



Staff Code of Conduct at Crabbs Cross Academy

January 2021



This document has been updated to reflect practice impacted by the pandemic. These changes are in italics for clarity.

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Signed by: Sarah Shakles
Headteacher



‘The safeguarding culture of a school is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by the adult that demonstrates integrity, maturity and good judgement.’

UNDERPINNING PRINCIPLES

- The welfare of the child is paramount.
- Staff should understand their responsibilities to safeguard and promote the welfare of pupils.
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work, and be seen to work, in an open and transparent way.
- Staff should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded.
- Staff should discuss and/or take advice promptly from their line manager if they have acted in a way which may give rise to concern.
- Staff should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation.
- Staff should not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect their ability to care for children.
- Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the Teaching Regulation Agency (TRA).
- Staff and managers should continually monitor and review practice to ensure this guidance is followed.
- Staff should be aware of and understand their establishment’s child protection policy, arrangements for managing allegations against staff, staff code of conduct, whistle blowing, online safety and the procedures followed by Worcestershire Children First services.
- Staff are accountable for the way in which they: exercise authority; manage risk; use resources and safeguard children.
- All staff have a responsibility to keep pupils safe and to protect them from abuse (sexual, physical and emotional), neglect and safeguarding concerns. Pupils have a right to be safe and to be treated with respect and dignity.

Taken from: ‘Guidance for safer working practice for those working with children and young people in education settings.’ May 2019 and April Addendum 2020.

SECTION 1

INTRODUCTION

This guidance should provide important information relating to being employed at Crabbs Cross Academy; however please contact the Headteacher if you have any questions about your terms and conditions of employment.

As you work in an Academy, your employer is the Governing Body. The Headteacher has responsibility for the day-to-day management of the academy including staffing issues in conjunction and with the advice of the Executive Headteacher. If there are any issues which then needs to refer to the Governing Body during the course of your employment, you will be advised accordingly.

This document is to be read in conjunction with the Staff Handbook and other policies and procedures in existence, which can be found in our shared documents in Onedrive.

EQUALITY AND DIVERSITY

This Academy is committed to preventing and eliminating all forms of unjustifiable and unlawful discrimination, both as an employer and a provider of education, pursuing equality of opportunity for all. We undertake to ensure that everyone has fair access to employment with us and will take all possible steps to help our staff implement this commitment.

Every employee has a right to be treated with respect and dignity and if at any time you feel that you have been treated unfairly or harassed you should speak to your Line Manager or Headteacher.

Serious offences such as harassment will be treated as misconduct or gross misconduct.

SECTION 2 – WORKING AT CRABBS CROSS ACADEMY

SAFEGUARDING and DISCLOSURE AND BARRING SERVICE

Safeguarding

We are committed to safeguarding and promoting the welfare of children and young people and all staff are expected to share this commitment. You must familiarise yourself with all Academy procedures relating to safeguarding and child protection. Please speak to Sarah Shakles, Lynn Briers or Kim Power for further information. Staff are advised to familiarise themselves with the following documents:

- Keeping Children Safe in Education – September 2020
- ‘Guidance for Safer Working Practice for those working with children and young people in education settings’ (May 2019 and Addendum April 2020)
- Working Together to Safeguard Children July 2018

Schools play an important part in the prevention of abuse and neglect, through their own policies and procedures for safeguarding children, creating and maintaining a safe environment, and through the curriculum. They promote resilience in children by helping them to stay safe from harm and encouraging them to talk to someone if they have worries or concerns. Staff members play a crucial role in this process in noticing indications of abuse or neglect and in reporting concerns to Children's Services Social Care. But in rare circumstances staff in schools have been found to be responsible for child abuse. Given their daily contact with children in a variety of situations, staff are also vulnerable to accusations of abuse, leading to allegations from children, parents or other staff members. As part of your induction you will be given the leaflet ‘Safer Working Practice’ and Part 1 of ‘Keeping Children Safe in Education’ (September 2020) to read. You are also directed to read ‘Dealing with allegations of abuse against teachers and other staff,’ which refers to such allegations and how to both keep yourself safe and how any allegations should be dealt with and the following policies:

- Safeguarding Policy
- Whistle Blowing Policy
- Online safety policy and Acceptable Use

These documents are found in our shared documents in Onedrive.

Disclosure and Barring Check

All staff in Academies must have obtained a full Disclosure and Barring Check before taking up their post. Any convictions, cautions or other information on the disclosure will have been fully risk assessed and employees with convictions or cautions will only be permitted to take up post with the express authority of the Headteacher.

You must immediately inform the Headteacher if, during the course of your employment, you are subject to any allegations of a criminal nature, any criminal proceedings or convictions or cautions in order that this risk assessment can be undertaken. Not all convictions will automatically exclude you from continuing in your role, however, failure to notify the Head of any such occurrences may be viewed as a serious breach of conduct and be subject to disciplinary action, including dismissal.

