

# Schools HR Policy & Procedure Handbook



## KCSiE: Code of Conduct for Staff Working in Schools 2022/23

This document has been shared with the following professional associations and Trade Unions representing Teachers, Headteachers and Support Staff:

- National Education Union
- National Association of Schoolmasters Union of Women Teachers
- National Association of Headteachers
- Association of School and College Leaders
- Unison
- GMB

This guidance has been adopted by the governing body

on

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# Code of Conduct for Staff Working in Schools

## 1. Introduction

**The Code of Conduct sets out the expectations of behaviour and is a statutory element of a formal induction program for all staff.**

The school is committed to safeguarding and promoting the welfare of all pupils in its care and expects all staff and volunteers to share this commitment.

All school staff (whether employed, working on a casual basis, agency staff or volunteering) have professional and legal responsibilities to ensure their conduct meets expected standards. These include, but are not limited to, treating others with dignity and respect, acting honestly, using public funds and school equipment appropriately, always adhering to health and safety guidelines and safeguarding pupils.

The law recognises that staff have 'in loco parentis' responsibility in respect of pupils in their charge and must act in the role of replacement parent in the school context. Individuals are expected to make decisions or take action in the best interests and welfare of the pupils in their care/under their supervision.

The Code of Conduct sets out:

- the **minimum** required standards of behaviour that are expected of any individual working in any capacity at the school
- the **principal areas** and **responsibilities** that an individual working in any capacity at the school needs to be aware of and the framework for appropriate and safe behaviour

It is impossible for the Code of Conduct to be able to address every variation of a situation or scenario that may present itself in the context of staff and volunteers and their conduct in role.

If in doubt, the Headteacher, in association with HR advice, should be consulted for advice, clarification and before taking any action.

## 2. Roles and responsibilities

It is essential that everybody working in a school or college understands their safeguarding responsibilities.

It is the responsibility of the governing body to monitor and review the effectiveness of its policies and to be familiar with statutory guidance relating to safeguarding. The governing body **must** ensure that they are familiar with the content of [Keeping Children Safe in Education 2022 \(KCSiE 2022\)](#).

Governing bodies and proprietors should ensure that those staff who work directly with children read at least [Part one of KCSiE 2022](#).

It is the responsibility of the Headteacher to ensure that structures are in place to support the effective implementation of this code of conduct and monitor standards of behaviour. In their capacity as line manager, the Headteacher must be familiar with policy, procedure and statutory guidance that underpin expected behaviours, as referred to throughout this document and in statutory guidance.

Teachers must be mindful of the additional expectations placed on them by the [Teachers Standards](#).

Employees, casual workers, agency staff and volunteers should ensure they are familiar with all school policies including safeguarding and statutory guidance that underpin expected behaviours, which should be made available by the Headteacher.

### 3. Scope

**The Code of Conduct sets out the expectations of behaviour and is a statutory element of a formal induction program for all staff.**

The **Code of Conduct** refers to all staff including employees, casual workers and volunteers working in Shropshire maintained schools.

There is separate version of this code of conduct for Academy Schools.

**Third-party contractors** and **agency staff** are expected to follow the spirit of this code in their provision of services to schools which should be set out in any appropriate service level agreement.

[KCSiE 2022](#) (page 75) provides further information in relation to **contractors**.

### 4. Safeguarding pupils

A formal definition of '**safeguarding and promoting welfare of children**' is set out in [KCSiE 2022](#) (p6)

Governing bodies and proprietors should ensure they facilitate a **whole school approach** to safeguarding. This means involving everyone in the school, and ensuring that safeguarding, and child protection underpin all relevant aspects of process and policy development.

Ultimately, all systems, processes and policies should operate with the best interests of the child at their heart.

All staff members have a responsibility to safeguard pupils and protect their welfare.

The duties and responsibilities of staff in this regard are set out in KCSiE 2022, [Part one: Safeguarding information for all staff](#).

Staff have a duty to report concerns about a pupil to the school's **Designated Safeguarding Lead (DSL)**.

