



THOMAS ALLEYNES HIGH SCHOOL
UTTOXETER

Code of Conduct for staff Employed at Thomas Alleyne's High School

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
01/10/2018 Full Governors Committee	
Date of next review	October 2019

Code of Conduct for Staff Employed in Thomas Alleyne's High School

[October 2018]

1. Purpose

Thomas Alleyne's High School (the "Academy") expects high standards of conduct from all employees. This Code of Conduct ("the Code") outlines the rules that apply to all staff employed in the Academy and provides guidance to help keep to them and ensure the highest standards of conduct. The Code sets out the minimum standards that are expected of employees and provides a framework that will help to prevent misunderstandings or criticism.

2. Roles and Responsibilities

Local Governing Body/Academy Council: The Local Governing Body/Academy Council has a general role in ensuring that appropriate standards of conduct are established and maintained. Members of the Local Governing Body may also be involved in dealing with specific declarations made by employees under the Code, where appropriate.

Headteacher/Principal: *The Headteacher/Principal is responsible for ensuring that staff are made aware of the Code as part of their induction programme. They may also consider declarations made by employees under the Code and will ensure appropriate action is taken to deal with any alleged breaches.*

Employees: All staff employed by the Academy are required to keep to the standards of the Code and carry out their duties honestly and fairly. Failure to do so is a serious matter and could result in disciplinary action, including dismissal. Employees should therefore ensure that they read the Code carefully and contact their immediate line manager or the *Headteacher/Principal* if they have any queries.

3. Policy statement

The Academy endorses the following principles:

- **Selflessness**
Employees should take decisions by thinking only of the public interest within the Academy. They should not do so in order to gain any benefits for themselves, their family or their friends.
- **Integrity**
Employees should not put themselves under any financial or other obligation to any outside person or organisation that might influence them inappropriately in their work. Employees 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.

- **Objectivity**
Employees must act and take decisions impartially, fairly and on merit, using the best evidence available and without discrimination or bias.
- **Accountability**
Employees are accountable to the Academy for their decisions and actions and should be open to whatever questioning is appropriate to their role.
- **Openness**
Employees should act and taken decisions in an open and transparent manner. Furthermore, employees should give reasons for the decisions and actions they take. They should restrict information only when the wider public interest clearly requires this.
- **Honesty**
Employees should carry out their duties honestly and have a duty to declare any private interests to do with their role in the Academy. They must resolve any possible conflicts of interest in a way which protects the interests of the Academy.
- **Leadership**
Employees should promote and support these principles by leadership and example.

The Academy also expects employees to operate in accordance with the Codes of Conduct provided by their relevant professional bodies.

4. Standards

All employees are expected to perform to the highest possible standard and to carry out their duties honestly, fairly and with integrity.

All employees must report to the *Headteacher/Principal*, or in the case of an allegation against the *Headteacher/Principal* the Chair of Governors anything illegal, improper or a breach of procedure. The *Headteacher* or Chair of Governors must record, investigate and take appropriate action on such reports. Please refer to the Academy's Whistleblowing Policy for further information.

5. Safeguarding welfare of children and young people

All employees of the Academy are required to work within the 'Guidance for Safer Working for Adults who work with Children and Young People' provided by the DfE and any additional guidance provided by the Academy. This aims to safeguard children and young people and reduce the risk of staff and other adults in schools being falsely

accused of improper or unprofessional conduct. Please refer to the Academy's Safeguarding Policy for further details.

Employees who receive information about allegations of child abuse should report such information to the *Headteacher/Principal/Safeguarding Lead*, as set out in the Academy's Safeguarding Policy. If the allegations are against the *Headteacher/Principal*, the information should be reported to the Chair of Governors in accordance with the Academy's Safeguarding Procedure.

6. Duty of Care

Teachers and other staff are accountable for the way in which they exercise authority; manage risk; use resources; and protect pupils from discrimination and avoidable harm. The duty is exercised through the caring and professional relationships between staff and pupils and behaviour by staff is demonstrated through integrity, maturity and good judgement. When accepting a role with children and young people staff need to understand and acknowledge the responsibilities and trust inherent with the role.

