

Ealing Council

Code of Conduct for School Employees



Schools HR Consultancy Ealing

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Summary

The purpose of this code of conduct is to help all employees understand what is expected of them. The code of conduct covers general standards of behaviour relating to people, finance, child protection and safety at work

There are a number of reasons why this code of conduct at work is important. The Government requires that all local authorities implement a code of conduct that sets a benchmark for appropriate standards of behaviour for public employees. Good conduct not only helps to promote good relations with parents, carers, customers and clients but also helps protect you and your colleagues for example by not leaving individuals open to criticism or legal action.

The Department for Education's statutory guidance for schools "Keeping children safe in education" states that all members of staff should be aware of the school's Code of Conduct or staff behaviour policy. It also states that the code of conduct should be provided to staff as part of their induction.

This code of conduct is provided to school employees so that they know what is expected of them and are treated fairly.

You are a valued and trusted employee so it is crucial that you understand how important it is to adhere to the standards of conduct set out in the code (and any related policies) as a breach of these standards could lead to disciplinary action. A serious, or repeated breach, could even lead to dismissal.

Though volunteers and agency staff are not paid employees it is an expectation that it is made clear to them what is and what is not acceptable behaviour.

STAFF CODE OF CONDUCT

Policy Statement

The Code of Conduct is a statement of **Elthorne Park High school's** values and describes both the way it wishes to carry out its business and the standards of conduct it expects from its employees and others working at the school.

The code applies to all individuals operating on behalf of **Elthorne Park High school**, whether as an employee or working for the school in any other capacity (collectively referred to as "Staff" or "you" within this policy).

Policy Context

The school aims to be an employer of choice and expects all employees to conduct themselves in a way that reflects its vision and values.

Elthorne Park High school is committed to raising standards. By abiding by the Code of Conduct and following the school's vision and values and behaving in a manner that reflects these values, our aim is to create a better place for all to work and study.

Elthorne Park High school's Values

- **Proud**
- **Prepared**
- **Principled**
- **Persevering**

These values guide the way Staff behave whilst at work, they guide the way we work together, how we do our jobs and how we recruit, select and develop our Staff.

We expect you to behave in a manner that is consistent with these values and this is encouraged and reinforced through the school's performance management process for employees.

While the code sets out the standards of behaviour expected of Staff, the following questions may help you to decide whether what you are doing (or intend to do) is acceptable:

- is anyone's life, health or safety endangered by your action?
- does your action "feel" right? Could you successfully justify your action to your line manager, students, colleagues, friends or family?
- is your action legal, honest and does it comply with our policies, statutory requirements and approved practice?
- does your action appear reasonable?
- Would you be able to justify it to the local media?
- would you be compromised if your line manager, fellow colleagues, friends or family knew your action?
- does your conduct undermine the reputation of the school and/or your profession?

This code is intended to bring your attention to key areas of conduct. However, the code is backed up by more detailed policies including Health and Safety, Equal Opportunities and Diversity, E Safety & Social Media, Safeguarding Children, [Whistleblowing Policy and Procedure, Allegations of Abuse Against Staff in Schools & the Staff handbook.

It should also be read in conjunction with our Disciplinary Policy and Procedure, Grievance Policy and Procedure and Capability Policy and Procedure for employees.

Many of the rules set out below may seem obvious and would apply in any type of employment; for example, the requirement to follow reasonable instructions. Others, however, are related specifically to the nature of our organisation and may only be relevant to particular groups of Staff.

By their nature, **these rules are not exhaustive** but they set out the principles to be observed which, if breached, may lead to disciplinary action against employees or other action against non-employees. From time-to-time issues may arise which are not specifically covered within this code, but which may lead to disciplinary action if your actions amount to misconduct in the case of employees or other action for non-employees.

Even though not mentioned in the rules, criminal or statutory offences committed while at work may result in disciplinary action, including summary dismissal (or other action for non-employed staff).

We may also be obliged to involve the Police. Such offences committed away from work may be dealt with under the disciplinary procedure (employees) if they are considered relevant to the suitability for the work you are employed to do. You must notify us immediately if you are charged or convicted of any criminal offences; or are in receipt of any indictments or police cautions; or are provisionally or permanently placed on the Children's Barred or Adults' Barred List (if applicable) administered by the DBS. Failure to do this, may be considered in disciplinary proceedings (employees).

If you collude with anyone else in the breaking of any of these rules you may also be liable to disciplinary action or other action.

Rules and Standards of Behaviour

The rules that follow set out examples of standards of behaviour expected of you. It should be noted that **this list is not exhaustive**.

Breaches of the Code of Conduct will be dealt with in accordance with our Disciplinary Policy and Procedure (or other action against non-employees).