'All staff have a responsibility to keep pupils safe and to protect them from abuse (sexual, physical and emotional), neglect and safeguarding concerns. Pupils have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure their safety and well-being. Failure to do so may be regarded as professional misconduct.

The safeguarding culture of a school is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by the adult that demonstrates integrity, maturity and good judgement.

The public, local authorities, employers and parents/carers will have expectations about the nature of professional involvement in the lives of children. When individuals accept a role working in an education setting they should understand and acknowledge the responsibilities and trust involved in that role.'

From Covid 19 Addendum

Schools have a responsibility to update or amend their practice and policies in the light of DfE guidance on safeguarding children during the COVID pandemic. They should ensure that where normal arrangements have been changed robust systems are in place to ensure that staff:

- *ensure they model safe practice at all times when engaging with pupils/parents online*
- *understand how to raise a concern and contact designated staff or partner agencies if they have a concern about a child, particularly if the normal arrangements have been amended*
- *in the current situation, some settings may ask staff to undertake welfare visits, particularly in the EYFS or to primary age children. Settings should take into account the advice of their local authority early years' service and/or MAP when deciding whether these home visits are proportionate and necessary.*

This means that staff should:

- *agree the purpose for any home visit with their manager*
- *have a clear understanding of the actions that should be taken if it is believed that a child or parent is at immediate risk of harm, including when to contact emergency services and/or partner agencies*
- *observe social distancing at all times*
- *except in an emergency, never enter a home without the parent or carer's consent or when the parent is absent*

- *have a clear understanding of the actions that should be taken if it is believed that a child or parent is at immediate risk of harm, including when to contact emergency services and/or partner agencies*
- *adhere to agreed risk management strategies*
- *avoid unannounced visits wherever possible*
- *will normally undertake home visits with a colleague*
- *staff undertaking welfare visits should always try to give parents/carers advance warning unless there is good reason not to; e.g. because the visit has been prompted by safeguarding concerns and/or is at the request of children's social care. In these cases, one of the staff undertaking the visit should be a Designated Safeguarding Lead or deputy safeguarding person. The purpose of the visit should be clarified and staff should be aware of the circumstances in which emergency services or partner agencies should be contacted.*
- *if there is no member of staff available who has completed 'first aid at work' training, identify a senior person to be responsible each day.*
- *review and update first aid, medicines in school and crisis/emergency policies and relevant risk assessments.*

'Guidance for safer working practice for those working with children and young people in education settings.' May 2019 and April Addendum 2020.

SECTION 3 - CODE OF CONDUCT

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1.0 Introduction

This Code describes the standards of conduct and behaviour expected from our staff and any staff seconded or engaged from other organisations to undertake work in this Academy. It also highlights some types of behaviour or conduct which might be considered incompatible with being an employee here. It is intended to help you by describing the standards expected of you and has been approved by the Governors. Please take time to read it and ensure your conduct meets these requirements. If you are at all uncertain about what is expected please seek further clarification from your Line Manager or the Headteacher so that you do not unwittingly contravene this Code or otherwise act against the Academy's interests.

Contravening or failing to act within the spirit of the Code, or behaving in a manner which could bring the good name of the Academy into disrepute, whether or not within the workplace or working time, might be seen as a breach of discipline and could lead to action being taken against you under the appropriate procedure.

While workers who are not employees of this Academy are expected to comply with the spirit of the Code, any action that may be taken in response to a breach will depend on the precise nature of their working relationship with this Academy.

This code relates to all staff working for Crabbs Cross Academy. Teachers must be aware that there are also published *Teachers' Standards* (DfE 2011) and are advised to familiarise themselves with the requirements of these.

As a result of their knowledge, position and/or the authority invested in their role, all those working with children in a school or education setting are in a position of trust in relation to all pupils on roll. The relationship between a person working with a child/ren is one in which the adult has a position of power or influence. It is vital for adults to understand this power; that the relationship cannot be one between equals and the responsibility they must exercise as a consequence. Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incident.

2.0 Guiding principles

As an employee of this school, you should put the well-being, development and progress of children and young people first. You should recognise that you are in a position of trust where you may influence children and young people through your slightest actions, comments or behaviour. You should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incidents.

To the public you are a representative of the Academy. You are expected to maintain the highest standards of professional competence, knowledge, integrity, confidentiality, financial propriety and personal conduct. Contact with all members of the community, including parents and outside visitors, should be courteous, efficient and impartial to all groups and individuals. You must also familiarise yourself with, and adhere to other policies in place for the school or in your particular role and you should comply with all reasonable requirements or instructions from the Headteacher.

It is not appropriate for you when working within your role as an employee to oppose the stated aims and policies of the Academy or to undermine the performance of its duties and responsibilities. It is important for all employees to present a unified image to the public.

You should ensure that your relationships with your fellow employees and with pupils are always conducted in a professional and courteous manner; you should not censure other colleagues or criticise their work in the hearing of a pupil or parent/carer.

