



# STAFF CODE OF CONDUCT

Version	2.3
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Approved by Directors	2 <sup>nd</sup> April 2020

## Record of Alterations

### Version

- 1.0 Original
- 2.0 paragraph updates - 3.6, 6
- 2.1 updated paragraph 9
- 2.2 reviewed April 2021 no amendments
- 2.3 reviewed Sept 2021 with amends to 3.5, 3.6



## 1. Introduction

- 1.1 This code sets out the minimum standards of conduct that members of staff will be expected to observe when carrying out their duties.
- 1.2 The code exists to protect staff in the event of their actions being subject to challenge. If staff members are in any doubt about anything contained within this code and/or are concerned about anything relating to their personal position, they should speak to their line manager immediately.

## 2. Purpose and scope

- 2.1 This policy applies to all staff, trainees, external contractors, volunteers and other individuals who work for, or provide services on behalf of, the Trust. Throughout this policy these individuals are collectively referred to as 'staff members'.
- 2.2 The code aims to ensure that confidence in the integrity of public sector employees is maintained at all times.
- 2.3 Breach of this code could be viewed as a serious disciplinary matter. Ignorance of the guidelines in the code will not be regarded as a valid excuse.

## 3. Standards and Expectations of Behaviour

- 3.1 Staff members are expected to give the highest possible standard of service to our school community (including members of the public).
- 3.2 All staff must work to keep children and young people safe from harm. They must maintain an up to date knowledge of safeguarding practice and their responsibilities under statutory guidance and trust policies.
- 3.3 Teachers are bound by the national standards described in the Department for Education publication, "Teacher Standards, July 2011". Part B of this document describes the standards of personal and professional conduct expected.
- 3.4 In performing their duties, staff members must at all times act with integrity, honesty and objectivity and without bias. Should they have reason to believe that their role may involve any potential conflict of interest this must be declared before an issue arises.
- 3.5 Staff must report all low level concerns regarding the behaviour of staff, contractors, supply staff and visitors using the form attached as appendix one. Low level concerns are significant even though they do not meet the threshold standard identified in Keeping Children Safe in Education (KCSIE 2021). A low level concern may be small, may cause unease and may be a nagging doubt about a person's behaviour. Examples are but not limited to
  - Being over friendly and informal with children and young people;
  - Taking photographs of children on their mobile phone;
  - Engaging with a child on a one to one basis in a secluded area or behind a closed door;
  - Using inappropriate sexualised, intimidating or offensive language.



- 3.6 Staff are encouraged to self refer to a Senior Leader (who will complete the low level concern form in consultation with them if deemed appropriate) if they have found themselves in a situation which could be misinterpreted or which might appear compromising to others. Staff are encouraged to refer if an incident has occurred which upon reflection indicates behaviour has fallen below the trust's expected standard.
- 3.7 In the event of any staff member being cautioned or charged by police in relation to any criminal matter, having a conviction pending or convicted by a court of any criminal offence, they must immediately inform the headteacher (or, if the headteacher is the staff member concerned, the CEO). Members of the trust's central team must inform the CEO.
- 3.8 Employees have a responsibility to behave in ways which support a non-hostile working environment for themselves and their colleagues. They should be prepared to challenge inappropriate behaviour and to take appropriate action where necessary (by reporting such behaviour to senior management) if they observe (or have other evidence of) harassment, either of themselves or of a third party.
- 3.9 Staff must never be under the influence of alcohol or drugs (or any substance which may affect their ability to care for children) whilst at work. Staff must also seek medical advice if they are taking medication which may affect their ability to care for children and must inform their line manager in the event of such a situation arising.
- 3.10 Staff members are expected to bring to the attention of their immediate line manager, through agreed procedures (and without fear of recrimination), any impropriety or breach of procedure. If, for any reason, staff members do not feel it appropriate to express their concerns to their immediate line manager, they should bring the matter to the attention of a more senior manager or, if necessary, the headteacher or CEO.
- 3.11 If staff members do not feel it appropriate to bring the matter to the attention of any person in authority at the Trust they should refer to the Whistleblowing Policy which details other bodies who it may be appropriate to contact.