The role of the DSL is set out in [KCSiE 2022](#) (p162) and all those who work with or come into contact with children on school site should be made aware of the who the DSL is and how to contact them.

Staff must be familiar with the school's safeguarding and employment policies, with particular reference to the following:

- Child Protection/ Safeguarding Policy
- Whistleblowing Procedure
- Online Safety Policy
- Allegations of Abuse Against Staff
- Low Level Concerns
- Use of Reasonable Force Policy
- Shropshire Council Policy and Guidance for Educational Visits and Journeys
- Substance and Misuse Policy
- Managing Attendance Policy – Sickness Absence
- Managing Attendance Policy – Special Leave
- Harassment and Bullying Policy
- Data Protection Act 2018

All staff will undertake appropriate safeguarding and child protection training on at least an annual basis.

## 5. Standards of behaviour outside work

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in order to maintain the confidence and respect of the general public and those with whom they work.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may also result in prohibition from teaching by the Teaching Regulation Agency (TRA) a bar from engaging in regulated activity, or action by another relevant regulatory body. The Childcare (Disqualification) Regulations 2018 set out grounds for disqualification under the Childcare Act 2006 where the person meets certain criteria set out in the Regulations.

A disqualified person is prohibited from providing relevant early or later years childcare as defined in the Childcare Act 2006 or being directly concerned in the management of such childcare. Schools and private childcare settings are also prohibited from employing a disqualified person in respect of relevant early or later years childcare.

Keeping children safe in education states that schools should make clear their expectation that staff should disclose any relationship or association (in the real world or online) that may impact on the school's ability to safeguard pupils. This applies to all staff in all schools, not just those in early or later years childcare.

Staff must notify their Headteacher **immediately** of any **police investigation, charge, caution or reprimand, fine or conviction**. This information will be treated in confidence, but may result in suspension, investigation and disciplinary action, including dismissal. Criminal convictions that involve violence, possession or use of illegal drugs or sexual misconduct are likely to be viewed as unacceptable.

Staff may undertake paid or voluntary work outside of school, provided that it does not conflict with the interests of the school or their performance at school.

Activities including lectures, private tuition, publications or television/radio appearances should be notified to the Headteacher in advance, if they relate to the activities of the school. Staff will not engage in outside work which could seriously damage the reputation and standing of the school or the employee's own reputation, or the reputation of other members of the school community. The nature of the work cannot be seen to bring the school into disrepute, nor be at a level which may contravene the working time regulations or affect an individual's work performance.

## 6. Social contact outside of the workplace

It is acknowledged that staff may have genuine friendships and social contact with parents of pupils, independent of the professional relationship. Staff should, however, also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation. Staff should recognise that some types of social contact with pupils or their families could be perceived as harmful or exerting inappropriate influence on children, and may bring the setting into disrepute (e.g., attending a political protest, circulating propaganda etc).

If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement in that moment and then inform the Headteacher/ senior manager as soon as possible. This also applies to social contacts made through outside interests or the staff member's own family.

Some staff may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the staff member or seeks support outside of their professional role this should be discussed with senior management and where necessary referrals made to the appropriate support agency.

## **7. Physical contact**

There are occasions where it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. The general principle of 'limited touch' should be adapted where appropriate to the individual requirements of each pupil. Pupils with special needs may require more physical contact to assist with their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, recorded, consistently applied and open to scrutiny.

There may be times when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times to ensure that their contact is not threatening, intrusive, or subject to misinterpretation. Where a member of staff has a concern about the need to provide this type of care and reassurance they should speak to the DSL.

Staff should be aware that even well-intentioned physical contact may be misconstrued by the pupil, an observer or by anyone to whom this action is described. A pupil must never be touched in a way that may be considered indecent. Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. Staff should always be aware that they should be prepared to explain actions and accept that all physical contact is open to scrutiny. Horseplay, tickling or fun fights with pupils must never take place.

## **8. Other activities that require physical contact**

In certain curriculum areas, such as PE, drama or music, staff may need to initiate some physical contact with children, for example, to demonstrate technique in the use of a piece of equipment, adjust posture, or support a child so they can perform an activity safely or prevent injury.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e., one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the pupil.