It is not acceptable for you to publicly criticise or blame management, colleagues or the Academy through any medium including internet 'blogs,' websites or social networking tools such as Facebook or Twitter and you must be aware that the laws governing defamation, breach of copyright, etc. apply equally to 'blogging' as to other forms of communications. Offensive, defamatory, discriminatory or otherwise inappropriate comments will not be tolerated and may constitute a disciplinary and/or criminal offence, as could the disclosure/publication of any

confidential or personal information about the Academy, its staff, pupils or other members of the community.

Any disagreement involving the interpretation or application of the Code as it applies to you should be discussed with the Headteacher or your Line Manager in the first instance. However, if you feel the Code is being applied unreasonably you may be able to seek redress through the Grievance Procedure.

3.0 Personal interests

(see also Notes 1 and 2 below)

The interests of the Academy or the way you do your job must not be influenced by personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that you are using your position with or knowledge of the Academy for personal gain or that you could be influenced by improper motives. If you belong to outside organisations, including voluntary organisations, there must be no conflict with your job or other Academy interests. You should advise the Headteacher in writing about anything which could give this impression.

For staff who have responsibility for placing orders and Academy expenditure, please see more detailed in '**Specific standards for staff with responsibility for expenditure.**'

4.0 Private work

Academy premises, equipment, working time or other resources must not be used to undertake private work.

The Academy needs to be aware if its employees undertake private work or voluntary activities in their own time to ensure that there is no conflict of interests with the Academy and to meet its obligations under Health and Safety legislation. Therefore, to protect yourself and the Academy from potential criticism you should not put yourself in a position where there is an actual or perceived conflict of interest. You should be aware that outside work or activity, whether or not you receive payment, could reduce your ability to safely and effectively carry out your employment with the Academy, e.g. through tiredness, and would be considered unacceptable.

You must advise your line manager before engaging in any other work especially if it could reasonably be seen to conflict with your employment with the Academy or lead to misunderstanding or criticism.

You must not undertake private work for any individual, organisation, department or establishment which otherwise would be undertaken as part of your normal duties. Any charge raised as a result of undertaking work within another school or other establishment should be paid to the Academy.

You must not undertake private work when on sick leave without the express knowledge and prior written approval of the Headteacher and subject to appropriate medical advice.

You must not undertake private work for any school or establishment during a period of paid leave or suspension.

5.0 Expressing concern about irregularities and tackling malpractice

Sharing concerns and recording incidents

All staff should be aware of their establishment's safeguarding procedures, including the procedures for dealing with allegations against staff and volunteers. In the event of an allegation being made, by any person, or incident being witnessed, the relevant information should be immediately recorded and reported to the Headteacher, senior manager or Designated Safeguarding Lead as appropriate. Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with or behaviour towards pupils, so that appropriate support can be provided and/or action can be taken. In order to safeguard and protect pupils and colleagues, where staff have any concerns about someone who works with children they should immediately report this to the Headteacher, or senior manager in line with the setting's procedures. If you feel there is

something seriously wrong at work please tell an appropriate person as a 'voice of concern.' It might be, for example, the conduct of another employee, the way a contractor is behaving, a work practice, something that is endangering the safety of pupils or staff. You might be the first to notice it and your intervention could stop things getting worse.

No matter how reticent you may feel, you should raise any serious concern - e.g. a suspicion of fraud or corruption or reasonable belief that a child or adult's health, safety or well-being are in danger, with the Headteacher so that potentially serious problems or malpractice can be addressed without undue delay. If this is not appropriate, then you should contact either the Chair of Governors or the Executive Headteacher. If you feel you cannot talk to them, contact the Human Resources Department the school uses for support. If you do raise a genuine concern in good faith all reasonable steps will be taken to respect your confidence and protect you from possible reprisals (*see Confidential Reporting (Whistleblowing) Policy*).

The Academy takes this issue very seriously and will investigate and address any problems genuinely raised. However, any frivolous, malicious or mischievous use of the Confidential Reporting Policy will be treated as a serious disciplinary matter.

In the current pandemic settings should:

- *have a whistleblowing policy in place which is known to all and which has been reviewed/amended in the light of the current pandemic for staff to be aware of the routes for raising concerns during school closure or part closure, including how to escalate their concern if the normal routes for whistleblowing are impeded by the absence/illness of senior managers.*

6.0 One to one situations

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

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

During the pandemic and school closures, the DfE suggests that if there is only one vulnerable child or child of a critical worker, the school should consider closing, and liaise with the local authority to identify alternative provision; e.g., at a hub school. If the school must remain open with only one or two children, there should be more than one member of staff to meet fire safety, first aid, supervision and other emergency procedures.