Employers also have a duty of care towards their employees which requires them to create a safe environment in which they work.

7. Power and Positions of Trust

All adults working with children are in a position of trust in relation to the young people within their care. This is not a relationship of equals and there is a potential for exploitation and harm of vulnerable young people. Staff therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff at all times should avoid behaviour which may be misinterpreted by others and report and record any incident with this potential.

Where a person age 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity. Where a person is aged over 18 and in a position of trust tries to establish a relationship with someone who has recently left school this will cause concern and will be treated as a breach of trust established in that prior relationship.

8. Confidentiality

Members of staff will have access to confidential information in order to undertake their everyday responsibilities. In some cases this may be highly private or sensitive information. Employees should never use this information for their own or others advantage. Information should also never be used to intimidate, humiliate or embarrass a student.

In circumstances where the pupils identity does not need to be disclosed the information should only be used anonymously.

9. Infatuations

Staff should all be aware that it is not uncommon for pupils to develop a strong attraction or become infatuated with them. They should also be aware that such circumstances carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

If a member of staff becomes aware of such a circumstance they should report it immediately.

10. Communication with pupils

All communication between staff and pupils should have explicit and clear professional boundaries. This will include the wider use of technologies such as mobile phones, text messaging, e-mails, digital cameras, videos, web cams, websites, social networking sites, on line gaming and blogs. Staff should never under any circumstances share their personal information with pupils. They should not request, or respond to requests from pupils. All communication should be transparent and open to scrutiny.

Where a relationship exists outside of school such as being personal friends with parents of a student outside of school social networking is acceptable but caution and professional judgment must be exercised where all communications may be in the public arena ensuring they do not compromise themselves or the school.

Adults should also be aware of their communications which could cause possible misinterpretation of their motives or any behavior which could be construed as grooming.

Communication with ex-pupils should also be approached with caution and any actions which could potentially bring the school into disrepute could lead to disciplinary action.

11. Physical Contact

There are occasions when physical contact with a student is appropriate but it is important it is done so in an appropriate manner to their professional roles. Staff should use their professional judgment at all times.

Physical contact should never be secretive, for gratification of the adult, or represent a misuse of authority. If a member of staff believes an action could be misinterpreted they should report it immediately.

Physical contact which happens on a regular basis may give rise to questions being asked and should be avoided unless the justification for this is part of a formally agreed

plan (e.g. a child with SEN or physical disabilities) In circumstances such as these the contact should be subject to an agreed plan and also subject to review.

Some staff such as PE or music teachers will on occasion have to have physical contact with a student to demonstrate the use of a particular piece of equipment/instrument or assist with an exercise. This should be done with the student's agreement, take the minimum time necessary to complete the activity and in an open environment.

12. Supervision

Pupils are entitled to privacy and respect when changing clothes or taking a shower. There does however need to be an appropriate level of supervision in order to safeguard pupils. This is to satisfy health and safety requirements and to ensure bullying doesn't occur. Staff in these circumstances need to be vigilant about their own behavior, ensure they follow agreed guidelines and be mindful of the needs of the pupils.

13. Transporting Pupils and Extra Curricular Activities

In certain circumstances staff or volunteers may agree to transport pupils. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties which may arise.

Where possible transportation should not take place in private vehicles and at least one adult additional to the driver acting as an escort. The driver must have the appropriate insurance and the vehicle meets all other legal requirements.

Staff would take particular care when supervising pupils in a less formal environment such as on a residential or after school activity. Staff must remember they are still in a position of trust and should ensure that their behavior cannot be misinterpreted as trying to establish an inappropriate relationship or friendship.

14. First Aid and Administration of Medication

The school has an individual policy for First Aid and administration of medication which must be adhered to at all times.

15. Disclosure of information

The Academy recognises the importance of an open and transparent culture with clear communication and accountability. The law requires that certain types of information must be open to governors, auditors, government departments, service users and the public. An employee should always check first with the *Headteacher/Principal* if they are in any doubt as to whether the particular information should be released. The *Headteacher/Principal* may seek advice from the Academy.

