



ST. MARY'S
ACADEMY TRUST

St Mary's Academy Trust

CODE OF CONDUCT FOR EMPLOYEES

Date agreed by Board: November 2019

Date to be reviewed: November 2021

1.0 Scope

- 1.1 This policy applies to all employees of the St Mary's Academy Trust (the Trust) including volunteers and student placements, including those undertaking initial teacher training and apprentices.

2.0 Principles

- 2.1 The principals underlying this Code of Conduct aim to encourage high standards of personal and professional conduct from all, at all times.
- 2.2 Employees have an individual responsibility to maintain their reputation and the reputation of the Trust, both inside and outside working hours.
- 2.3 Managers have a responsibility to ensure that all relevant colleagues are aware of this Policy and employees are responsible for ensuring that they comply with its requirements.
- 2.4 Failure to observe the standards in this Code may render an employee liable to disciplinary action, which may include dismissal.
- 2.5 This code does not cover every eventuality. In situations where guidance does not exist in this Policy, employees are expected to exercise their professional judgement and act in the best interests of the Trust.
- 2.6 All Teachers are employed under Teachers' Terms and Conditions of Employment and have a statutory obligation to adhere to the "Teachers Standards 2012" and in particular relation to this Policy, Part 2 of the Teachers' Standards – Personal and Professional Conduct.
- 2.7 All employees are expected to be conscientious and loyal to the aims and objectives of the Trust and by accepting appointment to the Trust, each employee agrees to accept the provisions of the Code.

3.0 Aims

- 3.1 The aim of the Code of Conduct is to set out clear guidance on the standards of behaviour expected from all employees that are reflective of many of the Trusts core values including trust, professionalism, and responsibility.

4.0 Use of I.T. Equipment/Email/Internet and Social Media

- 4.1 Employees must exercise caution when using information technology and be aware of the risks to themselves and others. They should familiarise themselves with the **Acceptable Usage Policy and e-Safety Policy**.
- 4.2 Employees should not use Social Media e.g. Facebook with pupils or former pupils and should refrain from posting any comments that are related to work likewise, having conversations on Facebook or other Social Media about anything work related (unless posting in a professional capacity) must be avoided. Employees should ensure that their security settings are such that a pupil would not be able to locate their Facebook/Social Media page. Any inappropriate usage of social network sites that brings the employee or the Trust into disrepute will be dealt with through the Disciplinary Procedure, a result of which could be dismissal. Employees are required to read the Trust's **Social Media policy** and sign the acceptance form that they will adhere to this policy at all times.
- 4.3 Employees must only use their work email account when communicating electronically with pupils, parents and colleagues.

5.0 Honesty, Integrity and Professional Attitude

- 5.1 Employees must maintain the highest standards of honesty and integrity in their work.
- 5.2 Employees are expected to work to the best of their ability and conduct themselves in a professional manner fitting for their role within a school and as a role model for children.
- 5.2 It is the duty of all employees to report to the Chief Executive whenever a matter arises which involves, or is thought to involve, irregularities concerning cash, stores or other property of the Trust or any suspected irregularity, including the unofficial use of funds.
- 5.3 The Trust has a Whistleblowing Policy which seeks to encourage and enable employees to raise concerns so that the Trust can take prompt action. The Policy makes it clear that employees who raise legitimate concerns can do so with no fear of reprisals.
- 5.4 All employees should behave in a professional manner towards other employees, irrespective of the relative position or status within the Trust. They should speak politely; communicate honestly and openly with the person concerned, not dealing with sensitive matters in public. Employees should be publicly supportive of each other, dealing with criticisms or concerns privately. Employees should never act in a way that undermines a colleague. All employees within the Trust have the right to Dignity at Work.

6.0 Attendance at Work

- 6.1 Employees are expected to attend work regularly, sickness absence is recorded and monitored and all employees who meet a trigger in accordance with the **Managing Attendance Policy** will be invited to an Absence Review Meeting.

7.0 Bribery/Corruption/Theft and Fraud

- 7.1 *The Bribery Act 2010 makes it an offence to offer, promise or give a bribe (Section 1 of the Act). It also makes it an offence to request, agree to receive, or accept a bribe (Section 2). Section 7 relates to a corporate offence of failure by a commercial organisation to prevent bribery that is intended to obtain or retain business, or an advantage in the conduct of business for the Trust. Reference should be made to the **Whistleblowing Policy***
- 7.2 Where there are suspicions that an employee(s) is/are involved in fraudulent or corrupt activities, or theft, then they must in the first instance report these suspicions to their *Line Manager*. If employees feel unable to do this, then they refer to the **Whistleblowing Policy**.
- 7.3 Notwithstanding the provisions of the Whistleblowing Policy, matters of fraud, theft or corruption must where appropriate be notified to the Chief Executive.
- 7.4 It should be noted that all employees have a duty to inform their Manager of any legitimate concerns or wrongdoing they have over actual or potential wrong doing within the Trust.
- 7.5 The Public Interest Disclosure Act 1998 provides employment protection for employees who make disclosures to their Manager concerning actual or potential wrongdoing. Any disclosure or allegation made maliciously or for personal gain will not be protected and disciplinary action may be taken.