School leaders should:

- *keep pupil numbers under constant review*
- *ensure that risk assessments and emergency procedures are reviewed in the event of lone working/very small numbers on site*
- *liaise with the LA on suitable alternative provision if the school needs to close due to very low pupil numbers*

Staff should:

- *work one to one with a child only where absolutely necessary and with the knowledge and consent of senior leaders and parents/carers*
- *be aware of relevant risk assessments, policies and procedures*

7.0 Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, however, it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs and any agreed care plan.

A general culture of 'safe touch' should be adopted, where appropriate, to the individual requirements of each child. Pupils with special educational needs or disabilities may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, consistently applied and open to scrutiny.

Extra caution may be required where it is known that a child has suffered previous abuse or neglect. Staff need to be aware that the child may associate physical contact with such experiences. They also should recognise that these pupils may seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively and help them to understand the importance of personal boundaries.

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.

8.0 Intimate/Personal Care

- Staff should follow the school's Intimate Care Policy at all times
- Pupil care plans should be strictly adhered to
- Intimate and personal care should not be carried out by an adult that the child does not know
- 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 always 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.
- 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.

9.0 Sexual conduct

Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a pupil under 18 years of age. There are occasions when adults embark on a course of behaviour known as 'grooming' where the purpose is to gain the trust of a child, and manipulate the relationship so sexual abuse can take place. All staff should undertake appropriate training so they are fully aware of those behaviours that may constitute 'grooming' and of their responsibility to always report to a senior manager any concerns about the behaviour of a colleague which could indicate that a pupil is being groomed.

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.

Where pupils display difficult or challenging behaviour, adults should follow the school's or setting's behaviour and discipline 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.

Senior managers should ensure that the establishment's 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.

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.

Great care must be exercised in order that adults do not physically intervene in a manner which could be considered unlawful.

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, staff should 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. Please see Positive Physical Intervention Policy for further guidance.

11. Transporting Pupils

It is not agreed practice for staff to transport pupils as part of their work at Crabbs Cross Academy.

12. Educational Visits

Staff responsible for organising educational visits should be familiar with the Department for Education's advice on Health and Safety available at:

<https://www.gov.uk/government/publications/health-and-safety-on-educational-visits>

For regular activities, such as taking pupils to a local swimming pool, the risks should be considered under the school's general arrangements and a check to make sure that the precautions remain suitable may be all that is required. Risk assessments should include any necessary medical information for pupils and staff. For annual or infrequent activities, a review of an existing assessment may be all that is needed. For new higher-risk activities or trips, a specific assessment of the significant risks should be carried out.

Staff should take particular care when supervising pupils in the less formal atmosphere of an educational visit where a more relaxed discipline or informal dress and language code may be acceptable. However, staff 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.

Where out of school or setting activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Pupils, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings should pay careful attention to ensuring there is a safe staff/child ratio and suitable gender mix of staff.

13. First Aid and medication

All settings should have an adequate number of qualified first-aiders. Parents should be informed when first aid has been administered. Staff should receive sufficient and suitable training and achieve the necessary level of competency before they take on responsibility to support children with medical conditions. In circumstances where a pupil needs medication regularly, this would usually be recorded in their individual healthcare plan. This provides details of the level and type of support a child needs to manage effectively their medical condition in school and should include information about the medicine to be administered, the correct dosage and any storage requirements. After discussion with parents, children who are competent should be encouraged to take responsibility for managing their own medicines and procedures.

This could include for example, the application of any ointment or sun cream, or use of inhalers. If a member of staff is concerned or uncertain about the amount or type of medication being given to a pupil this should be discussed with the Designated Safeguarding Lead. Adults taking medication which may affect their ability to care for children should seek medical advice regarding their suitability to do so and providers should ensure that they only work directly with children if that advice confirms that the medication is unlikely to impair their ability to look after children. Risk assessment should recommend that staff medication on the premises must be securely stored and out of reach of children at all times. There should be secure storage of pupils' medicines at all times.

14. Copyright

You should be aware that 'intellectual property' such as software, ideas, documents, etc. created during your employment belongs to the Academy. All files, materials, the media upon which they are located and all software programs or packages which are utilised or developed solely for or in connection with your job remain the property of the Academy.

15. Confidentiality

You may sometimes acquire information at work which has not been made public or is confidential. Examples include information about a pupil or family, a colleague, information on tenders or costs, the proceedings of confidential meetings. There are some circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have a responsibility to pass information on without delay, but only to those with designated safeguarding responsibilities or to statutory services.

You must ensure that sensitive and/or confidential information is properly secured and safeguarded at all times especially if being transported in paper or electronic formats. Particular care must be taken with information stored on portable electronic media such as laptops which are often targeted for theft due to their high intrinsic value. Do not leave any such items unattended in your car.

Staff must always use secure emails when sending information which contains personal information such as pupils' data.

Confidential Information which comes into your possession in any form must not be used for personal benefit or divulged to other parties except in the proper course of duty, for example to other professionals working with the same child. If you have any doubt whether or not disclosure is appropriate, you must check with the Headteacher or Line Manager before releasing confidential information. Any media or legal enquiries should be passed to the Headteacher.