Contact should be relevant to their age / understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil. Guidance and protocols around safe and appropriate physical contact may be provided, for example, by sports' governing bodies and should be understood and applied consistently.

Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to a senior manager and parent or carer. It is good practice that all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers and pupils informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

## 9. The use of control and physical intervention

Early years providers must take all reasonable steps to ensure that corporal punishment is not given by any person who cares for or is in regular contact with a child, or by any person living or working in the premises where care is provided. A person will not be taken to have used corporal punishment if the action was taken for reasons that include averting an immediate danger of personal injury to, or an immediate danger of death of, any person including the child.

The law and guidance for schools states that adults may reasonably intervene to prevent a child from:

- committing a criminal offence
- injuring themselves or others
- causing damage to property
- engaging in behaviour prejudicial to good order and to maintain good order and discipline.

Care staff in residential special schools which are also registered as children's homes are not permitted to use physical intervention to maintain good order or discipline and should refer to the Children's Homes Regulations (England) 2015 for further information.

Great care must be exercised in order that adults do not physically intervene in a manner which could be considered unlawful. Staff should also be mindful of the significant impact that a physical intervention may have on a child with special educational needs or disabilities.

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence.

Where the school or setting judges that a child's behaviour presents a serious risk to themselves or others, they must always put in place a robust risk assessment which is reviewed regularly and, where relevant, a physical intervention plan. In all cases where physical intervention has taken place, it is good practice to record the incident and subsequent actions, and report these to a manager and the child's parents.

Similarly, where it can be anticipated that physical intervention is likely to be required, a plan should be put in place which the pupil and parents/carers are aware of and have agreed to. Parental consent does not permit settings to use unlawful physical intervention or deprive a pupil of their liberty.

Physical intervention must always be in accordance with the school's **Use of Reasonable Force Policy**.

## 10. Behaviour management

Corporal punishment and smacking are unlawful in all schools and education settings.

Staff should not use any form of degrading or humiliating treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards children is completely unacceptable. Staff should understand the importance of challenging inappropriate behaviours between peers, including peer on peer sexual violence and sexual harassment.

Downplaying certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Where pupils display difficult or challenging behaviour, adults should follow the school's or setting's **behaviour policy** using strategies appropriate to the circumstance and situation. Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan, including

assessment of risk, should be drawn up and agreed by all parties, including, for example, a medical officer where appropriate.

School leaders should ensure that the **behaviour policy** includes clear guidance about the use of isolation and seclusion. The legislation on these strategies is complex and staff should take extreme care to avoid any practice that could be viewed as unlawful, a breach of the pupil's human rights and/or false imprisonment.

## 11. Intimate/personal care

Arrangements for intimate and personal care should be open and transparent and accompanied by robust recording systems. Schools and settings should have clear nappy or pad changing and intimate / personal care policies which ensure that the health, safety, independence and welfare of children is promoted, and their dignity and privacy are respected.

Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this should normally be undertaken by one member of staff, however, they should try to ensure that another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, wherever possible, they are visible and/or audible.

Intimate or personal care procedures should not involve more than one member of staff unless the pupil's intimate care plan specifies the reason for this. A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, should include times left and returned.

Any vulnerability, including those that may arise from a physical or learning difficulty should be considered when formulating the individual pupil's care plan. The views of parents, carers and the pupil, regardless of their age and understanding, should be actively sought in formulating the plan and in the necessary regular reviews of these arrangements. Any changes to the intimate care plan should be made in writing and without delay, even if the change in arrangements is temporary, e.g. due to staff shortages, changes to staff rotas etc. Intimate and personal care should not be carried out by an adult that the child does not know.

Anyone undertaking intimate / personal care in an education setting is in **regulated activity** and must have been checked against the relevant DBS barred list, even if the activity only happens once; this includes **volunteers**. Volunteers and visiting staff from other schools / agencies should not undertake care procedures without appropriate training.

