

CODE OF CONDUCT FOR EMPLOYEES POLICY

V3

September 2023

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1.0 Policy Statement

- 1.1 The aim of this Code of Conduct for employees is to set out the standards of conduct expected of all staff and to provide further information for employees. This should be read in conjunction with our Child Protection policy, Online Safety policy including acceptable use of IT, Disciplinary policy, Teachers' Standards and the statutory guidance Keeping Children Safe in Education.
- 1.2 This Code should make it clear to employees the expectations the Trust has of them. Employees should note that this Code is not exhaustive in defining acceptable and unacceptable standards of conduct and employees must use common sense in adhering to the underpinning principles (note the Nolan Principles below). If any employee is ever unsure what the expectations are in any given circumstance, they should speak to their line manager and/or Headteacher.
- 1.3 This Code does not form part of any employee's contract of employment, and it may be amended at any time.

2.0 Scope and Purpose

- 2.1 The Code applies to all employees regardless of length of service. It also applies to consultants, contractors, casual and agency workers and volunteers (collectively referred to as employees in this policy) although, unlike employees, breaches of the Code will not be managed through the disciplinary procedure.
- 2.2 As recognisable figures in the local community, the behaviour and conduct of Beckfoot Trust employees outside of work can impact on their employment. Therefore, conduct outside work may be treated as a disciplinary matter if it is considered that it is relevant to the employee's employment (see Disciplinary policy including rules).

3.0 Overarching Principles

The Nolan Principles

Employees are expected to demonstrate consistently high standards of personal and professional conduct. They must at all times be guided by and uphold the Nolan Principles:

1. **Selflessness.** Holders of public office should act solely in terms of the public interest.
2. **Integrity.** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
3. **Objectivity.** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
4. **Accountability.** Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
5. **Openness.** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
6. **Honesty.** Holders of public office should be truthful.

7. **Leadership.** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

4.0 Responsibilities and Arrangements

4.1 Safeguarding and promoting the welfare of children and recognising low level concerns

- 4.1.1 All employees are responsible for safeguarding children and promoting their welfare. This means that employees are required to take action to protect children from maltreatment, prevent impairment of children's health or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care. This will enable all children to have the best outcomes.
- 4.1.2 All employees should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.
- 4.1.3 All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.
- 4.1.4 All employees must be aware of low-level concerns, no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:
- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
 - Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).

Examples of such behaviour (see Page 101 in KCSIE 2023) could include, but is not limited to:

- Failing to meet professional boundaries (section 4.6)
 - Being over friendly with children
 - Having favourites
 - Taking photographs of children on their mobile phone, contrary to school policy
 - Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
 - Humiliating children
- 4.1.5 To do this, employees must have fully read and understood our child protection policies and procedures, be aware of our systems for keeping children safe and must always follow the guidance in these policies and procedures at all times.
- 4.1.6 In our Trust, safeguarding is a culture, and we take the approach that it 'could always happen here,' the needs of the child are paramount.
- 4.1.7 All employees must cooperate with colleagues and with external agencies where necessary. All low-level concerns should be reported to the Headteacher who will decide on next steps. All low level concerns are recorded on a tracker. The Headteacher may seek support from the LADO even in the case of a low-level concern and will always refer in the case of an allegation that may meet the harm threshold, regardless of whether it is 'substantiated'.

4.2 Duty of care

Employees must:

- Understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- Always act, and be seen to act, in our students' best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
- Take responsibility for their own actions and behaviour

4.3 Health and safety

All employees must ensure that they:

- Read and understand the Trust's Health and Safety Policy
- Comply with Health and Safety Regulations or instructions and use any safety equipment and protective clothing which is supplied by the Trust
- Comply with any hygiene requirements
- Comply with any accident reporting requirements
- Never act in a way which might cause risk or damage to any other members of the school community, or visitors.
- Inform their line manager of any paid work undertaken elsewhere. This is to comply with the Working Time Regulations, which are a Health and Safety initiative.

4.4 Honesty and personal integrity

4.4.1 Employees are expected to demonstrate consistently high standards of personal and professional conduct. They must at all times be guided by and uphold the Nolan Principles above:

4.4.2 The following statements define the behaviour and attitudes which set the required standard of conduct at Beckfoot Trust.