Some information can be extremely valuable in business and commerce and its publication loss or misuse could seriously disadvantage the Academy and its employees. Therefore, it is important that you do not, deliberately or inadvertently, pass on information, including software, during or after your employment with the Academy, to anyone who has no right to receive it. You must not discuss, disclose, publicise or use such information for your own or anyone else's personal interest or advantage.

You must decline any approaches or offers made asking for information which could be detrimental to, or help others to gain a contract, grant or any other advantage from the Academy and/or its employees, e.g. a potential contractor could offer a financial reward for information leading to the award of a major contract. Approaches or offers of this kind must be declared to the Headteacher without delay.

You must not criticise the Academy, its policies or staff in open media such as internet 'blogs,' websites, social networking sites, etc. where it may be seen by parents, children or others in the community.

16. Contact with the media

Unless you are properly authorised to speak with, write or give interviews to the media you should refer any enquiries from the media on work related matters to the Headteacher.

17. Information Technology and Data Protection

Everyone using computing equipment has a duty of care to use it according to prescribed arrangements, e.g. to avoid introducing computer viruses, to comply with the General Data Protection Regulation (GDPR), and to safeguard and ensure the security of information.

You must familiarise yourself with the Academy's computing policies, including use of the Internet. In particular, all use of the Internet and email facilities must be authorised, legal, appropriate and in accordance with the provisions of the Academy's policies. Personal use of any facilities – including laptops – must be authorised and only undertaken at times deemed appropriate by the Headteacher.

Users shall not use the Internet or email for the following:

- to knowingly break the law
- to fail to comply with existing Academy policy
- to compromise the integrity of any network system
- to access, display or transmit any kind of sexually explicit material or any offensive or discriminatory material of any kind
- to make unauthorised contact with outside bodies
- to download software or play games
- to bet or gamble
- to disclose private or confidential information.

Failure to comply with the policies in force or any unauthorised use of such facilities will be dealt with in accordance with relevant disciplinary procedure. Employees should also take account of policies on cyber bullying. Employees should also be aware when they are using personal computing equipment for undertaking school related business that the same rules apply. Please refer to the Online Safety policy for a copy of the full policy on appropriate use of technology.

Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report any such incident to a senior manager. This is as relevant in the online world as it is in the classroom; staff engaging with pupils and/or parents online have a responsibility to model safe practice at all times.

Wherever possible, staff should use school devices and contact pupils only via the pupil school email address/log in.

The following points should be considered when conducting online learning:

- *think about the background; photos, artwork, identifying features, mirrors – ideally the backing should be blurred*

- *staff and pupils should be in living/communal areas – no bedrooms*
- *staff and pupils should be fully dressed*
- *filters at a child's home may be set at a threshold which is different to the school*
- *resources/videos must be age appropriate – the child may not have support immediately to hand at home if they feel distressed or anxious about content*

It is the responsibility of the staff member to act as a moderator; raise any issues of suitability (of dress, setting, behaviour) with the child and/or parent immediately and end the online interaction if necessary. Recording lessons does not prevent abuse. If staff wish to record the lesson they are teaching, consideration should be given to data protection issues; e.g., whether parental/pupil consent is needed and retention/storage. If a staff member believes that a child or parent is recording the interaction, the lesson should be brought to an end or that child should be logged out immediately.

If staff need to contact a pupil or parent by phone and do not have access to a work phone, they should discuss this with a senior member of staff and, if there is no alternative, always use 'caller withheld' to ensure the pupil/parent is not able to identify the staff member's personal contact details.

This means that staff should:

- *adhere to their establishment's policy*
- *be fully dressed*
- *ensure that a senior member of staff is aware that the online lesson/meeting is taking place and for what purpose*
- *avoid one to one situations – request that a parent is present in the room for the duration, or ask a colleague or member of SLT to join the session*
- *only record a lesson or online meeting with a pupil where this has been agreed with the headteacher or other senior staff, and the pupil and their parent/carer have given explicit written consent to do so*
- *be able to justify images of pupils in their possession*

This means that adults should not:

- *contact pupils outside the operating times defined by senior leaders*
- *take or record images of pupils for their personal use*
- *record virtual lessons or meetings using personal equipment (unless agreed and risk assessed by senior staff)*
- *engage online while children are in a state of undress or semi-undress*

18. Photography, videos and other images/media

Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity. Under no circumstances should staff be expected or allowed to use their personal equipment to take images of pupils at or on behalf of the school or setting.

All settings should have arrangements with regard to the taking and use of images, which is linked to their safeguarding and child protection policy. This should cover the wide range of devices which can be used for taking/recording images e.g. cameras, mobile-phones, smart phones, tablets, web-cams etc. and arrangements for the use of these by both staff, parents and visitors.

Whilst images are regularly used for very positive purposes, adults need to be aware of the potential for these to be taken and/or misused or manipulated for pornographic or 'grooming' purposes. Particular regard needs to be given when images are taken of young or vulnerable children who may be unable to question why or how the activities are taking place.

