

**Code of Conduct**  
for use in  
Essa Academy  
Essa Primary Academy  
Essa Nursery  
and  
Support Services

For approval and adoption by the Board of Directors - July 2017

For adoption by Essa Academy LGB- 19 September 2017

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NB the terms child/ children have been used throughout to denote a pupil, student, or a nursery child.

## **1 Purpose**

- 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 disciplinary procedure and the Teachers' Standards.
- 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. If any employee is ever unsure what the expectations are in any given circumstance they should speak to the Principal, MTD, Nursery Manager or HR Director, as appropriate.
- 1.3 This Code does not form part of any employee's contract of employment and it may be amended at any time.

## **2 Scope**

- 2.1 The Code applies to all employees regardless of length of service including those in their probationary period. It also applies to agency workers and self-employed contractors 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 staff of the trust 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).

## **3 Safeguarding and promoting the welfare of children**

- 3.1 All employees are responsible for safeguarding our 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.
- 3.2 All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.

- 3.3 To do this employees must have fully read and understood our child protection / safeguarding policies, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times.
- 3.4 All employees must cooperate with colleagues and with external agencies where necessary.

#### **4 Duty of care**

Staff must:

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

#### **5 Health & Safety**

All employees must ensure that they:

- 5.1 Familiarise themselves with the Health and Safety policies produced by the trust and by LGBs and the NMC.
- 5.2 Comply with Health and Safety Regulations or instructions and use any safety equipment and protective clothing which is supplied to you by the trust.
- 5.3 Comply with any hygiene requirements.
- 5.4 Comply with any accident reporting requirements.
- 5.5 Never act in a way which might cause risk or damage to any other members of the trust, community or visitors.
- 5.6 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.

#### **6 Honesty and personal integrity**

- 6.1 Employees are expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes, which set the required standard for conduct at our trust.

- 6.2 Employees must comply with any lawful or reasonable instructions issued by managers, governors or directors.
- 6.3 Employees uphold public trust in our trust and maintain high standards of ethics and behaviour, within and outside the academy , nursery or office, by:
- Treating our children with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position
  - Having regard for the need to safeguard our children's well-being, in accordance with statutory provisions
  - Showing tolerance of and respect for the rights of others
  - Not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
  - Ensuring that personal beliefs are not expressed in ways, which exploit our children's vulnerability or might lead them to break the law.
- 6.4 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.
- 6.5 Employees must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of trust property and facilities.

## **7 Tackling discrimination**

- 7.1 Employees are required to understand the types of discrimination and bullying that children and colleagues may be subject to. Employees are required to have read and understood our Equality and Diversity policies / Anti Bullying policies, and Behaviour policies.
- 7.2 Employees must not ignore any form of discrimination. This includes inappropriate jokes and banter. Employees must positively promote equality and diversity and inclusion at all times.

## **8 Professional boundaries and relationships**

- 8.1 Employees in our trust are in a position of trust in relation to our children, which means that the relationship between an employee and a child is not one of equals.

- 8.2 Employees must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with our children.
- 8.3 Employees must not make sexual remarks to any child or discuss their own sexual relationships with, or in the presence of children. Employees must not discuss a child's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a member of staff towards any child is unacceptable and illegal.
- 8.4 Employees must ensure that professional boundaries are maintained at all times. This means that employees should not show favouritism to any child and should not allow children to engage in any type of behaviour that could be seen to be inappropriate. Our children are not employees' friends and should not be treated as such.
- 8.5 Employees should be aware that it is not uncommon for our children 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 the designated safeguarding lead immediately so that they can receive support on the most appropriate way to manage the situation.
- 8.6 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 Principal, MTD, or Nursery Manager, as appropriate 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 trust reserves the right to transfer one or both employees to another role in the trust following appropriate consultation with both employees in order to seek agreement to the transfer.

## **9 Confidentiality and protection of data**

- 9.1 Members of staff may have access to confidential information about our children, colleagues or other matters relating to the trust. This could include personal and sensitive data, for example information about a child'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.