The disciplinary action to be taken in any individual case will always depend on the particular facts. However, breach of any rule shown within the Code may lead to dismissal or summary dismissal (dismissal without notice for gross misconduct) dependent on the seriousness of the misconduct, or termination of your contract for non-employed staff.

Health and Safety

You should always observe all school health and safety rules and guidance.

You should never:

- breach our health and safety policies;
- act in a manner likely to endanger yourself, colleagues, pupils, parents, members of the public, the school's property or that of a third party;
- ignore anything that has the potential to cause harm. It should be immediately brought to the attention of your line manager;
- misuse any item provided for health and safety purposes;
- smoke in enclosed and substantially enclosed premises in the workplace. This includes vehicles and the student areas.

Drug, Alcohol and Substance Misuse.

We prohibit you from drinking alcohol in the workplace, during your contracted hours or during school business, other than reasonable drinking of alcohol in connection with approved social functions. We regard drinking to an 'unreasonable level' as any of the following situations:

- in the opinion of management, your performance is impaired;
- in the opinion of management, your behaviour may cause embarrassment, distress or offence to others;
- you continue to drink when instructed to stop by a manager.

We will take all reasonable steps to prevent Staff carrying out work-related activities if you are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance abuse.

We expressly prohibit the use of any illegal drugs or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance. If any such incidents take place on school premises, in school vehicles or at any school related function, they will be regarded as serious, will be investigated by us, and may lead to disciplinary action and potential dismissal (or termination of your contract for non-employees) and possible reporting to the Police.

Staff or any other person under the school's control must not, in connection with any work-related activity:

- be under the influence of alcohol or drugs (except prescribed medication for you) whilst at work, during contracted hours or whilst performing any duties;
- misuse and be under the adverse influence of substances whilst at work, during contracted hours or whilst performing any duties;
- attempt to sell or give drugs or alcohol to any other employee, staff, student or other person;

- be in possession of controlled drugs contrary to the Misuse of Drugs Act 1971 (as amended);
- operate machinery under the influence of drugs or alcohol. (There may be an exception for prescription drugs, provided they do not have an impact on performance whilst operating machinery);
- fail to inform your line manager if taking Prescription drugs or over the counter medication which may affect the ability to perform duties normally;
- drive vehicles whilst on school business whilst under the influence of drugs and/or alcohol or prescribed/over the counter drugs that may have an impact on your ability to drive safely;
- fail to follow instructions in relation to health and safety procedures for use and storage of solvents.

Attendance at Work

Employee should attend for work at all agreed times and should obtain prior authorisation for any absence.

Employees should:

- observe any designated hours of work;
- always observe the school's requirements on the notification of absence by reason of sickness (outlined within our Sickness Absence and Sick Pay Policy);
- never work elsewhere when absent from the school without line manager's authorisation. Examples of absence include sickness, suspension and leave related to work and families;
- comply with our leave policies including guidance in relation to Additional Paid and Unpaid Leave, Annual Leave, Maternity, Paternity Leave and Pay, Shared Parental Leave (Birth), Shared Parental Leave (Adoption & Surrogacy), Parental Leave, Parental Bereavement Leave and Pay, Time off for Dependents, Time off for Adoption Appointments, Time off for Antenatal Care, Time off for Elective Surgery, Time off for Fertility Treatment etc; and
- never leave work during designated/ agreed working hours without permission.

Professional Conduct

We expect all Staff to behave in a professional manner at all times; to be honest, act with integrity and give respect and consideration to others and to comply with professional codes of practice.

Staff should always:

- be honest,
- follow all reasonable and lawful instructions;
- conduct themselves in a manner that does not bring the school's name into disrepute;
- act in a manner that is not abusive towards another person, this includes indirect abuse for example where abusive comments are made to others out of the hearing of the target;

- treat everyone with respect and not undermine them, bully or harass them or act towards them in a manner which is discriminatory;
- adhere to professional requirements to attend relevant training and submit monitoring information in relation to employees and students where relevant;
- advise your line manager if your professional status has been removed by the professional body or you are subject to any disciplinary investigation and/or disciplinary action by the professional body;
- take reasonable care of students under your supervision and follow our required guidelines and safeguarding policies;
- comply with all relevant statutory provisions;
- cooperate with management in complying with our policies and procedures to the extent they apply to your position;
- comply with the requirements of statutory bodies relating to the examination, assessment and evaluation of student achievement and attainment;
- comply with the Codes of Conduct of professional bodies to which you may belong;
- not bring members of your family, dependants or other visitors onto school premises whilst conducting normal working duties without prior permission

And must not:

- post, distribute or display inappropriate literature at any of the school's premises or other premises whilst on school business;
- behave in a violent manner or threaten violence towards another person;
- use social media in such a manner that may bring the reputation of the school or the employee themselves into disrepute;
- make false allegations against another person or the school;
- behave in an insubordinate or inappropriate manner;
- behave in a persistent careless and/or negligent manner;
- behave in a manner that is likely to disrupt working relationships.