Pupils who have been previously abused in a manner that involved images may feel particularly threatened by the use of photography, filming etc. Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation.

Making and using images of pupils will require the age appropriate consent of the individual concerned and their parents/carers. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the setting have access.

For the protection of children, it is recommended that when using images for publicity purposes that the following guidance should be followed:

- if the image is used, avoid naming the child, (or, as a minimum, use first names rather than surnames)
- if the child is named, avoid using their image
- schools and settings should establish whether the image will be retained for further use, where and for how long
- images should be securely stored and used only by those authorised to do so.

19. Exposure to inappropriate images

Staff should take extreme care to ensure that children and young people are not exposed, through any medium, to inappropriate or indecent images.

There are no circumstances that will justify adults: making, downloading, possessing or distributing indecent images or pseudo-images of children (child abuse images). Accessing these images, whether using the setting's or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal. If indecent images of children are discovered at the establishment or on the school or setting's equipment an immediate referral should be made to the Designated Officer (DO) and the police contacted if relevant. The images/equipment should be secured and there should be no attempt to view or delete the images as this could jeopardise necessary criminal action. If the images are of children known to the school, a referral should also be made to children's social care in line with local arrangements. Under no circumstances should any adult use school or setting equipment to access pornography. Personal equipment containing pornography or links to it should never be brought into the workplace.

20. Gifts, inducements, hospitality and sponsorship

(see also Notes 1 and 2 below)

You must not accept any commission, discount, allowance, direct or indirect profit, inducement, payment, perk or benefit in connection with any professional work undertaken, other than any fee recoverable on behalf of the Academy.

Minor gifts and hospitality are sometimes part of the normal courtesies of life: the parent of a pupil may offer a modest gift, especially at Christmas or as a token of appreciation, and in an office situation simple items such as diaries and calendars are often distributed as advertising matter. As a guideline, any gift or hospitality with a value of £25.00 or more is highly unlikely to be viewed as a 'token.' With the exception of these 'tokens' and any special schemes (e.g. travel or discount schemes) arranged by the Academy, all gifts, vouchers, fees, special discounts, rewards or preferential treatment must be refused. In situations where refusal is difficult or might offend you must inform the Headteacher or your Line Manager who will decide on the appropriate action.

Offers of hospitality, even if of a seemingly minor nature, must be treated with particular caution as they can leave both individuals and the Academy open to all manner of allegations of impropriety. The timing of offers of hospitality, e.g. in relation to purchasing, the award of contracts, granting of applications or other decisions, should be considered equally to the generosity of the hospitality offered. Accepting hospitality must be justified in the public interest, e.g. when there is a genuine need to represent the Academy. You must inform the Headteacher or Line Manager of an invitation or offer of hospitality before it is accepted.

Where an outside organisation wishes to sponsor any activity or make a donation to the Academy, the basic principles relating to personal interests and the acceptance of gifts or hospitality apply.

It is inadvisable to give such personal gifts to pupils or their families. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be in accordance with agreed practice, consistent with the school or setting's behaviour policy, recorded and not based on favouritism.

Adults should exercise care when selecting children for specific activities, jobs or privileges in order to avoid perceptions of favouritism or injustice. Similar care should be exercised when pupils are excluded from an activity. Methods of selection and exclusion should always be subject to clear, fair, agreed criteria.

21 Use of Academy resources and equipment

Facilities, equipment, vehicles, materials and other resources provided by the Academy for use in your work must not be used for any other purpose without permission or appropriate payment, e.g. photocopying, private telephone calls. Mobile telephones are provided exclusively for business use and must not be used to make private calls. In this context a call 'home' to advise that you have been unavoidably delayed because of work would not be considered a private call.

22 Overseas travel on official business

Any proposal to travel overseas on official business must be approved by the Executive Headteacher before the travel takes place.

23 Equality issues

All members of the community, including pupils, families and other employees have a right to be treated fairly and with dignity. You must make yourself aware of and comply with the Academy's Equality and Diversity policies and procedures.

24 Standards of appearance

The Academy does have particular dress standards (*see Staff Handbook*) besides these, at all times staff are expected to present a reasonable and professional appearance and dress appropriately to the circumstances within their working environment, bearing in mind that you are working with children and young people. Where uniform or protective clothing is issued it must be worn as required when at work or representing the Academy. When wearing uniform or other items which identify you as an employee of the Academy you must maintain appropriate standards of conduct whether or not on duty, e.g. when travelling to and from work.

Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake; this also applies to online or virtual teaching or when working with small groups on site (in the case of schools who remain open to vulnerable children or those of critical workers during partial closures). Those who dress or appear in a manner which could be viewed as offensive or inappropriate will render themselves vulnerable to criticism or allegation. Dress and appearance should be the same in online engagement to the clothing worn on a normal school day.