Pupils are entitled to respect and privacy at all times and especially when in a state of undress, including, for example, when changing, toileting and showering. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the children concerned and sensitive to the potential for embarrassment.

## 12. Transporting pupils

In certain situations, staff or volunteers may be required or offer to transport pupils as part of their work. As for any other activity undertaken at work, the employer has a duty to carry out a **risk assessment** covering the health and safety of their staff and to manage any known risks.

Consideration must be given to the potential distraction of the driver and the supervision of the passengers. A judgement should be made about the likely behaviour and individual needs of the child/ren. If any of them may require close supervision, then another adult should travel in the vehicle so that the driver is not distracted or compromised.

Staff should not offer lifts to pupils unless the need for this has been agreed by a senior school leader or manager.

Staff should never offer to transport pupils outside of their normal working duties, other than in an emergency or where not doing so would mean the child may be at risk. In these circumstances the matter should be recorded and reported to both the DSL and the child's parent(s). The school's **health and safety policy** and/or **Guidelines for Educational Visits and Journeys** should set out the arrangements under which staff may use private vehicles to transport pupils

A designated member of staff should be appointed to plan and provide oversight of all transport arrangements and respond to any concerns that may arise. Wherever possible and practicable, it is advisable that transport is undertaken other than in private vehicles and with at least one adult additional to the driver acting as an escort.

It is a **legal requirement** that all passengers wear seatbelts and the driver should ensure that they do so. They should also be aware of and adhere to current legislation regarding the use of car seats / booster seats for younger children. Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum carrying capacity is not exceeded.

Staff should never offer to transport pupils outside of their normal working duties, other than in an emergency or where not doing so would mean the child may be at risk. In these circumstances the matter should be recorded and reported to both their manager and the child's parent(s). The school's **health and safety policy** and/or **Guidelines for Educational Visits and Journeys** should set out the arrangements under which staff may use private vehicles to transport pupils

### 13. Educational visits and before/after school clubs

Staff should be familiar with Shropshire Council's **Guidelines for Educational Visits and Journeys** or detailed guidance on health and safety and safeguarding during visits.

During school activities that take place off the school site or out of school hours a more relaxed discipline or informal dress code or language code may be acceptable. Staff will however be expected to maintain professional behaviour and conduct as they remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

**At least two members of staff** should always be present, unless the Headteacher has agreed alternative arrangements. A risk assessment must be undertaken, and parental consent must be given for their pupil to participate in the activity.

### 14. Photography, videos and creative arts

Many school activities involve recording images including images of pupils. These may be undertaken as part of the curriculum, extra school activities, for publicity or to celebrate achievement. Images must **only be taken on school equipment**, never on personal equipment.

Staff must be aware of the potential for these to be misused for pornographic or 'grooming' purposes. Careful consideration should be given to how these activities are organised and undertaken.

Pupils who have previously been abused in this way may feel threatened by the use of photography or filming in a teaching environment. Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation.

Using images of pupils for publicity purposes will require consent from parents/carers or the child themselves, if deemed old enough and able to make the decision for themselves. Images must not appear in a public place without such consent. A public place includes areas of the school where visitors have access.

## 15. IT and social media

Staff should comply with the school's **Online Safety Policy** with regard to their acceptable online behaviour, their use of ICT equipment in school and acceptable levels of communication between pupils and adults to ensure that clear and explicit professional boundaries are observed and adhered to.

Staff must not engage in inappropriate use of social networking sites including contacting pupils or their family members, accepting or inviting friend requests from pupils or their family members, or following pupils or their family members on social media.

Additionally, staff should be mindful that their personal views shared on social media may have a negative impact or discredit their employment with the school or may affect the reputation or standing of the school, or other members of the school community. Staff will remain mindful of their use of social media and their web-based presence including written content, videos or photographs, and views expressed directly or indirectly which may bring themselves, the school or the school community into disrepute.

Staff should raise any concerns they have about the school with the Headteacher directly rather than on social media. Staff should refer to the school's **Online Safety Policy** for specific guidance relating to their responsibilities surrounding social media.