#### **4. Politics and religion**

- 4.1 Staff members must not be involved in advising any political group and must not allow their own personal or political opinions to interfere with their work.
- 4.2 Staff members must not allow any religious beliefs to interfere with their delivery of the school curriculum, nor must they take advantage of their position in the Trust to allow such beliefs to unduly influence, in a manner inconsistent with the ethos of the Trust, pupils in our care and/or other members of staff, whether such influence is exerted within the Trust or within the wider community.

#### **5. Use of financial resources**

- 5.1 Staff members must ensure that they use public funds entrusted to them in a responsible and lawful manner, and in accordance with the financial regulations of the Trust and the Education Services Funding Agency and all other relevant policies and legislation.



## 6. Examinations and malpractice

- 6.1 Malpractice is deemed to be an action or practice which threatens the integrity of public examinations, and/or damages the authority of those responsible for conducting them.
- 6.2 Staff must always follow the administrative regulations imposed by the examination board or awarding body in addition to any additional school protocols which may be in place. Failure to do so is likely to constitute malpractice.
- 6.3 The following are examples (the list is not exhaustive and other instances of malpractice may be considered and acted upon) of malpractice:
- altering the time or date of a fixed examination (beyond that permitted) without notifying the relevant awarding body
  - failing to keep examination papers secure prior to the examination
  - obtaining unauthorised access to examination material prior to or during an examination
  - assisting candidates in the production of coursework, beyond that permitted by the regulations
  - assisting candidates with direct reference to assessment content/scenarios during an assessment window (beyond that permitted by the regulations)
  - allowing candidates unsupervised access to coursework exemplar material, whether this is the work of former students or that provided by the awarding body
  - failing to keep student computer files secure
  - assisting or prompting candidates with the production of answers.
- 6.4 If any staff member is suspicious that malpractice may have taken place, or is about to take place, this should be reported immediately to a member of the senior leadership team.

## 7. Outside commitments

- 7.1 Staff members who are directly employed by the Trust (regardless of their post and whether or not this is whole or part-time, permanent, temporary etc.) must seek the permission of the headteacher and make a written declaration (an oral declaration is not sufficient) to him or her before engaging in any other work or business which might relate in any way to their duties within the Trust or which might constitute a conflict of interest with their current post. This includes paid or unpaid work and will include one-off pieces of work as well as regular employment.
- 7.2 If staff members are permitted (as above) to engage in any other business, or to take up any additional employment, they must not undertake in school time any work in connection with their external business or employment.
- 7.3 If staff members are permitted (as above) to engage in any other business or take up any additional employment, they must not make use of any school facilities, such as premises or computers (or other ICT hardware or software), in connection with their external business or employment.
- 7.4 If staff members have any doubt with regard to interpretation of clauses 6.2 or 6.3, they should make a declaration to the headteacher so that a judgment can be made.



## 8. Fee earning

- 8.1 Publishing or lecturing and/or interview fees, book royalties or earnings, arising from what might be considered normal duties for, or on behalf of, the Trust are dealt with as follows:
- 8.1.1 If the publication is prepared and written or the lecture is prepared and delivered in working time, the lecturing or publication fee is to be paid to the Trust (as employer).
  - 8.1.2 If the publication or lecture is either prepared or delivered in working time the employee receives half the fee and the Trust (as employer) the other half.
  - 8.1.3 If the employee prepares and delivers the work during their holiday periods, they may keep the fee (but they must be able to demonstrate that the preparation was not done during working time).
- 8.2 However, where the employee is representing the view of the Trust or speaking on issues directly related to their work, the whole fee is to be paid to the Trust.
- 8.3 Employees should note that materials produced as part of their work for the trust remain the intellectual property of the trust.