8.0 Conflicts of Interest

- 8.1 Employees may undertake other work, either paid or voluntary, provided that it does not conflict with the interests of the Trust and is not to a level that may contravene the working time regulations or affect an individual's work performance. All employees should complete a dual employment form and the Trust will consider in each case if other work undertaken is a conflict of interest. No work, however, whether paid or unpaid, should be undertaken in the workplace, including the use of Trust workplace facilities.
- 8.2 All employees must declare any business interests outside normal work that may be connected to either the supply of goods/services to the Trust or be rewarded through association with the Trust.
- 8.3 Employees should be aware that all literary, dramatic, musical or artistic work (including (as an example) but not limited to documents, computer programs, photographs, drawings, recordings or graphic work) which is produced by the employee in the course of their employment with the Trust is the copyright of the Trust in accordance with S11 (2) of the Copyright Design and Patents Act 1988. Accordingly, employees must not do anything, which in any way would constitute an infringement of the Trust's copyright in any literary, dramatic musical or artistic work. Employees must ensure that they do not do anything, which would constitute an infringement of the copyright of any third party whilst in the course of their employment with the Trust.

9.0 Gifts

- 9.1 It is not enough to avoid actual impropriety but employees should at all times also avoid any occasion for suspicion of the appearance of improper conduct. Accordingly, employees must not accept gifts, entertainment, hospitality, or any benefits of any kind from organisations or people connected with these organisations with who the Trust may, whether directly or indirectly, be in actual or potential contractual or business relationships. This applies to those benefits which are for the employees themselves and those connected with the employees and whether received in connection with official duties or not.
- 9.2 All offers of such benefits must be refused. This includes accommodation, travel, food, drink, entertainment, hospitality, presents and all similar benefits. It also includes the acceptance of goods or services from a firm on preferential terms for private purposes if these terms were given either directly or indirectly because of the contractual or other official relationship either potential or actual between the firm and the Trust. The only possible exceptions are set out below, but it is emphasised that they should be accepted only where to refuse them would inhibit the normal business activities of the Trust. This applies to offers of gifts or hospitality to groups as well as individual employees.
- 9.3 Each employee is personally responsible for any decision to accept such offers and for any possible criticism that may follow. If in doubt, he/she should refuse, or insist on paying for himself/herself, or refer to the Chief Executive.

10.0 Circumstances where gifts, meals or refreshments can be accepted.

- 10.1 Gifts which are of a modest kind (i.e. under £15 retail value), such as a calendar, diary, pen or other inexpensive item of office equipment, and which can be regarded as in the nature of advertising matter, can be accepted. Such gifts must bear the name or insignia of the organisation concerned. All other gifts must be politely but firmly refused. If gifts are received through the post they must be returned immediately to the donor with a suitably worded covering letter.
- 10.2 Only such meals or refreshments as are a necessary part of the business in hand and which are immediately and directly connected with and wholly incidental to Trust business can be

accepted. Even then, they must be of a modest kind and wherever possible the employee should pay for himself/herself, or if practical, should be paid for by the Trust.

- 10.3 Such meals or refreshments as are connected with a public or semi public occasion, such as an opening ceremony associated with new premises in which the Trust have an interest such as owners or partners in the scheme and where the member of employees attends in an official capacity as representative of the Trust and obtains prior authorisation from the appropriate senior manager.
- 10.4 Only where practically unavoidable, of a modest kind and wholly incidental to the business in hand, such as a lift for a short distance to a site where the member of employees concerned has no other means of transport.
- 10.5 Parental gifts to members of staff can be accepted as it is accepted that this is common practice within schools for parents to choose to buy a gift for their child's teacher/teaching assistant and/or for the Headteacher at the end of term/Christmas etc. However gifts which appear to be over £15 must be declared to the Chief Executive. No additional privileges must be offered to that child over a child who has not bought such a gift.
- 10.6 Where a collective class gift is purchased, i.e. all parents donate a small amount to purchase one gift worth over £15 this must be declared to the Chief Executive immediately and recorded on the **Business Interests form**.
- 10.5 All offers of gifts, hospitality and legacies, must be recorded on a **Business Interests form** which is attached. The Trust will consider the appropriateness of each gift and if necessary will declare if this should be donated to a charity supported by the Trust.