Employees must not use any information they obtain in the course of their employment for personal gain or benefit. In addition, employees must not pass information on to others who might use it for their own personal gain.

Employees must only give confidential information or documents to those who have a legitimate right to them. They can only give out information in accordance with the requirements of the Data Protection Act 1998. Please refer to the Academy's Data Protection Policy for further information.

Information given to employees in the course of their duties should be accurate and fair and not designed to mislead. If an employee believes that information should be disclosed in the public interest, they should follow the Academy's Whistleblowing Policy. A failure to follow such may result in disciplinary action.

Employees other than the *Headteacher/Principal* should not make statements directly to the press or other media without first obtaining the approval of the Academy, except in the case of trade union representatives who are communicating with the media in that role. Headteachers/Principals should consult with the Trust before making statements to the press or other media on major policy issues.

16. Political neutrality

Employees must not allow their own political opinions to interfere with their work and must at all times perform their duties in an objective manner.

Employees may not display political posters, including election material in areas of Academy premises or other Academy buildings which members of the public have access to. Trade union representatives may display trade union/association views on current issues on the appropriate authorised notice boards within the Academy.

Where political views are brought to the attention of pupils within the Academy or during extracurricular activities, they should be in the form of a balanced presentation of opposing views.

17. Relationships

With Governors: Mutual respect between employees and Governors is essential to good Academy governance. An employee who believes that a Governor has acted improperly towards them may report the matter to their Headteacher who will take appropriate action.

With the local community and pupils: Employees are expected to be polite, efficient, fair and impartial when they provide services to all pupils, groups and individuals within the community they serve.

With contractors and suppliers: All relationships of a business or personal nature outside work with external contractors or suppliers must be declared to the Headteacher at the earliest opportunity. Orders and contracts must be

awarded on merit and no special favour should be shown to individual or company.

18. Recruitment and other employment matters

Employees involved in appointing people to posts should ensure that they follow the Academy's Safer Recruitment Policy.

All appointments should be made on the basis of the ability of the candidate and all employees involved in making appointments should ensure that they are made on the basis of merit.

In order to avoid any possible accusation of bias, employees must not be involved in any appointment where they are related to or have a close personal relationship outside work with the person applying. Employees shall disclose to the Headteacher any relationship with any person who they know is an applicant for a post at the Academy.

Employees should not be involved in, or try to influence, decisions relating to discipline, promotion or pay for any employee who is a relative or with whom they have a close personal relationship outside work.

A "close personal relationship" would include a person not employed by the Academy with whom an employee has a close business connection.

Personal relationships between colleagues who work together can give rise to conflicts of interest. Therefore, employees who have entered into a close personal relationship or a romantic relationship with a colleague are required to disclose this to the Headteacher. Any information disclosed or declared should be treated in the strictest of confidence and recorded on both employees' personnel files.

19. Commitments outside work

Employees' off-duty hours are their private concern as long as they do not:

- Put their private interests before their duty to the Academy;
- Put themselves in a position where their duty to the Academy and private interests conflict or could appear to conflict; or
- Do anything which could adversely affect their suitability to carry out their duties or the reputation of the Academy.

Teaching staff and support staff graded above Scale 6 (or its equivalent) may not carry out any other business or take up any additional employment without the permission of the Academy. Employees should complete the appropriate form and submit it to the *Headteacher*. The Academy will not unreasonably prevent employees from carrying out other employment. However, this employment must not, in the view of the Academy, conflict with its interests and specific conditions may be set out to manage this.

The following conditions apply to all commitments outside work:

- Employees must not carry out private work (whether paid or unpaid) relating to the Academy without permission from the Headteacher;
- Employees must not carry out any work related to a private interest (including taking or making telephone calls) during normal working hours;
- Employees must ensure that any additional hours worked do not contravene the Working Time Regulations 1998 or otherwise give the Academy cause for concern relating to health and safety at work;
- The outside work must not damage or potentially damage public confidence in the Academy's conduct or business;
- An employee must not use the Academy's facilities, equipment or confidential information; and
- All approvals will be reviewed regularly and may be withdrawn if thought necessary.

