

Staff Code of Conduct Policy

James Brindley School

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To be reviewed (biannually) by:
The Staffing and Pay Committee

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Purpose and Guiding Principles

This document sets out what is expected of all staff (including governors, volunteers and agency workers) in terms of professional behaviour and conduct. It gives clear advice about what may constitute illegal behaviour and what may be considered as misconduct. The code describes clearly for staff what is safe practice and what constitutes professional conduct and both specific and general guidance as to behaviours or practice that should be avoided.

If a member of staff chooses to ignore or disregard the advice contained herein a consequence of this behaviour could be that it leads to disciplinary procedures.

The guidance in this document cannot be exhaustive and there will be times when professional judgements are necessarily made in contexts not covered by this Code. In these circumstances staff should advise their line manager or the Principal and provide justification for any such action taken or proposed.

The Seven Principles of Public Life

(Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example

NB: The judgment of Lord Mansfield in *R v Bembridge* (1783) 3 Doug KB 32 refers to a public officer having: 'an office of trust concerning the public, especially if attended with profit ... by whomever and in whatever way the officer is appointed'. It does not seem that the person concerned must be the holder of an 'office' in a narrow or technical sense. The authorities suggest that it is the nature of the duties and the level of public trust involved that are relevant, rather than the manner or nature of appointment.

In addition to this Code of Conduct, all employees engaged to work under Teacher's Terms and Conditions of employment have a statutory obligation to adhere to the 'Teacher's Standards 2012' and in relation to this policy, part 2 of the Teacher's standard - Personal and Professional Conduct.

Safe Working Practices at James Brindley School

1. Introduction

This guidance aims to empower staff to establish the safest possible learning and working environments, reduce the risk of staff being falsely or improperly accused of any impropriety and crucially, to serve our core purpose of safeguarding the young people we work with.

2. Duty of Care

Teachers and other staff are accountable for the way in which they exercise authority, manage risk, use resources and protect pupils and other staff from discrimination and harm.

All staff have a duty to keep young people and themselves safe and this duty is exercised in part through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates at all times integrity, openness and sound judgement.

Legitimately, society and indeed our pupils and their families in particular, have very high expectations of the professionals in loco parentis of their children on a daily basis. When taking up a role in a school or similar environment, staff need to understand, acknowledge and accept the responsibilities and trust inherent in that role.

As an employer, the school has a duty of care towards its employees which requires them to provide a safe working environment for staff and guidance about safe working practices.

Employees have a duty to report any concerns in line with the school's incident reporting procedures.

3. Professional Judgement

This code of conduct cannot nor does it seek to provide an exhaustive checklist of what is or is not appropriate in

This means that this code of conduct:

- *Applies to ALL adults working in our setting whatever their position, role or responsibilities - including cleaners/contractors and those not employed directly by the school*

This means that staff should:

- *Understand the responsibilities that form part of their role and be aware that sanctions can be applied if these provisions are breached*
- *Act and always be seen to act in the child's best interests*
- *Avoid any conduct which could lead any reasonable person to question motivation or intentions*

This means that James Brindley School should:

- *Ensure that safeguarding procedures are in place, appropriate for purpose and reviewed regularly.*
- *Ensure that systems are in place for concerns to be raised.*
- *Ensure that adults are not placed in situations which render them particularly vulnerable.*

This means that where no specific guidance exists staff should:

every situation or regarding staff behaviour. It seeks to, however, identify behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which staff have to make decisions in the best interests of themselves, their colleagues and pupils in particular which could either contravene these guidelines or indeed fall outside the parameters herein. Staff are therefore expected to make professional judgements about their behaviour in order to secure at all times the best interests of the pupils in their charge and in exercising this professional judgement, alongside both these guidelines and the advice and experience of the staff team, and in so doing will be seen to have acted reasonably.

4. Relationships and Positions of Trust

It is self-evident that all staff working with our pupils are in positions of trust. Relationships between pupils and staff are not relationships of equals. Staff have a clear responsibility both to understand that the unequal balance of power that exists in such relationships can, if not handled in the correct manner, lead both to potentially exploitative situations but also to insecurity and uncertainty on the part of pupils as to what the relationship between them and a staff member is.

Thus, staff should at all times maintain an appropriate level of both professional detachment and objectivity to ensure they avoid behaviour that could be misinterpreted by others, including pupils, and record and report any incident with this potential.