Safeguarding Children

All employees, workers, learners and volunteers and anyone operating on behalf of the school or visiting the school have the right to feel safe on our premises or while carrying out activities in relation to the school. No one should be hurt or abuse anyone in any way.

Staff must always:

- respect other people's right to safety;
- not hurt or abuse others; and not threaten to hurt or abuse them;
- comply with our pre and post-employment vetting procedures;
- advise your line manager if you are under investigation by the Police or other authority in connection with allegations of abuse;
- advise the nominated officer if you are aware or have any suspicions that anyone is abusing another person;
- comply with our procedure on Safeguarding Children.

Relationships with Students

Staff must at all times:

- maintain professional boundaries with students appropriate to their position and must always consider whether their actions are warranted, proportionate, safe and applied equitably;
- act in an open and transparent way that would not lead any reasonable person to question their actions or intent;
- think carefully about their conduct so that misinterpretations are minimised;
- be mindful of section 16 of The Sexual Offences Act 2003.

Staff must never:

- establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship. If a young person seeks to establish social contact you should exercise your professional judgement in making a response and be aware that such social contact could be misconstrued;
- develop personal or sexual relationships with students and should not engage in any sexual activity with a student;
- make sexual remarks to a student, discuss your own sexual relationships with, or in the presence of students or discuss a pupil's sexual relationships in an inappropriate setting or context.

Contact with students should be through the school's authorised mechanisms (see staff handbook) Personal phone numbers, email addresses or communication routes via all social media platforms should not be used and you should not share your home address with students. If contacted via an inappropriate route you must inform the Headteacher immediately.

You must not accept friend invitations or become friends with any student of the school on any social media platform. You should also refrain from following any student on Twitter, Instagram or other similar social media accounts of students or their parents.

Allegations of Abuse Against Staff

We all have a duty to promote and safeguard the welfare of children at our school. In line with this duty, we have a policy and procedure dealing with allegations of abuse against staff.

All members of staff are required to familiarise themselves with this policy and comply with it.

Concerns about the possible abuse of children by staff will usually arise in one of two ways, either:

- a direct allegation by a pupil or a third party, for example a parent; or
- an observation by a member of staff that the behaviour of a colleague is inappropriate or potentially or actually abusive.

1. Allegations that may meet the threshold

Where a member of staff has any concern about another member of staff, including volunteers, contractors, and supply staff, that may meet the harm threshold (outlined below) you must report such a concern to the Headteacher immediately, unless the allegations are about the Headteacher in which case, it must be reported to the Chair of Governors this person is known as the "Case Manager". If the Headteacher is absent, the allegation should be reported to the teacher in charge.

A concern/allegation meets the harm threshold if the allegation is that the individual concerned:

- behaved in a way that has harmed or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates member of staff may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates the member of staff may not be suitable to work with children.

Further details on the process that will be followed is set out in school policies that relate to allegations of Abuse Against staff.

Low-level concerns

In line with Section two of Part Four of Keeping Children Safe in Education, we recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to share low-level concerns with the right person so that they can be addressed appropriately. The purpose of our approach to low-level concerns is to ensure that our values are constantly lived, monitored and reinforced by staff.

The term 'low-level' concern does not mean that the concern is insignificant, it means that a staff member, supply teacher or volunteer does not seem to have:

- 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
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

A low-level concern covers any concern no matter how small, even if it is 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 LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on a personal mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or
- humiliating pupils.

Such behaviour can exist on a spectrum.

Low-level concerns about a member of staff, supply staff, volunteer or contractor should be reported to the Headteacher **OR** Designated Safeguard Lead.

Any concerns about the Headteacher **OR** Designated Safeguard Lead **should** be reported to the Chair of Governors and or LADO.

All low-level concerns will be recorded in writing. Each record will include details of the concern, the context in which the concern arose, and action taken. The name of the individual who raised the concern should be noticed, but if that individual wishes to remain anonymous, that will be respected to the extent it is reasonably possible to do so.

Records will be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation.

Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or by referring to the LADO, where a pattern of behaviour moves from a low-level concern to meeting the harm threshold. We will also consider whether there are wider cultural issues existing at the school that may have enabled the behaviour to occur. If this is found to be the case or a contributory factor, we may review our policies and deliver extra training where we consider this will minimise the events happening again.

Communication and Confidentiality

Confidentiality should be maintained in accordance with statutory and school's regulations and procedures in all forms of communication.

You should:

- always comply with our Data Protection and Freedom of Information policies and procedures with regard to the retention, disposal security and disclosure of personal data;
- never disclose confidential information to any other person or party without consent (unless specifically required to do so by law);
- never search confidential files to which access has not been granted.