Some staff, particularly teachers, may wish to use their professional expertise to do other work, for example examination marking or private tuition. It is recognised that this can be of value to the Academy. The Academy will not normally prevent employees from undertaking additional employment if it is satisfied that it does not conflict with the interests of or weaken public confidence in Academy.

The provisions of this section are not intended to apply to trade union officers engaged in legitimate trade union duties and activities.

20. Conduct outside work

Whether in or outside work, employees must not conduct themselves in any way that creates doubt as to their suitability for their post or in a way that would bring the Academy into disrepute. This would include conduct which would bring an employee's suitability to work with children into question.

All employees working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people in their care. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and their colleagues.

There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in the workplace or indicate unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Employees in contact with children and young people should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than Academy premises.

The behaviour of an adult's partner or other family members may raise similar concerns and may require careful consideration by the Academy as to whether there may be a potential risk to children and young people in the workplace.

21. Personal interests

Employees must declare to the Headteacher on the appropriate form, any financial or non-financial interests that could conflict with the Academy's interests.

Section 117 of the Local Government Act 1972 requires employees to make a formal declaration about any contract with the Academy or local authority where they have a financial interest, as set out in Annex A. Employees should complete the appropriate form and send this to the Headteacher. Failure to comply with this requirement is a criminal offence.

Employees must not be involved in decisions about matters in which they have a personal interest.

Employees must declare membership of any organisation that is not open to the public, does not have formal membership and has secrecy about rules, membership or conduct. A definition of such an organisation is provided in Annex B. Employees should complete the appropriate form and send it to the Headteacher or, in the case of the *Headteacher*, to Chair of Governors.

If an employee is in doubt as to whether there is a conflict of interest, they should seek further guidance from Headteacher.

22. Equality

All members of the local community, parents, carers and employees have a right to be treated fairly and equally. Employees must follow the Academy's policies on equal opportunities, in addition to the requirements of the law.

23. Tendering procedures

Employees should act fairly and impartially when dealing with tenders, contractors and sub-contractors.

Employees should ensure that any personal interests which may be relevant to tenders are declared in accordance with paragraph 11 of the Code.

Employees involved in the tendering process or dealing with contractors should make sure that they are aware of the separate roles of clients and contractors. A summary of key legal conditions is provided in Annex C.

Employees must deal fairly and impartially with all customers, suppliers, contractors and sub-contractors.

Employees who access to confidential information on tenders or costs relating to contractors must not give that information to any unauthorised person or organisation.

24. Corruption

It is a serious criminal offence under the Prevention of Corruption Acts for employees to corruptly receive or give any gift, loan, fee, reward or advantage or to show favour or disfavour to any person. If an allegation is made it is for the employee to prove that any rewards have not been corruptly gained or given. A summary of the legal provisions appears in Annex D.

Employees should report any suspicions in relation to any conduct or activity which may be aimed at obtaining some form of preferential treatment to the Headteacher. Please refer to the Academy's Anti-corruption and Bribery Policy for more information.

25. Use of financial resources

Employees involved in financial activities and transactions must follow the Academy's financial regulations and guidance and the Academies Financial Handbook.

Employees must use public funds in a responsible and legal way, try to make sure that the Academy provides value for money to the local community and avoid legal challenges to the Academy.

26. Gifts and other benefits

The offer of gifts or benefits in kind to employees (or their partners or family members) arising from their official duties could cause a conflict between their private and public interests.

Unless the exceptions below apply, employees should refuse any personal gift offered to them, their partner or family member by any person or organisation who has dealings with the Academy. Employees must declare any offer on the appropriate form and say what action they have taken. This should be given to the Headteacher, or to the Chair of Governors if the offer is made to the *Headteacher*. The exceptions are:

- Gifts made at the end of a courtesy visit to an organisation that are of a promotional nature and of a kind normally given by the organisation;
- Gifts of token value such as diaries, calendars and pens; or
- Gifts of token value given by pupils or parents at Christmas or at the end of term.

