs to use it for their work. In principle this means employees should never take home the only copy of this type of information.

Any paper documents taken from the Trust should be returned once work on them has been completed, and disposed of appropriately.

If any information or documentation is lost or stolen, this must be reported immediately to the Head of HR.

The Network Manager is responsible for agreeing and monitoring procedures for ensuring the security of the work, information, and data files under the homeworke<sup>r</sup>'s control.