5. Confidentiality

As part of their role, staff may have access to confidential information about pupils and their families and indeed

- *Discuss the circumstances that informed their action or proposed action with a senior colleague. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted.*
- *Always discuss any misunderstanding, accidents, threats or similar with a senior colleague.*
- *Always record discussions and actions taken with their justifications according to both whole school and local sector practice.*

This means that staff should not:

- *Use their position to gain access to information for their own advantage or to a pupil's detriment.*
- *Use their acknowledged power to intimidate, threaten, coerce or undermine pupils.*
- *Use their relationship to form or promote a relationship with a pupil which is of a sexual nature.*
- *Attempt to initiate a relationship with an ex pupil which is of a sexual nature.*

This also means staff should:

- *At all times speak and interact with pupils in a wholly professional way. This includes the use of language and in particular modes of address – according to sector we have clear expectations of how pupils should address staff – equally it is important we reinforce both boundaries and the nature of the staff/pupil relationship by avoiding any use of 'over familiar' language. Staff should address pupils by their given or preferred name and no utilise other expressions (however well meaning) that could lead to misinterpretation and the blurring of boundaries.*

This means that staff:

- *Must treat information they receive about pupils or staff in a discrete and confidential manner.*

other colleagues, some of which may be highly sensitive or private. Staff should never use confidential or personal information to their own advantage neither should they seek to use said information to intimidate, humiliate or embarrass pupils or staff.

Confidential information about pupils or staff should never be used casually in conversation or shared with any person other than on a need to know basis.

There are of course circumstances in which a member of staff is expected to share or disclose information about a pupil or colleague, where abuse or concern is suspected for example. In these circumstances, appropriate protocols for sharing said information are clearly outlined in the school's Safeguarding Policy.

If a member of staff is unsure about how and when to either share or keep information confidential they should seek advice from the DSL (pupil information) or the Principal (staff information).

Any media enquiries should be directed to Clive Reeves of the school's governing body. Legal enquiries should be directed to the Principal.

6. Propriety and Behaviour

All staff have a responsibility to maintain public confidence in their ability to both safeguard pupils and act in their best interests. Staff should be mindful (and teaching staff with specific reference to the Teacher Standards document and Part 2 in particular) of the need to have the highest standards of personal conduct.

An individual's behaviour, either in or out of the workplace, should not compromise his/her position within the work setting and as such it is crucial to exercise care and attention outside the school environment.

All staff should ensure that school property which is assigned to them is used in line with the conditions in which it was entrusted to them. They must ensure they take all reasonable steps to keep the property safe, secure and in good condition (refer to [Acceptable Use of the Internet Policy](#), [Work iPads for staff use contract](#), [iPad Issue and Use Guidelines](#) and [Laptop Issue and Use Guidelines](#) . Any loss or damage must be reported on the school's incident reporting form (SIRENS or equivalent).

- *Must seek advice from the Principal of DSL if they are in any doubt about information sharing or confidentiality.*
- *Should be cautious when passing information on to others or external agencies and be mindful of the school policy and procedure around electronic sharing of information, with particular regard to both Safeguarding (2015) and Data Protection policies*
- *Must be aware of the clear processes by which they seek guidance or report allegations or concerns.*

It also means the school:

- *Has a clear set of processes to ensure timely, transparent, secure and consistent guidance to staff with regards to confidentiality and information sharing, as set out both in Data Protection Policy and guidance on sharing of information locally and beyond the school.*
- *Identifies and makes clear the appropriate senior staff with clear designated responsibilities for addressing these issues*

This means staff should not:

- *Behave in a manner which would lead any reasonable person to question their suitability to work with pupils or act as a role model*
- *Drink alcohol or misuse illegal substances when supervising pupils or on a school trip. This applies even when no pupils are present as the staff member may be called on in an emergency.*
- *Consume alcohol in a habitual way which adversely affects the employee's work performance, safety, health or welfare at work (further information available in the [Managing Attendance Procedure](#))*
- *Make inappropriate or derogatory remarks to a pupil or class*
- *Give, or allow a pupil to have, personal telephone numbers or email addresses. In some instances work email may be used to facilitate pupil work but staff are reminded that any communication in this way must be strictly work related.*
- *Discuss their own relationships in the presence of pupils*

Membership of organisations whose goals are inimical to the values and equality policies of the school is not acceptable.