**Under no circumstances** should staff have their mobile phone or personal device on their desk or on display in the classroom. Staff should refer to the school's **Online Safety Policy** and **Acceptable Use Policy** Agreement for specific guidance relating to their responsibilities with regards to use of mobile phones/electronic devices.

Any breach of the above policies may bring into question an individual's suitability to work with children and young people and may result in disciplinary action being taken against them.

## 16. Honesty and integrity

Honesty and integrity are expected from school staff at all times. This includes the handling and claiming of money and the use of school property and facilities. Staff must be mindful that the school uses public money which must be spent considerately.

- **Contracted Hours of Work**

All hours which are contracted and paid must be worked effectively. Additional hours must be approved by the Headteacher prior to being worked and being claimed for payment.

- **Use of school materials and equipment, including IT equipment**

Staff must not make personal use of materials and equipment provided for school use (such as stationery, photocopier, vehicles, etc.) unless authorised by the Headteacher. IT equipment and software may only be used in line with the school's **IT security policy** or relevant **Acceptable Use Policy** Agreement and must not be used for illegal, inappropriate or unacceptable purposes.

Employees receiving inappropriate communication or material, or who are unsure about whether something they propose to do might breach this policy, should seek advice from the Headteacher.

The school reserves the right to monitor emails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems.

Communication systems may be accessed when the school suspects that an employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity.

Passwords should not be shared and access to computer systems must be kept confidential except on the express request of the headteacher.

School equipment that is used outside the premises, e.g. laptops, will be returned to the school when the employee leaves employment or immediately if requested to do so by the headteacher.

- **Handling money**

When handling money, receipts should be issued to the payee. Clear records of the money paid in or out of the school should be maintained and evidenced by receipts and invoices.

- **Disposal of school property**

The school has a procedure for **selling or disposing surplus equipment**. If staff wish to acquire any item of equipment, they must inform their Headteacher. If the Headteacher wishes to acquire any item of property, they should inform the Governing Body.

If as part of an individual's role they are required to deal with the disposal of surplus property, and they wish to acquire an item either for their own use or for any organisation or body in which they have an interest, they must inform their Headteacher before the disposal procedure has started and they must have no further dealings in the disposal of that item.

It is essential that staff are not given, or seem to be given, any preferential treatment.

- **Probity of records**

The deliberate falsification of documents, such as references, academic qualifications or legal documents, is unacceptable. Where a staff member falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

## 17. Confidentiality & data protection

In carrying out their roles, staff may acquire information which has not been made public or is confidential.

Where staff have access to confidential information about pupils or parents/carers, staff must not reveal this except to colleagues who have a professional role in relation to the pupil. In circumstances where the identity of the pupils does not need to be disclosed, the information should be used anonymously. Information should be treated in a discreet and confidential manner.

The **Data Protection Act 2018** and General Data Protection Regulations (GDPR) do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children. A member of staff will therefore be expected to share information about a pupil, such as when abuse is alleged or suspected. to the DSL without delay.

Additionally, confidential information relating to colleagues, events which occur within school or the school in general, should not be passed to anyone not entitled to receive it, nor posted on any public forum, or social media sites.

If a member of staff is in any doubt whether to share information or keep it confidential guidance should be sought from a senior member of staff. Any media or legal queries should be passed to the Headteacher.

Under the GDPR, the school must record any breaches of confidentiality and in certain cases report the breach to the Information Commissioner.

Failure of school staff to observe the requirements of confidentiality and/or the school's Data Protection Policy may constitute gross misconduct which could lead to dismissal without notice.

## **18. Health and safety**

Employers have duties towards their employees and others under **Health and Safety legislation** which requires them to take steps to provide a safe working environment for staff.

Legislation also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. An employer's Health and Safety duties and the adults' responsibilities towards children should not conflict.

Staff must act in accordance with the duty of care to ensure their own safety and welfare and that of pupils, colleagues and visitors at all times.