- Employees must comply with any lawful or reasonable instructions issued by managers or trustees.
- Employees uphold public trust in our organisation and maintain high standards of ethics and behaviour within and outside school and in addition to the Nolan Principles they must:
 - Treat students with dignity, building relationships rooted in mutual respect, and always observe proper boundaries appropriate to their professional position
 - Have regard for the need to safeguard students' well-being, in accordance with statutory provisions
 - Show tolerance of and respect for the rights of others
 - Not undermine fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - Ensure personal beliefs are not expressed in ways which exploit students' vulnerability or might lead them to break the law.

4.4.3 Employees must have proper and professional regard for the ethos, policies, and practices of our Trust and maintain high standards in their own attendance and punctuality. Employees must treat all colleagues with respect, dignity, fairness and courtesy at all times.

4.4.4 As the Nolan Principles state, employees must demonstrate honesty and integrity in their work. This includes the handling and claiming of money and the use of Trust property and facilities.

4.5 Tackling discrimination

4.5.1 Employees are required to understand the types of discrimination and bullying that students and colleagues may be subject to. Employees are required to have read and understood our Equality and Diversity policy and Anti-Harassment policy.

4.5.2 Employees must not ignore any form of discrimination. This includes inappropriate jokes and banter. Employees must positively always promote equality and diversity and inclusion.

4.6 Professional boundaries and relationships

4.6.1 Employees in Beckfoot Trust are in a position of trust in relation to our students which means that the relationship between an employee and a student is not one of equals. It is a specific offence for a person aged 18 or over (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual.

4.6.2 Employees must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with students.

4.6.3 Employees must not make sexual remarks to any student or discuss their own sexual relationships with, or in the presence of students. Employees must not discuss a student's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a member of staff towards any student is unacceptable and illegal.

4.6.4 Employees must ensure that professional boundaries are maintained at all times. This means that employees should not show favouritism to any student and should not allow students to engage in any type of behaviour that could be seen to be inappropriate. Students are not employees' friends and should not be treated as such.

4.6.5 Employees should be aware that it is not uncommon for students to become strongly attracted to a member of staff or to develop an infatuation. If any member of staff becomes aware of an infatuation, they should discuss it with their line manager and the Designated Safeguarding Lead immediately so that they can receive support on the most appropriate way to manage the situation.

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

4.6.7 Employees must also consider the boundaries of professional relationships with colleagues and line managers. The Trust has the right to monitor emails and internet use on the school IT system and on work devices.

4.7 Confidentiality and data protection

- 4.7.1 Employees may have access to confidential information about students, colleagues or other matters relating to the school and or Trust. This could include personal and sensitive data, for example information about a student's home life. Employees should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Employees should never disclose this information unless this is in the proper circumstances and with the proper authority.
- 4.7.2 If an employee is ever in doubt about what information can or cannot be disclosed, they should speak to their line manager, the Headteacher or Head of HR.
- 4.7.3 We will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time. Employees are expected to comply with Beckfoot Trust's systems as set out in our Data Protection Policy. If any employee becomes aware that data is at risk of compromise or loss or has been compromised or lost, they must report it immediately to the Data Protection Officer, in order (where applicable) for relevant breaches to be reported to the Information Commissioners Office within 72 hours.
- 4.7.4 Employees must read and understand our Data Protection Policy and other relevant policies in relation to criminal records information, recruitment and selection, Online Safety and IT Use policies, copies of which are available on the Beckfoot Trust website.

4.8 Physical contact with students

- 4.8.1 There are occasions when it is entirely appropriate and proper for employees to have physical contact with students. Employees must ensure that they only do so in ways that are appropriate to their professional role and in response to the student's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the student. Employees should always be able to explain why they have made physical contact with a student. Employees should ensure that they have read and understood our Care and Control policy.
- 4.8.2 There may also be occasions where a student is in distress and needs comfort and reassurance which may include age-appropriate physical contact. If an employee is in this position, then they should consider the way in which they offer comfort, ensuring that it is not open to misinterpretation and is always reported to the Designated Safeguarding Lead if there are any concerns including low level concerns.
- 4.8.3 Employees may legally physically intervene with students to prevent them from committing a crime, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Physical force should never be used as a form of punishment.
- 4.8.4 Sexual contact, including grooming patterns of behaviour, with students is unlawful and unacceptable in all circumstances.

4.9 Behaviour management

- 4.9.1 Employees should not use any form of degrading or humiliating treatment to punish a student. The use of sarcasm, demeaning or insensitive comments towards students is completely unacceptable.
- 4.9.2 Where students display difficult or challenging behaviour, employees should follow the school's behaviour protocol using strategies appropriate to the circumstance and situation.