25 Relatives and close personal relationships within the workplace

In order to avoid any possible accusation of bias you should endeavour to not be directly involved in the appointment, promotion, discipline or other employment decision relating to another employee to whom you are related or with whom you have a close personal relationship. If a situation arises in which you feel you may be in such a position, please seek the advice of the Headteacher or your Line Manager in the first instance.

If you work in close proximity with other employees or pupils to whom you are related or have a close personal connection, you must maintain a strictly professional relationship at work. You should also be aware that if any relationship leads to disruption in the workplace, unacceptable conduct or performance or situations involving undue favouritism or detriment, action will be taken under the appropriate procedure which could lead to you being redeployed or your contract terminated.

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 Academy into disrepute. 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. This also applies to social contacts made through outside interests or the staff member's own family.

26 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).

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. 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.

This means that staff should:

- *always approve any planned social contact with pupils or parents with senior colleagues, for example when it is part of a reward scheme*
- *advise senior management of any regular social contact they have with a pupil which could give rise to concern*
- *refrain from sending personal communication to pupils or parents unless agreed with senior managers*
- *inform senior management of any relationship with a parent where this extends beyond the usual parent/professional relationship*
- *inform senior management of any requests or arrangements where parents wish to use their services outside of the workplace e.g. babysitting, tutoring*

27 Smoke free environment

All Academy buildings, workplaces and vehicles are smoke free areas. Since July 2007, it has been against the law to smoke in workplaces; failure to comply is now a criminal offence.

28 Drugs and alcohol

Employees must not take drugs, alcohol or any other substance before work, during a break or at lunch time that is capable of causing their behaviour, judgement or performance at work to be affected. This is particularly important for employees who drive, operate machinery, have responsibility for children or vulnerable adults and who come into contact with members of the public and/or visitors. (N.B. It is equally inappropriate for those working in close proximity to children and vulnerable adults to have alcohol on their breath even though this may not amount to drunkenness).

29 Health and Safety

Unsafe working can endanger you, your colleagues and members of the public. You must familiarise yourself with the Health and Safety Policy and guidelines for your particular work. You must follow the rules, codes and safe practices they describe including reporting any accidents, incidents or near misses you have at work. For further information, see your Line Manager or Headteacher.

30 Criminal charges, cautions and convictions

You must advise your Line Manager immediately if you are charged with or cautioned or convicted of any criminal offence whilst you are an employee of the Academy. While such proceedings will not necessarily affect your employment, the Headteacher needs to be sure there are no implications for the Academy, its reputation, safety of children or in relation to the role you undertake.

31 Specific standards for staff with responsibility for expenditure

Personal interests

The interests of the Academy must not be undermined by personal interests. The way you do your job must not be influenced by personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that you are using your position with or knowledge of the Academy for personal gain or that you could be influenced by improper motives. If you belong to outside organisations, including voluntary organisations, there must be no conflict with your job.

All orders, contracts and grants must be awarded on merit following fair competition. No favour should be shown because of personal interests and no part of the community should be discriminated against.

You must advise your Line Manager in writing about anything which could give the impression that you may be acting for personal gain, financial or otherwise, or in the interests of another person or organisation; or you are involved as an employee in matters which might reasonably be regarded as affecting the well-being or financial position of yourself, your spouse, partner, relative, a close friend or any person with whom you have a close association, e.g. if any of those persons

- hold an office or employment with
- have any connection or influence with
- have any financial interest in

any company or organisation doing or seeking to do business with, or requesting grants or other funding from the Academy.

You should avoid being involved as an employee in matters which might reasonably be regarded as affecting the well-being or financial position of yourself (or the persons, companies or organisations referred to above) so significant that it is likely to prejudice your judgment of the Academy or public interest.

You must advise your Line Manager of any personal dealings of a business or private nature with existing or potential suppliers, consultants or contractors who you know (or could reasonably be expected to know) to have dealings with the Academy.

If you engage or supervise contractors or consultants on behalf of the Academy or have any other official relationship with them you must advise your Line Manager, prior to any contractual relationship beginning or work being undertaken, if you have or intend to have any private or domestic relationship with them or any of their employees.

32 Personal purchases

You should be aware of possible conflicts of interest when you buy goods or use the services of firms which have dealings with the Academy and follow any Academy procedures relating to the disclosure of any such transactions. You should neither seek, because of your position, nor accept, because of an organisation's dealings with the Academy, preferential rates, reductions or any other favourable treatment in the purchase of goods and services. This does not apply to generally available schemes or discount schemes arranged by the Academy for all staff.

33 Procurement of goods and services and disposal of property

(see also note 2 below)

Procurement procedures must be strictly adhered to and you must not accept any inducement or preferential treatment if you are responsible for procuring goods or services for the Academy or disposing of surplus property.

Note 1:

Personal interests as set out above (e.g. in contracts/procurement), other potential conflicts of interest and any offer of gifts and/or hospitality as set out above, other than of a minor 'token' nature, are to be notified in writing to your Headteacher.