11.0 Disclosure of Information

- 11.1 The law requires that certain types of information must be available to Members of the board, Auditors, Government departments and the public. However, there are other categories of information that must be kept secure. Employees must be aware of which information they are authorised to release and to whom, and that which they are not. In all instances, please contact the Chief Executive.
- 11.2 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

12.0 Political Neutrality

- 12.1 Employees serve the Trust as a whole. It follows they must serve the Trust Board, and must ensure that the individual rights of all the Trust Board are respected.
- 12.2 Employees should not usually be called upon to advise any political group, either in regard to the work of the group or of the Trust. Neither should employees be required to attend political group meetings except that in exceptional circumstances the Chief Executive may give advice. All other employees must receive clearance from the Chief Executive should they be requested to attend a political group meeting.
- 12.3 Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality.
- 12.4 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Trust and must not allow their own personal or political opinions to interfere with or

influence their work.

13.0 Business and Personal Relationships with other employees within the Trust/Contractors

- 13.1 Where a personal relationship exists between employees, an employee should declare this to their line manager if the relationship could be deemed as a conflict of interest, trust or breach of confidentiality. Also, where a personal relationship exists between employees who are in a line management or supervisory relationship at work, then they must not be involved in recruitment and selection, improving performance, pay and grading, disciplinary, grievance or any other management activity.
- 13.2 Employees must disclose to the Chief Executive, all relationships of a business or private nature with external contractors or potential contractors. 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. This information should be given to the Chief Executive or nominated representative on the **Business Interests form**.
- 13.3 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the Chief Executive using the form **Business Interests form**.
- 13.4 In all cases, employees should declare any interests/relationships as soon as is practicable.

14.0 Data Protection

- 14.1 All employees are required at all times to follow the Trust's **Data Protection** policies as these are in accordance with the latest regulations. Failure to do so will result in disciplinary action and possibly dismissal.

15.0 Recruitment and other Employment Matters

- 15.1 Employees involved in appointments should ensure that these are made on the basis of merit, in accordance with the **Recruitment and Selection Policy**. An appointment which was based on anything other than the ability of the candidate to undertake the duties of the post may render the Trust open to a claim under the Equalities Legislation. In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant, or have any personal relationship outside work with him or her.
- 15.2 Similarly, employees must not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or with whom they have a close personal relationship.

16.0 Safeguarding

- 16.1 Employees have a duty to safeguard pupils from physical abuse; sexual abuse; emotional abuse, neglect and radicalisation. The duty to safeguard pupils also includes the duty to report concerns about a pupil to the School's Designated Safeguarding Lead (DSL). Employees should ensure that they are familiar with both the **Child Protection Policy** and **Whistleblowing Policy**.
- 16.2 Employees should ensure that at no point they demean or undermine pupils, their parents or colleagues.
- 16.3 Employees must take the utmost care of pupils under their supervision with the aim of ensuring their safety and welfare.
- 16.4 Employees must not use their mobile phone as a camera in any school in the Trust. Any photographs/video must be taken using equipment belonging to the School/Trust. Employees must only save images on Academy computers and not on any personal device.
- 16.5 Employees should not use their mobile phones in any of the Trust's schools during their paid hours of employment. Outside these times, mobile phones should only be used in areas of the school where children are not present.
- 16.6 Headteachers may use their mobile phones for work purposes however this must only be in areas of the school where children are not present.
- 16.7 Employees must not accept any friend request on any form of social medial or make such a request to a pupil within the Trust. Failure to adhere to this may result in disciplinary action and ultimately dismissal. See section 4.2 and the Social Media Policy for further information.

17.0 Pupil Development

- 17.1 Employees must comply with policies and procedures that support the well-being and development of pupils and employees. Employees must also co-operate and collaborate with colleagues and with external agencies where necessary to support the development of pupils.

18.0 Private meetings with pupils

- 18.1 Employees and volunteers should be aware that private meetings with individual pupils might give rise to concern. There will be occasions when a confidential interview or a one to one meeting is necessary. However, where possible, such interviews should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people, and another pupil or adult should be present or nearby. Where such conditions cannot apply, employees should ensure that another adult knows that the interview is taking place.
- 18.2 Meetings with pupils away from Trust premises should only be arranged with the specific approval of a member of SLT.

19.0 Physical contact with pupils

- 19.1 A pupil, parent or observer may misconstrue physical contact. Touching pupils, including well-intentioned informal and formal gestures such as putting a hand on the shoulder or arm, can, if repeated regularly, lead to serious questions being raised. As a general principle employees must not make gratuitous physical contact with their pupils.
- 19.2 Government guidance on the Reasonable Use of Force explains that all employees have the authority to use force to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. Where an employee has taken action to physically restrain or control a pupil he/she should follow the correct process as detailed in Team Teach training.
- 19.3 Any form of physical punishment of pupils is unlawful, as is any form of physical response to misbehaviour. It is particularly important that employees understand this both to protect their own position and the overall reputation of the Trust.