4.10 Social contact with students and families, including social media

- 4.10.1 Employees should not establish or seek to establish social contact, via any channels (including social media), with students and families for the purposes of securing a friendship or to pursue or strengthen a relationship. Employees should use their work provided equipment only for communicating electronically with students and families. If there are any circumstances in which an employee has had to provide their personal contact details, including phone numbers, email address etc, to any student or family then they should report this to the Headteacher or their line manager if they are members of the central team.
- 4.10.2 The advice to employees is not to connect to students or family members via social media or other communication channels unless this is for professional purposes and the employee can demonstrate that this is the case.
- 4.10.3 Our schools are part of our community, and we recognise that our employees will encounter students and families outside of the work from time to time. We expect employees to use their professional judgement in such situations and to report to the Headteacher any contact that they have had with a student or family members outside of school that they are concerned about, or that could be misinterpreted by others.
- 4.10.4 Employees must not post disparaging or defamatory statements about our individual schools or about Beckfoot Trust, our students or their parents or carers, our Trustees or colleagues, suppliers and vendors, and other affiliates and stakeholders. Employees should avoid social media communications that might be misconstrued in a way that could damage our Trust's reputation, even indirectly.
- 4.10.5 If you see content in social media that disparages or reflects poorly on our schools or Trust or our stakeholders, you should print out the content and contact the Headteacher or Head of HR. All employees are responsible for protecting our Schools and our Trust's reputation.

4.11 Photography, videos, and other images/media

- 4.11.1 Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity. Under no circumstances should employees use their personal equipment to take images of students at or on behalf of the Trust.

4.12 Acceptable use of technology

- 4.12.1 Employees should only use ICT systems and resources (email and phone) for school business, or only in line with what is allowed.
- 4.12.2 Employees will not use technology in school to view material that is illegal, inappropriate, or likely to be deemed offensive. This includes sending obscene emails, gambling, and viewing pornography or other inappropriate content. Please refer to the Online Safety and IT Use policy to consider what is and is not appropriate on a work device.

All Employees should read and understand our Online Safety and IT Use policy.

4.13 Personal phones and tablets

4.13.1 Employees must not use personal electronic communication devices such as mobile phones or iPads as cameras in school. Any photographs/video footage must be taken using school equipment. Employees must only save images on school IT hardware/computers.

Employees who are in contact with pupils should not use personal mobile phones in school during their directed/paid hours of employment unless there are exceptional circumstances and they have requested and been given explicit permission to do so by the Headteacher. Outside of these times, mobile phones should only be used in areas of the school where students are not present.

4.14 Alcohol and substance misuse

4.14.1 Employees are expected to arrive at work fit to carry out their job and to be able to perform their duties safely without any limitations due to the use or after effects of alcohol or drugs. In this policy drug use includes the use of controlled drugs, psychoactive (or mind-altering) substances formerly known as "legal highs", and the misuse of prescribed or over-the-counter medication.

Alcohol and drug-related problems may develop for a variety of reasons and over a considerable period of time. Therefore, the Trust will seek, where appropriate, to treat these problems in a similar way to other health issues. Support may be provided at this point, in order to aid a full recovery, allowing a return to work/effective performance and the full range of duties.

4.15 Working one to one with students

4.15.1 There will be times where an employee is working one to one with a student and this may be acceptable. Employees need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore, it is important that employees:

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

4.16 Curriculum

4.16.1 Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relates to the learning outcomes identified by the lesson plan. This can be supported by developing ground rules with students to ensure sensitive topics can be discussed in a safe learning environment. This plan should highlight particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied e.g., Health and Social Care, PSHE (Personal, Social, Health and Economic), Drama.

4.16.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political, or otherwise sensitive nature. Responding to children's questions requires careful judgement and employees should take guidance in these circumstances from the Designated Safeguarding Lead.

4.17 Dress and appearance

4.17.1 Our schools are diverse, and each school has its own dress code that reflects its unique culture and the expectation it has of its students. The more formal the dress code for students, for example, the more the employee dress code will reflect the same norms.

In all our schools, employees are role models to our students and how they present themselves is important. Our expectation for all is that employees are decently, appropriately, and professionally dressed in work. We do not permit the wearing of clothes that are revealing, allow underwear to be seen, have offensive logos or writing, or are ripped or torn at any times.