## 9. Personal interests

- 9.1 The off-duty hours of staff members are their own personal concern. However, staff members must not put themselves in a position where there is a conflict between their job and their personal interests.
- 9.2 Staff members must declare in writing any financial or non-financial interests that could in any way be considered to bring about conflict with the Trust's interests. If staff members are in any doubt regarding the matter they should make a declaration to the headteacher so that an independent judgement can be made.
- 9.3 Staff members are required to disclose any personal interest that may conflict with the Trust's interests, such as involvement with a group or organisation which may seek to influence the Trust's policies.
- 9.4 Staff members must not personally endorse or advertise any products or services, educational or otherwise, in the name of the Trust, as a representative of the Trust or by association, including on any media or social media platform. This is the case whether or not a financial incentive (including free products/service) has been offered.
- 9.5 Staff members may, upon request, provide a written testimonial for a company/organisation with whom the Trust has a business relationship, however the text should be referred to the CEO (via PA to the CEO: [jayne.newson@sharemat.co.uk](mailto:jayne.newson@sharemat.co.uk)) for approval before publication.



- 9.6 It may also be appropriate to acknowledge that, in certain circumstances, personal relationships between members of staff within an Academy (or the Trust) may, on occasion, progress beyond that of a working relationship. Whilst it is understood that this can sometimes be advantageous to the Academy (or the Trust), in that personal connections will promote working effectively as a team, such relationships could conceivably lead to a conflict of interest or (perhaps more often) to third parties perceiving that such a conflict exists, and this perception is more likely where there is (in terms of the status of their respective roles) an imbalance of power between the individuals involved. Staff should therefore be conscious of the potential for such a perception to have arisen, and should, if in any doubt, ensure that their Line Manager is aware of any personal relationship which may fall into this category. The recommendation is in place not to prohibit personal relationships at work, but to provide guidance to manage (actual or perceived) conflicts of interest. The intention is to protect the integrity of colleagues by encouraging them to recognise, and bring to the attention of management, any situation which could conceivably be interpreted as potentially giving rise to concern in relation to the possible misuse of power or application of bias in the performance of an employee's duties.

### **10. Disclosure of information and confidentiality**

- 10.1 No confidential information, or politically or commercially sensitive information, or personal information protected by either the Data Protection Act or General Data Protection Regulation (GDPR), should be released to anyone without proper authorisation from the headteacher.
- 10.2 Staff members must not use any information obtained in the course of their employment for personal gain nor pass it on to others who might use it in such a way.
- 10.3 If staff members are in any doubt about disclosing information then they are expected to seek guidance from the headteacher.
- 10.4 Any disclosure which complies with the stipulations of the Whistleblowing Policy will be regarded as an authorised disclosure.

### **11. Appointment and other employment matters**

- 11.1 Staff members must not be involved in the appointment of another employee, or prospective employee, who is a relative, partner or friend. Neither must a staff member be involved in any other decisions relating to the discipline, promotion or pay or conditions of a third party who is a relative, partner or friend.
- 11.2 If staff members are responsible for appointing employees, they should comply with the Trust's Recruitment Policy and must ensure that decisions are based on merit and not on anything other than the applicant's ability to do the job. Similarly, staff members must not canvass on behalf of any applicant.

### **12. Sponsorship**

- 12.1 When an outside organisation wishes to sponsor, or is being asked to sponsor, a school activity, the basic conventions concerning the acceptance of gifts and hospitality apply.



- 12.2 Where the academy, through sponsorship or other means, gives support in the community, staff members should ensure that any advice given is impartial and that there is no conflict of interest.

### 13. Relationships

#### 13.1 Pupils

Staff will observe proper boundaries with pupils that are appropriate to their professional position. They will act in a fair and transparent way that would not lead anyone to reasonably assume they are not doing so.

If staff members and pupils must spend time on a one-to-one basis, staff will ensure that:

- This takes place in a public place that others can access
- Others can see in to the room
- A colleague or line manager knows this is taking place

- 13.2 Staff should avoid contact with pupils outside of school hours if possible. Personal contact details should not be exchanged between staff and pupils. This includes social media profiles.