20.0 Where physical contact may be acceptable

- 20.1 There may be occasions where a distressed pupil needs comfort and reassurance, which may include physical comforting such as a caring parent, would give. Employees should use their discretion in such cases to ensure that, what is seen to be by others present, looks normal and natural and does not become unnecessary and unjustified contact, particularly with the same pupil over a period of time.
- 20.2 Some employees are likely to come into physical contact with pupils from time to time in the course of their duties. Examples include: showing a pupil how to use a piece of apparatus or equipment; demonstrating a move or exercise during games or PE. Employees should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted. Please refer to the school's **SafeTouch policy** for further guidance.

21.0 Caring for pupils with particular needs

- 21.1 Employees who have to administer first aid should ensure wherever possible that other children or another adult are present if they are in any doubt as to whether necessary physical contact could be misconstrued.
- 21.2 Wherever possible employees who have to help children with toileting difficulties should be accompanied by another adult, and pupils should, wherever possible, be encouraged to change themselves. It is accepted that there will be some situations where pupils will present particular problems for employees and the emphasis will be on what is reasonable in all the circumstances.

22.0 Relationships and attitudes

- 22.1 All employees should clearly understand the need to maintain appropriate boundaries in their dealings with pupils. Intimate or sexual relationships between employees and pupils will be regarded as a serious breach of trust, and any sexual activity between a member of employees and a pupil at the Trust is a criminal offence.
- 22.2 All employees should ensure that their relationships with pupils are appropriate to the age and gender of the pupils, and care should be taken that their language or conduct does not give rise to comment or speculation. Attitudes, demeanours and language all require care and thought, particularly when members of employees of either sex are dealing with pre-adolescent boys and girls.
- 22.3 From time to time employees may encounter pupils who display attention-seeking behaviour, or profess to be attracted to them. Employees should aim to deal with those situations sensitively and appropriately, but must ensure that their behaviour cannot be misinterpreted.

In these circumstances, the employee should also ensure that the SLT are aware of the situation.

- 22.4 Employees should act respectfully towards pupils at all times. They should speak in a calm and objective way, model good manners and take seriously what pupils tell them. They should try to settle conflicts in a fair and objective manner, dealing with current behaviour only, and not consider or refer to past behaviour, unless directly relevant.

23.0 Where conversations of a sensitive nature may be appropriate

- 23.1 Many employees have a pastoral responsibility for pupils and in order to fulfil that role effectively there will be occasions where conversations will cover particularly sensitive matters. Employees must, in these circumstances, use their discretion to ensure that, for example, any probing for details cannot be construed as unjustified intrusion.
- 23.2 Other employees in the Trust may, from time to time, be approached by pupils for advice. Pupils may also appear distressed and employees may feel the need to ask if all is well. In such cases employees must judge whether it is appropriate for them to offer counselling and advice or whether to refer the pupil to another employee with acknowledged pastoral responsibility for the particular pupil.

24.0 Inappropriate comments and discussions with pupils.

- 24.1 As with physical contact, comments by employees to pupils, either individually or in groups, can be misconstrued. As a general principle therefore employees must not make unnecessary comments to and/or about pupils which could be construed to have a sexual connotation. It is also unacceptable for employees to introduce or to encourage debate amongst pupils in class, or elsewhere, which could be construed as having a sexual connotation that is unnecessary given the context of the lesson, or the circumstance.
- 24.2 Systematic use of insensitive, disparaging or sarcastic comments are also unacceptable.

25.0 Extra-curricular activities.

- 25.1 Employees should be particularly careful when supervising pupils in extra-curricular activities, or a residential setting e.g. outdoor education camp or extended visit away from home. Typically, a less formal approach than usual may be appropriate in these settings, but must not be such that it can be open to misinterpretation. In any event, the standard of behaviour expected of employees will be no different from the behaviour expected within the school setting.
- 25.2 Employees should take care in receiving or giving gifts to pupils, which could be misunderstood. Inappropriate gifts from pupils should be reported to the Headteacher or in the case of the Headteacher to the Chief Executive.

26.0 Data Impact Assessment.

- 26.1 At all stages of this procedure data obtained will be used only for the purpose for which it is intended and will be stored securely with restricted access to those involved in the process. Following the process data will be stored on the electronic personal file for the duration of the employees' employment with the Trust and for 6 years thereafter. The data will be destroyed at this time using a confidential shredding service.

27.0 Equality and Diversity.

27.1 This policy has been impacted assessed by the HR Committee, if on reading this policy you feel there are any equality and diversity issues, please contact HR who will if necessary ensure the policy is reviewed.

I have read, understood and confirm that I will adhere to the Code of Conduct Policy during my Employment with St Marys Academy Trust:-

Name:.....

Position:.....

School:.....

Date:.....

(A signed copy will be retained on your secure electronic personal file in accordance with the Trust's Retention Schedule)