## **19. Dress and appearance**

Dress and appearance are a matter of personal choice and self-expression. However, the manner of dress and appearance must be of a professional nature appropriate to a staff member's role, the activities they are involved in, and health and safety requirements related to these.

Dress and appearance should not cause offence, be revealing or sexually provocative, distract or cause embarrassment or give rise to misunderstanding or be considered discriminatory.

Personal protective equipment must be worn where a risk assessment has indicated that it is appropriate.

## **20. Personal living accommodation**

Staff should not invite pupils to their living accommodation unless the reason to do so has been agreed with the Headteacher and the pupil's parents/carers.

## **21. Awarding contracts/engaging contractors and suppliers**

Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against or favoured.

Staff who engage contractors/suppliers, supervise contractors or have any other official relationship with contractors/suppliers and have previously had or currently have a relationship in a private or domestic capacity with a contractor/supplier, should declare that relationship to the Headteacher.

Staff should also tell their Headteacher if they, or a close relative, have a large number of shares in a company with which it is likely that the school will be dealing with, along with a note of the size/nature of the investment. This only applies where they have, or may reasonably be thought to have, a role on behalf of the school in selecting the source of supply or the quantity or specification of the goods or services of that company.

It does not apply where they have invested some money in a relatively small number of shares (normally not exceeding a market value of up to £5,000 in a large company with which the school is doing business) or in a small company where an individual's shareholding represents 20% or more of the company's equity.

If staff fail to disclose a private pecuniary interest in a contract with the school, they may be committing a criminal offence.

Staff involved with the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the school. Staff must be aware of the need for accountability and openness.

## 22. Gifts and inducements

- **Gifts from parent/pupils and others**

It is unacceptable for staff to receive gifts on a regular basis or to accept any gift of significant value (£30+) from parents and/or pupils. Such offers should be discussed with the Headteacher prior to acceptance. Small, inexpensive items such as flowers or chocolates may, however, be accepted.

Staff should not accept significant personal gifts from contractors and/or outside suppliers, although items of token value, such as pens or diaries, are acceptable.

- **Gifts to pupils/school & class rewards systems**

The giving of gifts or rewards to pupils by school staff should be part of an agreed policy or plan, recorded and discussed with the Headteacher and the parent/carer of the pupil.

- **Hospitality**

Staff should only accept hospitality from pupils/parents or carers or actual or potential contractors/suppliers (e.g. visits, meals, sporting events), if there is a genuine reason to impart information or represent the school in the local community. Offers of hospitality should be authorised by the Headteacher and recorded before being accepted, even if staff choose to pay to attend the activity themselves. Refusal by staff to attend should also be recorded.

- **Sponsorship**

Where an outside organisation wishes to sponsor or is seeking to sponsor a school, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Care must be taken when dealing with contractors/suppliers or potential contractor/suppliers.

Where the school wishes to sponsor an event or service, neither staff nor any relative or those in a close personal relationship must benefit from such sponsorship, either directly or indirectly, without there being full disclosure to Headteacher of any such interest. Similarly, where the school through sponsorship, grant aid, financial or other means, gives support in the community, staff should ensure that impartial advice is given and that there is no conflict of interest involved.

- **Personal purchases**

Caution should be exercised, when for their personal use, staff buy goods or use the services of contractors/suppliers which they know have dealings with the school.

Staff should not accept prices or terms for such goods or services which they believe may have been reduced for them personally because of the contractor/supplier's dealings with the school; similarly, they should not seek such reductions.

Staff should be aware that it is a serious criminal offence to corruptly receive or give any gift, loan, fee, reward or advantage as an inducement to act in a certain way in their professional capacity. If an allegation is made, staff must be able to prove that any such reward has not been corruptly obtained.

## 23. Recruitment and employment decisions

Staff involved in appointments should ensure that their decisions are based on merit. To avoid any possible accusation of bias, staff should not be involved in an appointment where they are related to the applicant or have a close personal relationship.