- 9.2 If an employee is ever in doubt about what information can or can't be disclosed they should speak to the Principal, MTD or Nursery Manager, as appropriate.
- 9.3 The trust holds and processes data that is protected under the Data Protection Act 1998. Employees are expected to comply with the trust's systems for collecting, storing and using data. 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 Principal, MTD or Nursery Manager, as appropriate.
- 9.4 Employees must ensure that they have read and understood all of our policies that relate to data and the use of IT and in particular our Data Protection Act policy and ICT User policy.

## **10 Physical contact with children**

- 10.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with our children. Employees must ensure that they only do so in ways that are appropriate to their professional role and in response to the child's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the child. Employees should always be able to explain why they have made physical contact with a child. Employees should ensure that they have read and understood our Positive Handling policy and Intimate Care policy.
- 10.2 There may also be occasions where a child 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.
- 10.3 Staff may legally physically intervene with our children 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.
- 10.4 Sexual contact, including grooming patterns of behaviour, with all children is unlawful and unacceptable in all circumstances.

## **11 Social contact with children**

- 11.1 Employees should not establish or seek to establish social contact, via any channels (including social media), with our children 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 our children to directly support their learning. 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 child then they should report this to the designated safeguarding lead.
- 11.2 The trust's advice to staff is not to connect to our children via social media or other communication channels unless this is for professional purposes and that the employee can demonstrate that this is the case.
- 11.3 Our trust is part of our community and we recognise that, as members of the community, employees will come into contact with our children outside of the trust. We expect staff to use their professional judgement in such situations and to report to the designated safeguarding lead any contact that they have had with a child outside of the trust that they are concerned about or that could be misinterpreted by others.
- 11.4 Employees should read and understand our ICT User policy for further guidance on using social media and use of electronic devices.

## **12 Working one to one with children**

There will be times where an employee is working one to one with a child and this is 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 trust.
- 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 child becomes distressed or angry.



## 13 Dress and appearance

Working in our trust employees are role models to our children and how they present themselves is important. Our expectation is that staff are decently, appropriately and professionally dressed in work at all times. Tattoos and piercings should be discreet. 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 time. 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 he/she will be informed.

## 14 Gifts and hospitality

- 14.1 Employees should be familiar with the trust's Gifts and Hospitality policy. 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 trust that exceeds a nominal value of £15.00 must be declared to the Finance Director 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.
- 14.2 It is traditional for children 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. Staff may accept gifts from children and their parents or carers provided that they meet this definition. Any member of staff receiving a gift with a value of greater than £15.00 should inform the Finance Director who will then decide whether the gift can be accepted. Staff should make the designated safeguarding lead aware of any child who is giving them gifts on a regular basis, or any child or parent or carer who expects something in return for a gift, as this would not be acceptable.
- 14.3 Staff should not give gifts to children unless this is part of a recognised practice in line with our behaviour policies.

## **15 Keeping within the law**

15.1 Staff 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.

15.2 Employees must ensure that they:

- Uphold the law at work
- Never commit a crime away from work which could damage public confidence in them or the 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.
- Write and tell the Principal, MTD, Nursery Manager, as appropriate, immediately if they are questioned by the police, charged with, or convicted of, any crime, whilst they are employed at the trust. (This includes outside of their working hours). Principals and the Nursery Manager should inform the MTD who will inform the Chair of the LGB, and/or Chair of the Board, or Chair of the NMC, as appropriate. The MTD should inform the Chair of the Board. The appropriate line manager and /or Chair will then need to consider whether this charge or conviction damages public confidence in the trust or makes the employee unsuitable to carry out their duties.

## **16 Conduct outside of work and at work related functions**

16.1 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.

16.2 Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the trust or the employee's own reputation or the reputation of other members

of the trust community. Employees should be aware that any conduct that we become aware of that could impact on their role within the trust or affect the trust's reputation will be addressed under our disciplinary procedure.

- 16.3 We therefore expect employees to make us aware immediately of any such situations that have happened outside of the trust.
- 16.4 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.
- 16.5 When attending academy/ nursery events and trips including residential visits either in this country or aboard, employees are considered to be working and so the consumption of alcohol is not permitted.

Inappropriate behaviour at events and on trips may result in disciplinary action.

## **17 Review**

This Code of Conduct is reviewed regularly by the trust. We will monitor the application and outcomes of this code of conduct to ensure it is working effectively.