Note 2:

Under the Bribery Act 2010 it is a criminal offence if a person fails to prevent bribery, bribes another person with the intention of obtaining or retaining a business or a business advantage, or receives a bribe, whether or not unwittingly.

34 Conduct and Performance

Unacceptable behaviour and/or failure to maintain satisfactory standards of conduct or performance will lead to action being taken against you under the appropriate procedure. This includes specifically the failure to behave at all times in accordance with the Academy's stated values.

You must ensure you understand the requirements of this Code of Conduct and any terms and conditions, rules, standards and requirements that apply to you and your job (*see also note 2 below*). Any of the examples of unacceptable behaviour listed below may be considered as misconduct or gross misconduct depending on the relevance to your role, your seniority, the seriousness of the act and particular circumstances. Those underlined normally will be considered as gross misconduct. The list is not exhaustive and other unacceptable behaviour not specifically listed nevertheless may be considered as misconduct or gross misconduct:

- a) any form of unjustifiable discrimination, harassment, threatening or bullying behaviour, e.g. on the grounds of race, sex/gender, sexual orientation, marital status, disability, age, religion or belief; whether or not the subject of current legislation;
- b) any physical, emotional or sexual abuse of a child or other vulnerable person
- c) possession, displaying, viewing or downloading of offensive materials, accessing 'unacceptable' websites, e.g. websites of a sexual nature, gambling, betting or gaming, in the workplace or via any portable device, e.g. laptop, mass storage, which is the property of the Academy and has been provided in connection with the postholder's work;
- d) undertaking private activities during working hours;
- e) unpunctuality, misuse of time and time recording, unauthorised absence from work;
- f) refusing to comply with reasonable orders and instructions;
- g) deliberately causing damage to Academy property;
- h) harming or endangering other persons or property, e.g. by contravening safety rules;
- i) neglect of duty/lack of due care or diligence, disruptive behaviour, poor attitude;
- j) fighting, threatening or actual violence towards, physical assault or abuse of another person whilst at work (NOTE: this does not include reasonable physical restraint necessarily carried out in the course of duty);

- k) theft, unauthorised removal, misappropriation, improper or unauthorised use of Academy or other property, systems (including telephones, computers, email and Internet), vehicles, equipment, name or other resources. This may include loss by failing to properly secure or safeguard;
- l) failure to report criminal convictions, particularly those which may be relevant to the type of work undertaken, e.g. driving convictions where the work necessitates driving on school business, indecent assault where working with children or vulnerable adults;
- m) fraudulent or misleading practices and/or omissions in connection with official duties, e.g. deliberately falsifying Academy documents, reports, etc.;
- n) fraudulent or false claims for payment of salary, expenses and/or allowances, etc. or seeking financial gain by deception;
- o) acts involving bribery or corruption;
- p) any action for which it would be appropriate for the Academy as an employer to take legal proceedings (irrespective of whether such proceedings are taken);
- q) sexual misconduct at work;
- r) wilfully breaching any Academy policy or procedure;
- s) drunkenness, being unable to carry out duties through the influence of any substances including drugs, whether or not prescribed, and alcohol, or for any other avoidable reason. (N.B. It is equally inappropriate for those hosting visitors or working in close proximity to children and vulnerable adults to have alcohol on their breath even though this may not amount to drunkenness);
- t) possession, buying or selling of weapons, illegal substances or materials at work;
- u) any breach of trust or security in respect of information or procedures;
- v) obtaining or attempting to obtain access to any information (including information held or stored by electronic means) to which the employee is not entitled;
- w) any action which may bring the good name of the Academy into disrepute;
- x) as an employee, public opposition to the stated aims and policies of the Academy, criticism or blame of Academy management or colleagues, through any medium including Internet 'blogs,' websites, social networking sites, etc.;
- y) any action unconnected with work which brings in to question your suitability as an employee of the Academy;
- z) failing to report serious misconduct, aiding or inciting another employee to undertake any of the above actions or other act of wrongdoing.

35 Policies linked to this document:

- ✓ Child Protection Policy
- ✓ Staff Handbook
- ✓ Managing Allegations against Adults who work in school
- ✓ Complaints Procedure
- ✓ Behaviour Management
- ✓ Anti-Bullying, including cyber bullying
- ✓ Positive Physical Intervention
- ✓ Special Educational Needs
- ✓ Educational Visits
- ✓ First aid and the administration of medicines
- ✓ Health and Safety
- ✓ Intimate Care
- ✓ Relationships Education
- ✓ Photography and the use of other technology
- ✓ Equality
- ✓ Online safety and Acceptable Internet Use
- ✓ Confidential Reporting (Whistleblowing)
- ✓ Preventing Extremism and Radicalisation
- ✓ Private Fostering
- ✓ Children Absconding from School
- ✓ Lone Worker
- ✓ Safer Recruitment