- *Discuss a pupil's sexual relationships in any setting or context, except for instances where a factual discussion takes place within the context of disclosure or safeguarding procedures.*
- *Make (or encourage others to make) unprofessional personal comments in any form of communication and be aware that pupil file records can be requested by parent/child under subject access requests.*
- *Smoke on school or associated premises (such as hospital sites or school vehicles), whilst on an educational visit or in close proximity to the school (this includes the use of any e-cigarettes) where they are likely to be observed by pupils, parents or visitors*
- *Use work property or during work time be accessing social media, personal emails or making phone calls which are unrelated to work*

It also means that staff should:

- *Immediately report any communication that makes the staff member feel uncomfortable or appears to breach the points above to the Principal*
- *Take care not to use social media or other fora to air grievances or make comments about the working of the school or particular issues arising in a way that could damage the reputation of the school, its pupils or staff*
- *Ensure any political or other point of view or belief is not put forward in such a way as to unduly influence or otherwise direct pupils*

This means all staff should:

- *Present an appropriate, neutral and clear professional appearance at work.*

7. Dress and Appearance

There is a general expectation that dress will be appropriate to the nature of the duties and

responsibilities of your teaching or support staff job. Thus, the 'general' expectation would be smart business dress. Given the nature of the work staff are undertaking and indeed the needs of pupils, it is inappropriate to wear overly revealing or low cut items of clothing. A 'common sense' rule might be that if you either feel uncomfortable or compromised while wearing an item of clothing or indeed have to seek advice on whether it is suitable; it is likely that the said item is inappropriate for school.

All staff Team Teach trained will be expected to dress appropriately to manage Team Teach situations safely. For example, stiletto type shoes or indeed open-toed sandals could constitute a safety risk for pupils and staff alike and thus discretion should govern choice of footwear and other clothing.

Staff in hospitals should adhere to the footwear and dress code in line with hospital policy.

The School values and welcomes the ethnic diversity of all its teachers and support staff and therefore dress codes will take account of ethnic and religious dress requirements with sensitivity ensuring that employees are free to observe them.

While the school has no particular view on tattoos or visible facial piercings for example, again professional standards would dictate that any tattoos are covered during the course of the working day and any visible piercings (earrings aside, though care should be taken to wear appropriate earrings that are unlikely to cause injury to oneself or another person) removed. If you have any misgivings or queries, again your Principal or Assistant Principal will be happy to advise.

Where there is a clear justification or a health and safety reason then the School may introduce appropriate dress codes to suit the own educational establishment.

8. Identity Badges

All teachers and support staff will be issued with identity cards/badges and they must wear them at all times including in the school and when they represent the

- *Seek advice and support from their immediate line managers if any doubt arises*
- *Not dress in a way that could distract, cause embarrassment or give rise to misunderstanding*
- *Not wear clothing or accessories with any political or otherwise contentious slogans*

This requires all staff to:

- *Have due regard to their own safety and the safety of other staff and pupils in terms of their choice of footwear.*

This means that staff should:

- *Be mindful of their role within the school and ensure that appropriate boundaries and relationships are reinforced through the way they present themselves.*
- *Take care to ensure that any tattoos are not visible to pupils in the course of normal working activity.*
- *Be mindful of the safety of others and oneself with regard to piercings*

This means the school must:

- *Have appropriate systems and training to ensure the validity of any person on the school site*

school. Specific information regarding lanyards and their significance can be found both in the reception areas of all sectors.

Local guidance in hospital and secure settings must be adhered to; however it is important that staff are still able to identify themselves via a school issue name badge in these areas.

Staff working / visiting other sectors should ensure that they adhere to the correct system for that sector of the school.

9. Gifts and Hospitality

The School seeks to maintain the highest standards of conduct and probity in its educational establishment.

The acceptance of [gifts and/or hospitality](#) by employees must be treated with extreme caution. No offer of a gift or inducement, whether made at specific occasions (e.g. at Christmas) or casually, should be accepted when the gift is made by, or indirectly by, a person, firm or organisation which, to the knowledge of the employee, has or seeks to do business of any kind with the School which maintains the School or to have an interest in its decisions.

The receipt of minor articles, often by way of trade advertisements, which will be used by the School business (e.g. diaries, calendars, office requisites, etc., which are customarily distributed at Christmas and, occasionally, at other times) is acceptable.

If you are in any doubt, you should seek guidance from your Principal or Head of Sector (Assistant Principal) in School before accepting any gifts or hospitality offered. If there is any doubt further advice can be requested from the Local Authority's Internal Audit Office, where the School purchases the Authority's services or from their other relevant audit office.

Employees should also refrain from making any gifts to external organisations or to the employees of organisations which provide services to the School or who are potential providers of such services.