As offering gifts is a common practice in the business world particularly at Christmas time, they should be refused politely. If, for example, a gift is simply

delivered to an employee's place of work, there may be a problem returning it, in which case, it should be immediately reported to the Headteacher who will decide on the appropriate action.

Employees who have a caring role or who provide a direct personal service may come across special problems. For example, parents may wish to say thank you by offering gifts or money. This needs to be handled tactfully. Employees should refuse gifts politely and explain why they cannot accept them. Where it has not been possible to return a gift, this must be reported immediately to the Headteacher who will give more guidance.

27. Dress and Appearance

All staff should consider the manner in which they dress and ensure that their appearance is appropriate to their professional role. Staff should ensure they are dressed professionally and appropriately for the tasks they undertake.

28. Hospitality

Employees must be particularly careful if they are offered hospitality by someone who wants to do business with or obtain a decision from the Academy. It is important to avoid any suggestion of improper influence. Employees should accept an offer of hospitality only if they genuinely need to go to an event to receive or give information, represent the Academy in the community or make prior visits to check arrangements, particularly in relation to health and safety (for commercially organised visits, journeys or activities involving pupils). They should only accept offers to attend purely social or sporting occasions if these are part of the life of the community or the Academy should be seen to be represented.

If hospitality has to be declined, this should be done politely with an explanation of the Academy's rules on hospitality.

Employees should use the appropriate form to notify all offers of hospitality to the Headteacher. If the offer is made to the *Headteacher/Principal*, the offer of hospitality should be reported to the *Chair of Governors*. This is not required if the hospitality is of token value, for example a single drink. A record should be kept of any offers of hospitality made to employees, including the Headteacher.

29. Sponsorship

The above rules relating to gifts and hospitality also apply where an outside organisation wishes to sponsor or is approached to sponsor a Academy activity. This may be by invitation, tender, negotiation or voluntarily. Employees should be particular careful when dealing with current or potential contractors.

Any employee who, or whose partner or family member, would directly benefit from sponsorship of an activity by the Academy, must declare this on the appropriate form and send it to the Headteacher or the Chair of Governors in the case of the *Headteacher*.

Employees must give impartial advice and avoid any conflict of interest where the Academy gives support in the community through sponsorship, grant aid or financial or other means.

30. Retention and Access to Declarations

Declarations made on appropriate forms are subject to the retention periods and access categories set out below:

Declaration	Retention	Access
Relationship with external contractor or supplier	Kept for 3 years after the end of employment	Public access
Relationship with candidate for employment	Kept for 3 years	Internal access
Approval for outside interests	Kept for 3 years after end of employment	Internal access
Declaration of personal interests	Kept for 3 years after end of employment	Internal access
Financial interest in contract	Kept indefinitely	Public access
Membership of secret societies or organisations	Kept for 3 years after end of employment	Access controlled by monitoring officer
Offers of gifts	Kept for 3 years	Internal access
Offers of hospitality	Kept for 3 years	Internal access

Public access is allowed in situations that can raise particular public concerns (since they relate to financial interests) and the public interest in being able to see that appropriate declarations are made and the extent to which employees have such relationships overrides the need to protect the personal privacy of employees.

Internal access by Governors, members of the Trust, councillors, local authority officers or district audit concerns declarations that relate primarily to the personal interests of employee. This is to maintain a balance between public interest and privacy issues.

31. Relationships with other policies and procedures.

Employees should ensure that they perform their duties in accordance with all policies and procedures adopted by the Academy. In particular, employees' attention is drawn to the following policies:

Anti-corruption and bribery policy: This procedure should be used to deal with concerns regarding conduct or activity where the objective is to obtain some form of preferential treatment.

Disciplinary Procedure: This procedure should be used to deal with an allegation against a member of staff that they have acted in breach of the Code.

Safeguarding Policy: This policy should be followed if an allegation concerns the abuse of a child.

Whistleblowing Policy: This should be followed to disclose information which relates to suspected wrongdoing or dangers at work.

32. Monitoring and review

Feedback is encouraged on the effectiveness of this Code of Conduct. It will be reviewed regularly to ensure it is appropriate in light of recommended best practice and complies with employment law. In the event of any conflict with statute, the legal provisions will have precedence over this policy in all cases.