- 13.3 Whilst we are aware many pupils and their parents may wish to give gifts to staff, for example, at the end of the school year, gifts from staff to pupils are not acceptable.

If a staff member is concerned at any point that an interaction between themselves and a pupil may be misinterpreted, this should be reported to their line manager or the headteacher.

#### 13.4 Contractors

Staff members must declare in writing to the headteacher any relationships of a business or private nature with any outside organisation that has, or may have, a business relationship with the Trust.

- 13.5 Orders and contracts must be awarded on merit and no special favour should be accorded to any businesses, particularly those in which staff members have a pecuniary interest. If staff members have such an interest, they must not be involved in any way in awarding work or orders.

- 13.6 Similarly, staff members must not canvass on behalf of any outside organisation that has a relationship with the Trust.

- 13.7 Staff members must make a declaration in writing to the headteacher if they become aware that the Trust is entering into a contract in which they have a direct interest.

- 13.8 If staff members engage, supervise or work with contractors with whom they have, or have previously had, some form of relationship or connection in a private, social, domestic or work/professional capacity, they must declare that relationship or connection to the headteacher.





### 13.9 Contract Tenders

If staff members wish to tender for a contract from the trust, they must declare such an intention to the headteacher as soon as intent has been formed, and at the earliest possible opportunity.

### **14. The press and media**

14.1 Staff members must not deal directly with the press or the media unless required to do so as part of their duties, or alternatively have been given express authority to do so by the headteacher (or an appropriate senior manager).

### **15. Gifts, hospitality, bequests and legacies**

15.1 It is a serious criminal offence for staff members to receive corruptly, or to give corruptly, any gift, loan, fee, reward, or advantage for acts of commission or omission or to show favour or disfavour corruptly to any person in their official capacity as a public servant. In the event of an allegation being made it is for staff members to demonstrate that any such rewards have not been obtained corruptly.

15.2 There are occasions where pupils or parents may wish to pass small tokens of appreciation to staff members, (for example as a gesture of thanks at the end of an academic term or year), and this is acceptable. However, it is not acceptable to receive gifts on a regular basis or to receive gifts of any significant value.

15.3 Staff members must not, either directly or indirectly, accept any gift, reward or benefit from a pupil or any member of the public or any group or organisation with whom they are brought into contact by reason of their duties, other than:

- small gifts of a modest value or of a promotional or advertising nature, such as calendars, diaries, mugs, inexpensive pens or other similar items
- small gifts offered during official authorised hospitality, such as gifts on the conclusion of any courtesy visit of a type normally given by that organisation
- small gifts by service users or clients.

15.4 Where appropriate, gifts shall be shared between staff members.

15.5 Any gifts other than as described above must be declined or returned.

15.6 Staff members should always exercise discretion in offering and accepting hospitality. Staff members should bear in mind how it might affect their relationship with the party offering it and how it might be viewed by colleagues and/or other potential suppliers/contractors, and by the public.

15.7 When considering offers of hospitality staff members should consider whether:

- the invitation comes from an organisation likely to benefit from the connection with the academy
- the organisation is seeking (or has already been awarded) a contract with the academy
- the hospitality is being offered on a frequent basis
- the hospitality is being offered solely to the staff member concerned or to others as well





- the hospitality is purely a social or sporting event as opposed to an event which the staff member is attending in an official capacity
- the scale and location of the hospitality is proportionate to the event
- the event takes place outside of normal working hours
- the business element of the hospitality is genuinely instructive or whether the hospitality constitutes more of a social function.