10. E-safety, Internet usage and Social Media

Staff must not have any contact with current pupils or former pupils online or through any form of social media. Communication with pupils should only be conducted through our usual channels and should be

- *Provide clear guidance to staff around environmental safeguarding*

This means staff must:

- *Wear appropriate lanyard at all times, being mindful to ensure clothing or other items do not restrict visibility*
- *Be prepared to challenge any person on site without appropriate lanyard and identification.*

This means staff should not:

- *Accept or solicit any kind of gift or hospitality that could be seen to have the potential to open either the individual or the school up to the possibility of suspicion of favourable or unfavourable treatment of a person or organisation*

This means the school needs to:

- *Have due regard to policies and procedures around purchasing, orders and contracting that enable and monitor relationships between the school and other companies/bodies/individuals.*

It also means staff:

- *Need to fully disclose any pecuniary interests or possible conflicts of interests on an annual basis or where circumstances change.*

This means staff should not:

related to school matters only. Breach of this policy may result in disciplinary action up to and including dismissal.

Internet Users must not display, access, use, extract, store, distribute, print, reveal or otherwise process any kind of image, document or other material which is sexually explicit or offensive in any other way, on any School system. This activity would be a violation of the Schools policies, particularly those relating to conduct and discrimination.

You must not post any comments, photographs, images or conversations on social networking websites which may bring you, the school and/or the employer into disrepute. Security settings should be maintained at the highest level in order to prevent members including the public, colleagues, parents and pupils seeing any of your personal information.

11. Disciplinary Procedure and Guidance

The School has a [disciplinary policy](#).

The disciplinary procedure is concerned with instances of alleged misconduct, either ordinary or gross. It is anticipated that the vast majority of breaches will be of a minor nature and that they can be resolved without recourse to a formal procedure.

Some breaches will be more serious or there may be circumstances where there is repetition of a minor breach. In such circumstances the matter will be formally investigated and progressed under the formal procedure.

A list of potential instances of what might constitute gross misconduct (though not exhaustive) can be found as an appendix to this document.

12. Disclosure of convictions

In accordance with the Independent School Standards Regulations, the School requires all applicants to disclose criminal convictions, whether committed in the UK or elsewhere.

- Allow or encourage pupils past or present to contact them on social networking sites or other forms of internet based community
- Adhere to the school's Internet policy which, as well as the content detailed here, proscribes certain other uses of school hardware and networks.

This means staff should:

- Be mindful of what and how they use social media and do not use the same for discussion of pupils and/or the school.
- Take responsibility for their own security settings to prevent social media usage (for example photographs) being accessible to people outside one's one friends/family, again to ensure that high standards of professionalism and one's reputation remain intact.

It also means the school will:

- Have explicit and clear guidelines on the use of the internet and social media
- Where staff have difficulties, offer advice and support to maintain the integrity of their own devices and data.

This means the school must:

- Adopt and share a regularly reviewed Disciplinary Policy and ensure that this is followed appropriately in instances where identified behaviour or action comes to light

It also means staff must:

- Be aware of this procedure and the instances in which they may be liable to be said to have breached it.
- Have due regard to the revised Whistle Blowing Procedure and, where appropriate, use this or other reporting methods should they have concerns about another member of staff, pupil or issue that could be seen to bring the school into disrepute or imperil the safeguarding of pupils or staff.

This means the staff must:

It should be noted that the term 'conviction' includes a finding of guilt, regardless of whether or not a conviction is recorded. Failure to notify the Principal in either case will constitute grounds for disciplinary action.

The law prohibits anyone who is disqualified under the Childcare (Disqualification) Regulations 2009, **or who lives in the same household as another person who is disqualified or in a household in which any such person is employed**, from undertaking relevant work in a relevant setting, including a school.

- *Notify the School in writing immediately if charged with any criminal offence or if convicted of any criminal offence, this includes cautions.*
- *If charged with an offence, advise your Principal immediately after you are charged (i.e. next working day). The Principal should inform the Chair of Governors immediately after they are charged.*
- *Complete and sign a Childcare (Disqualification) Regulations 2009 declaration.*

This means the school must:

- *Take every reasonable step during both recruitment processes and at other times to ensure that both full, significant and pertinent details are disclosed and acted upon*
- *Ensure all staff understand their responsibility to be frank and open and to follow procedures set out in the disciplinary policy for any breach*
- *Ensure staff comply with the Childcare (Disqualification) Regulations 2009 by asking them to sign a declaration before they commence employment.*