If an employee is unsure whether any item of clothing is inappropriate, then they should not wear it to work. Employees can always speak to their line manager if they are unsure. Where we identify that an employee is wearing clothing that we do not find acceptable, they will be informed of the necessary correction to make.

4.18 Gifts and hospitality

4.18.1 For many of our employees there will be a limited opportunity to accept gifts and hospitality, but all staff must be aware that it is not acceptable for staff to accept bribes. Therefore, any gift, promotional offer, or hospitality, intended either for the employee or for the school that exceeds a nominal value must be declared to the central finance team and permission must be obtained before accepting. If an employee is ever unsure, then the best course of action is to politely decline the offer.

4.18.2 It is traditional for students and their parents or carers to give gifts as a small token of appreciation or as a thank you to members of staff at certain times throughout the academic year. This Code of Conduct is not designed to stop that practice. Employees may accept gifts from students and their parents or carers if they meet the expectations laid out in our Gifts and Hospitality policy. Employees should make the Headteacher aware of any student who is giving them gifts on a regular basis, or any student or parent or carer who expects something in return for a gift, as this would not be acceptable.

Employees should not give gifts to students unless this is part of a recognised practice in line with the school culture and behaviour protocol.

4.19 Keeping within the law

4.19.1 Employees are expected to operate within the law. Unlawful or criminal behaviour, at work or outside work, may lead to disciplinary action, including dismissal, being taken. However, being investigated by the police, receiving a caution, or being charged will not automatically mean that an employee's employment is at risk.

4.19.2 Employees must ensure that they:

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

- Crimes of dishonesty which render them unfit to hold a position of trust.
3. Write and/or tell the Headteacher/Central Director immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed by The Trust (this includes outside of their working hours). The Headteacher/Central Director and/or trustees will need to consider whether this charge/conviction damages public confidence in the Trust or makes the employee unsuitable to carry out their duties.

4.20 Conduct outside of work and at work related functions

4.20.1 Unlike some other forms of employment, working at our Trust means that an employee's conduct outside of work could have an impact on their role.

Employees must not engage in conduct outside work which could seriously damage the reputation and standing of our organisation or the employee's own reputation or the reputation of other members of our community. Employees should be aware that any conduct that we become aware of that could impact on their role or affect our reputation will be addressed under our disciplinary procedure.

We therefore expect employees to make us aware immediately of any such situations that have happened outside of the work.

4.20.2 Employees are required to demonstrate responsible behaviour at work-related functions and work-related social events that take place outside normal work hours and to act in a way that will not have a detrimental effect on our reputation.

4.20.3 Employees must not behave in a way outside work that may impact on their suitability to work with children. This includes behaviour which does not directly involve a child/children. Should we become aware of any such incident or behaviour, we may treat the issue as a safeguarding matter and manage it in accordance with the Keeping Children Safe in Education statutory guidance document. Employees should be aware that any behaviour that we consider may impact on an employee's suitability to work with children will be addressed under our disciplinary procedure and may lead to a referral to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (where appropriate).

4.20.4 Alcohol may be consumed at organised off site events, but this is a private agreement between the member of staff and the vendor. Behaviour at events must not bring the Trust into disrepute. Schools and the Trust are not allowed under academy rules to purchase alcohol. Where a large event is planned by a school or the central team, consideration should be given to inclusivity and all employees must be invited. Employee only events for small groups of employees must not be funded by the school. Alcohol is not permitted for employees or visitors to drink on school premises under any circumstances.

We therefore expect employees to make us aware immediately of any such situations that have happened outside of the school.

4.21 Agency workers

4.21.1 We will investigate allegations made against agency workers with the cooperation of the agency. Whilst we may decide to cease using the services of an agency worker, this will not prevent us from investigating allegations and liaising with the Local Authority Designated Officer (LADO) to determine

a suitable outcome. We expect agency workers and agencies to cooperate with our investigations and with external agencies where applicable.

4.21.2 We will discuss with the agency whether it may be appropriate for them to consider suspending an agency worker, or whether we are prepared to redeploy an agency worker during an investigation.

5.0 Review of Policy

This Code of Conduct is reviewed and amended annually or more regularly to reflect any new national guidelines or if we feel there need to be changes to add any clarity. We will consult with staff and Unions if there are any substantial changes, and all Trust policies are ratified by the Trustees. All employees are trained on this policy and expected to read and understand it as part of induction.