Regulatory issues and Use and Security of Resources

You are expected to act with honesty and integrity to safeguard the stewardship of resources for which we are responsible. You should always comply with regulations that are applicable to the school and its business.

You should always:

- ensure that you comply with the rules and principles of any regulatory bodies and/or relevant statute applicable to the duties you perform;
- comply with the school's financial regulations;
- comply with our Gifts and Hospitality Policy (to the extent it applies to your position);
- ensure that you count promptly and accurately for all monies handled in the performance of your duties. If you discover any discrepancy or loss, you must declare it to your line manager without delay. Note: Any attempt to conceal any discrepancy will only heighten the suspicion of dishonesty later. We may report any such losses and thefts to the Police;
- declare any conviction for a criminal offence or caution in relation to an offence (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and 2020).

Staff should:

- never wilfully damage or abuse the property of students, fellow workers or the school, or the property of outside agencies whilst conducting school business;
- never access, view or distribute material of a pornographic nature;
- never make a financial claim in connection with work or services that have not been undertaken in connection with authorised school business;
- never remove any school property from the school's premises unless approved by your manager;
- never remove, or be in unauthorised possession of, any property or facilities belonging to the school or to any employee, student or visitor to the school;
- always use our systems (e.g. computers, internet) in accordance with our e-Safety and Social Media Policy;
- take all reasonable measures to ensure, so far as it is practical, the safety and security of school property, including premises, vehicles, equipment and cash.

Equality and Diversity

We seek to achieve an environment in which all are included and in which discrimination is not tolerated. We are committed to promoting equality of opportunity regardless of sex, gender reassignment, race (which covers colour, nationality, ethnic or national origin), disability, religion or belief, sexual orientation, pregnancy or maternity, marital or civil partner status or age. Everyone should be treated with respect and dignity and establish a culture where diversity is valued.

You should always:

- observe our Equal Opportunities and Equalities Policy.

Gaining Employment/Promotion/Transfer

Employees or potential employees must comply with our recruitment and Selection procedures.

When applying for a job/transfer/promotion, employees should not:

- make false statements to us or withhold relevant information. Any breach could result in disciplinary which may be taken against an employee at any time and also the removal of the offer of employment.
- fail to comply our recruitment and selection policies and procedures.

Employment of Family

We do not believe it is good practice, either for the individuals or the school, for close relatives to be employed in the same Department, particularly where one reports to the other.

Relationships covered by the term 'relative' include immediate family, i.e. spouse, partner, civil partner, parents, children, siblings, in-laws, uncles, aunts, nieces and nephews.

It is possible for relatives to be appointed within the same Department but this should be discussed fully with us before action is taken, and should only be in cases where there will be no direct working relationship between the individuals.

Employees should not:

- be involved in the selection process where you are related in any way to an applicant or have a personal relationship outside work with them;
- be involved in decisions relating to discipline, promotion, pay or adjustments for any employee who is a relative, partner or close friend.

Conflicts of Interest

Conflicts of interest should be avoided at all times. Any issues of conflict or potential conflict should be raised with your line manager at the first possible opportunity.

Employees should:

- act in the best interests of the school at all times;
- not work for other employers while employed by the school if there is any possibility of a conflict of interest.

Examples of a personal interest that should be declared are:

- a directorship, a large shareholding, promise of future employment or the employment of a close relative or friend in a position of influence in an organisation which may compete or do business with the school;

- receipt of compensation (except remuneration from the school) for services provided to any person or organisation on our behalf;
- outside activities that adversely affect job performance, either through excessive demands on working time or through conflicting commitments;
- activities that involve the unauthorised use of the school's time, equipment or information which could adversely affect the school's reputation or relations with others or could otherwise conflict with the interests of the school.

Gifts, Entertainment and Hospitality

You should always act with integrity and not allow yourself to be put into a situation which does not allow you to act with honesty and integrity and/or in the best interest of the school.

You should not:

- allow yourself to be influenced in making a business decision as a consequence of accepting gifts or hospitality as detailed in the Financial Regulations.

For further information, please see our Gifts and Hospitality Policy in the staff handbook.

Reporting Misconduct

You are expected to:

- report violations or suspected violations of law or the standards set out in this Code of Conduct. In these situations, you should contact your line manager.
- comply with our Whistleblowing Policy and Procedure in the event of concerns or evidence of malpractice in connection with the school. Note: Any information provided by you will be kept confidential in accordance with our Whistleblowing Policy and Procedure, unless otherwise required by law and may be made without concern of retribution.
- report all/any suspicions of fraud or theft to your line manager.

Further Guidance

If you require further clarification on this document, please contact HR Ealing and or the Headteacher's PA.