Similarly, staff should not be involved with decisions relating to discipline, promotion, or pay adjustments for any relative or those in a close personal relationship. Members of staff who are relatives, or have a close personal relationship, should not normally have a supervisory, assessment or authoritative relationship with each other. Such scenarios should be directed to the Headteacher for consideration. If it is unavoidable, you must not use the relationship to influence or advance the interests of that member of staff.

**Only the Headteacher**, or person with delegated responsibility, may issue a reference for any member of staff, past or present. References should be given on headed paper on behalf of the School.

This does not preclude a member of staff giving a reference for any other member of staff, past or present, providing the reference makes it clear that the views are those of the author in a private capacity and not necessarily those of the school. The use of official stationery, logos, and in particular headed notepaper, for this purpose is forbidden.

## 24. Smoking, alcohol and other substances

It is not acceptable to attend work whilst under the influence of alcohol or any substance, including prescribed medicine, which may affect the ability to care for pupils or carry out duties. The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. Staff must abide by the **Substance and Misuse Policy**.

Staff must not smoke on the school premises or whilst working with or supervising pupils off-site, such as when on educational visits and trips. Staff will abide by the No Smoking Policy.

If alcohol, drug or other substance usage impacts on a staff member's performance, the school has the right to discuss the matter with the employee and take appropriate action in accordance with the school's disciplinary procedures, including referral to the police.

## 25. Attendance at work

The school expects that staff will:

- Attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days of work and holidays.
- Make routine medical and dental appointments outside of their working hours or during holidays where possible.
- Refer to the school's **Managing Attendance Policy – Special Leave** if they need time off for any reason other than personal illness.
- Follow the school's **Managing Attendance Policy – Sickness Absence** when they are absent from work due to illness or injury

## 26. Compliance with the Code of Conduct/associated policy and procedure

It is impossible for the Code of Conduct to be able to be able to address every variation of a situation or scenario that may present itself in the context of staff and volunteers and their conduct in role.

If in doubt, the Headteacher should be consulted for advice, clarification and before taking any action.

The **Disciplinary Procedure** may be enacted if there is any breach of the code of conduct which could result in disciplinary action up to and including dismissal. It is therefore important that staff read, understand and adhere to this **code of conduct**.

The Disciplinary Procedure exists to deal with those situations where procedures and policies have not been followed, or expectations of a standard of behaviour have not been met. It is designed, wherever

possible, to encourage improved conduct, informally. However, where cases are more serious the formal process will be followed.

Where staff are accused of abuse, neglect, physical, emotional or sexual abuse of pupils, the agreed procedure such as **Low-Level Concerns** or **Allegations of Abuse against Staff in Schools** should be followed.

Volunteers, contractors, casual and agency staff who breach the code may be requested to cease working at the school.

**Whistleblowing** is the mechanism for staff to voice their concerns, made in good faith, without fear of repercussion. Staff have a duty and responsibility to bring matters of concern to the attention of the senior leaders and/or external agencies. This is particularly important where the welfare of pupils may be at risk. The **Whistleblowing Procedure** is available to staff who believe that inappropriate behaviour has occurred.

Whilst the employee continues to carry out their role, the **Capability Procedure** supports the school in dealing with issues of capability and performance in a fair and consistent way and at the earliest possible stage. This is achieved by making the employee aware of any performance which falls below the required standards and encouraging, supporting and offering training to provide an opportunity for improvement.

**In respect of the Equalities Act 2010**, the school expects all staff to show consideration and respect to their colleagues, pupils, parents, carers, governors and members of the public, treat everyone with dignity and respect and not to discriminate unlawfully against any person.

The **protected characteristics** set out on legislation are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

The school will also not discriminate on the grounds of trade union membership or non-membership, part-time or fixed-term contract status, caring responsibilities or any past unrelated convictions.

The workplace should be a fair, inclusive and safe environment where diversity is valued. The **Equality Policy** contains further information.

All staff have a duty to help create an environment at work where unlawful discrimination, victimisation or **harassment and bullying** in any form is considered unacceptable and will not be tolerated. The **Harassment and Bullying Policy** provides further information.

## 27. Monitoring and review

The governing body will monitor the outcomes and impact of this Code of Conduct on an annual basis.