The Academy should monitor the application of this Code of Conduct, particularly to ensure that its practices comply with it and are not discriminatory.

33. Approval by the Academy

This policy has been formally approved and adopted by Governing Body at a formally convened meeting

Policy approved: _____

Date: _____

Review date: _____

If an employee becomes aware that they have a direct or indirect financial interest in a contract which the Academy or local authority has entered into or intends to enter into, they must declare this immediately.

An employee must not accept any fee or reward other than their normal salary.

If an employee breaks either of the conditions shown above, they can be prosecuted and fined. The maximum fine is Level 4 on the Standard Scale.

Annex B - Organisations to which rules about personal interests apply.

Any lodge, chapter, society, trust or regular gathering or meeting, which:

- (a) is not open to members of the public who are not members of that group;
- (b) includes an obligation on the part of the member to make a commitment of allegiance to the lodge, chapter, society or gathering or meeting; and
- (c) includes a commitment of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

Freemasons are considered to come within this definition.

A lodge, chapter, society, trust, gathering or meeting is not to be regarded as a secret society if it forms part of the activity of a generally recognised religion.

Annex C – Local Government Competition Regulations

The following summarises some of the key principles to be observed:

All employees should:

- avoid acting in a way which restricts or prevents competition or is likely to have that effect;
- do nothing that would distort or inhibit competition; or
- treat outside bidders or contractors equally with the authority's direct service organisation. For example, information given to the direct service organisation about the work which is subject to competition must be made available to all bidders.

Annex D - Prevention of Corruption Acts 1906 and 1916

Under the Prevention and Corruption Acts 1906 and 1916 it is an offence for employees to accept any gifts or other benefits for:

- doing, or not doing, anything in their official capacity; or
- showing favour or disfavour to any person in their official capacity.

Under the Prevention of Corruption Act 1916 any money, gift or consideration received by an employee from a person or organisation holding or trying to get a contract will be treated as corrupt unless the employee proves differently.

Declaration Form

Thomas Alleyne’s High School

REGISTER OF INTERESTS

Under the Financing of Maintained Schools (England) Regulations 2003 school governing bodies and employees are required to maintain a register which lists for each person any business/financial interests that they, their partner, or member of their immediate family have within a business or any other organisation that may have dealings with the academy. An Academy will also require any interests to be declared. The Academy for Financing Schools requires disclosure of other appointments of influence or potential conflict. Where applicable nil returns should be kept. The register must be kept in school and is open for inspection (on request) by governors, parents, staff and the Local Authority.

Name of governor, associate member or staff member

.....

Business interests e.g. directorships, shareholdings, appointments of influence in a business or organisation which may have dealings with a Academy (either direct or through the County Council). The disclosure should include known relevant interests of partner / spouse / relatives / close friends and should reference any past or current relationships with contractors (including private, professional or domestic relationships)

Name of Business/Organisation	Nature of Business/Organisation	Nature of interest	Date of appointment or acquisition	Date of cessation of interest	Date on entry

Other positions of influence or potential conflict of interest e.g. through employment, sponsorship or public office

Employment – nature of employment and name of employer/firm if Partner/Director	Sponsorship – name of any sponsoring body or person and details of arrangements	Other positions of influence or potential conflict of interests

Declaration

I understand that it is my responsibility to declare the nature of any business or personal interest, direct or indirect, of myself, partner / spouse / relatives / close friends in any contract, proposed contract or other matter in connection with the school and when present at a meeting where the contract or other matter comes under consideration to withdraw during the discussion and not vote in respect of it.

I also understand that it can be a criminal offence to:

- omit information which should be included on this form;
- provide information which is false or misleading;
- fail to notify the governors or head teacher of any subsequent change in circumstances which might render this declaration invalid or out of date

I certify that I have declared all beneficial interests which I or the members of my immediate family have with businesses or other organisations which may have dealings with the school. I also undertake to inform the school of any change in these interests.

Name:	
Date:	
Job Title:	
Signature:	