- 15.8 Staff members should handle the refusal of gifts or (offers of) hospitality with tact and courtesy: the intentions of those offering gifts or hospitality may not have been corrupt but simply inappropriate to professional relationships in the public sector.
- 15.9 The same rules as above apply to bequests which must be refused unless of a token nature or unless there are special circumstances approved in writing by the headteacher.
- 15.10 In all instances where staff members wish to accept hospitality, they must seek, in advance, approval in writing from the headteacher, except either where the hospitality is limited to that of a minimum common courtesy, or where the hospitality is being offered to all the delegates and forms an integral part of a conference or seminar.
- 15.11 All gifts and offers of hospitality or gifts (including inducements such as air miles, trading discounts, vouchers etc.) over the value of £10 must be declared (including those that have been declined).

## **16. Promoting equality of opportunity and diversity**

- 16.1 In line with the Trust's Equality Policy all members of staff are expected to work to eliminate discrimination, promote equality of opportunity and encourage good relations. All members of the community should be treated with respect and every staff member should endeavour to provide a service of high quality appropriate to their respective role.

## **17. Appointments after retirement, resignation or lawful termination of employment**

- 17.1 The Trust is concerned to safeguard the integrity of its employees and to avoid any suggestion of impropriety in relation to staff members.
- 17.2 It is in the public interest that people with experience of education (and/or public administration) should be able to move freely into business and other sectors.
- 17.3 It is therefore important, whenever a Trust employee accepts an appointment outside the Trust, or the educational sector, that there should be no cause for any suspicion of impropriety.

## **18. Conflicts of interest procedure – making a declaration**

- 18.1 There are six stages to the process.
- 18.2 Step One – Inform



The staff member should inform their immediate line manager of the potential area of conflict.

#### 18.3 Step Two – Complete form

The staff member should complete a 'Conflict of Interest Declaration Form' (see Appendix 2) giving details of the potential conflict. They should then pass this to their line manager who will add supporting information as necessary and will outline their view and comments. This should include the level of involvement which managers anticipate having and should also, where appropriate, detail any safeguards that could be put in place.

#### 18.4 Step Three – Submit form

The completed form should be sent to the headteacher (or the CEO if it is the headteacher who is making the declaration).

#### 18.5 Step Four – Decision

The headteacher (or CEO) will be responsible for deciding whether or not a conflict of interest exists. He or she will need to be satisfied that this would neither interfere with the performance or duties of the staff member concerned nor lead to any suspicion of improper influence. All declarations of a conflict of interest will be considered on an individual basis according to the particular circumstances.

#### 18.6 Step Five – Confirmation

The headteacher (or CEO) will write to the staff member outlining his or her decision. All declarations of conflict of interest will be recorded in the Trust's 'Register of Interests'.

#### 18.7 Step Six – Appeal

If they wish to appeal against the decision reached, staff members should use the Trust's grievance procedure.

18.8 If the circumstances of staff members change it is their responsibility to inform their manager and make a new declaration as above (i.e. by returning to step 1).

### **19. Other policies procedures**

19.1 This policy will be supported by the following policies and procedures:

- Equality Policy
- Recruitment Policy
- Whistleblowing Policy
- ICT policy




APPENDIX ONE

	<b>Low Level Concern Form</b>
Name of Staff:	Post:
Academy:	Date concern raised:
<p>Please detail the name of the individual (staff, supply staff, contractor, visitor) and the reason you have a concern:</p> <p>Please detail the context in which the concern arose:</p> <p>Please detail any action taken:</p> <p>Please forward to the designated person in your academy:</p> <p>Date received:</p> <p>Received by:</p> <p>Further action taken:</p> <p><b>To be forward to the Admin manager and to be retained on the staff's personal file</b></p>	



APPENDIX TWO

	<h2>Conflict of Interest Form</h2>
Name of Staff:	Post:
Academy:	Date and nature of declaration relevant to code of conduct paragraph:
<p>Extent of Declaration:</p>          <p><b>Certification: I certify that the above declaration is true and that to my knowledge no material omissions have been made.</b></p> <p>Signature of employee making declaration:</p> <p>Date:</p> <p>Name of Line Manager:</p> <p>Supporting Information and outcome to declaration if applicable:</p>          <p><b>To be forward to the Admin manager and to be retained on the staff's personal file</b></p>	

