

# Code of Conduct

## Model Policy for Schools

May 2021

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**EVERY  
CHANCE  
for EVERY  
CHILD**

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## 1. INTRODUCTION

- 1.1 This Code of Conduct is based on key principles arising from the work of the Nolan Committee on standards in public life these are; selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It outlines the minimum standards for all employees in schools (including Headteachers, teaching staff, support staff and casual workers) and for any other persons working with our children and/or on our school premises (for example, agency staff, volunteers, and contracted services).
- 1.2 Individual schools may develop and agree more detailed supplementary codes of practice on topics contained in this Code, with the aim of providing additional guidance and meeting local operational needs, as long as these are not contrary to the minimum standards set out in this document and are appropriately consulted on at a local level.
- 1.3 The school expects all colleagues to comply with this Code, and any supplementary guidance on colleague conduct issued by individual governing bodies.
- 1.4 Colleagues are responsible for their actions. It is the responsibility of colleagues to read the Code. The Headteacher is responsible for making the Code available to colleagues as part of induction and also as an annual reminder during the first inset of the academic year. If any of the provisions contained within this Code of Conduct, related codes of practice or any other policies are not fully understood colleagues must, in their own interests, seek clarification from their Headteacher.
- 1.5 This Code does not contain a comprehensive list of acts of misconduct. There may be other acts of commission or omission committed by colleagues that the School also views as misconduct and/or gross misconduct. Examples of these are often included in the school's Disciplinary Policy and Procedure.
- 1.6 Pupils/students, colleagues, parents/carers, and governors expect the highest standards of behaviour from School colleagues. Colleagues must not put themselves in a position where their honesty or integrity could be called into question.
- 1.7 Failure to observe this Code of Conduct, failure properly to perform their duties, serious misconduct or criminal offences committed during or outside working hours which bring the colleague or the School into disrepute may be dealt with under the disciplinary policy, and the most serious cases may result in dismissal.
- 1.8 Colleagues who are seconded to work in another School, school or organisation are expected to conduct themselves in a manner consistent with this Code of

Conduct and in a way which meets the requirements of the school or organisation to which they have been seconded.

1.9 Any measures applied in the code must be compatible with the conventions contained in the Human Rights Act.

1.10 The Code should be read in conjunction with a variety of other school policies/procedures, for which see 'Additional References' below.

1.11 Additional References

- Child Protection Procedure
- Disciplinary Procedure
- E-Safety, Acceptable Use & Data Protection policy
- Home Visits Policy
- Intimate/Personal Care Policy
- Physical Intervention/Restraint Policy
- Procedure for Managing Allegations against Staff
- Relationships Education, Relationships and Sex Education (RSE) and Health Education Policy
- Teachers' Standards
- Whistleblowing Policy

Copies of the above can be accessed via the school office.

The Teachers' Standards can be downloaded from <https://www.gov.uk/>

## 2. PUBLIC DUTY, PRIVATE INTEREST

### 2.1 General

- A colleague's School duties and private interests must not conflict. Colleagues must declare any private interests relating to their School duties. This may include, but is not limited to, membership of organisations which would be generally considered to conflict with their School duties.
- Colleagues must not behave in a way that could place pupils, their colleagues, or themselves at risk, and must have regard to the duty of care described in the School and / or a School's Health and Safety Policies and act in accordance with safe systems of work and codes of practice.

## 2.2 Fraud & theft

- The Governing Body members acknowledge the responsibility they have for the administration of public funds and emphasise to the public and colleagues the importance placed on probity, financial control, selflessness, and honest administration. They are also committed to the fight against fraud, whether perpetrated by colleagues, contractors, or the public. School colleagues must not use their position to obtain gain for themselves, business associates, friends, or family either directly or indirectly.
- Colleagues must use public funds responsibly and lawfully. They must work to ensure that the School use their resources prudently and within the law and that the local community gets value for money. The School's Financial Procedures and Regulations must be observed.
- Defrauding and stealing (or attempting to do so) from the School, or any person / organisation in any way will not be tolerated. This includes deliberate falsification of claims, e.g. time sheets, mileage, and travel/subsistence allowances with the intention of obtaining payment.
- The Governing Body require colleagues to report genuine concerns relating to potential fraud, theft, or unethical behaviour to the Headteacher or LA. Further details are contained in the School's Whistleblowing Policy.
- It is acknowledged that colleagues may not find it easy to 'blow the whistle' or report irregularities and the Governing Body members will give them full support in raising such concerns. Every effort will be made to respect a colleague's request for anonymity. However, colleagues are expected to demonstrate accountability and to co-operate fully with any scrutiny appropriate to their position. There are two sides to every story and the Governing Body will undertake to give people a fair hearing. It is possible that some allegations will turn out to be mistaken. If, however, you make malicious or deliberately false allegations, disciplinary action may be taken against you.

## 2.3 Financial inducements; Gifts & hospitality

- On no account must an employee accept a financial payment or other inducement from any person, body, or organisation, e.g. contractors, developers, consultants, etc. It is an offence for a colleague to accept any fee, gift, loan, or reward whatsoever, other than their proper remuneration.

- Where a fee is paid by an external body for work undertaken by an employee of the School in the course of their employment (for example, speaking at a conference) this should be treated as a payment to the School, not to the individual colleague (see section 8).
- As a general rule, colleagues must refuse any gift or hospitality offered to them or their family that may be perceived to influence their judgement. Exceptions are gifts of negligible value that are usually given to a wide range of people, e.g. pens, diaries, calendars etc. Also, personal gifts from children or their parents e.g. at Christmas or the end of the academic year, however, if these gifts are too generous e.g. over £25, it should be referred to the Headteacher for approval. Offers of hospitality must only be accepted when proper written authorisation has been received from the Headteacher or Governing Body. Further details are given in School policies.
- There is an expectation that in addition to declaring those gifts received, colleagues will also declare those which have been correctly refused. Each School is expected to maintain a gifts & hospitality register.

#### **2.4 Colleague declarations of financial and other interests**

- Colleagues must be aware that a personal relationship with another colleague could lead to a potential conflict of interest, particularly where there is an involvement in recruitment or a line management relationship, and/or where a member of a School Senior Leadership Team. Colleagues should seek advice from their Headteacher or Chair of Governors, as applicable where there is a potential conflict of interest of this nature.
- All colleagues have a statutory duty to declare any financial or other interest in any existing or proposed contract or an interest in, or association with, any organisation, services, activity, or person that may cause a direct or indirect conflict of interest with their School employment. Private interests may preclude colleagues from participation in any such activities, depending on the circumstances, such as their ability to affect critical decisions in relation to the contract, organisation or individual, and the reasonableness of any perception of conflict of interest. All colleagues must abide by these regulations.
- Where a colleague makes representations or applies for services in which they have significant influence by virtue of their employment position, on behalf of a relative, colleague, friend, or some other person with whom they have a close relationship, they must declare a personal interest.

- Colleagues with such a conflict of interest must tell their Headteacher or Chair of Governors in writing. That person will then make alternative arrangements so that a colleague is not involved, or, where the colleague's skills are required, ensure appropriate supervision is provided so that undue influence or bias to their advantage is prevented. They will also review any such declarations annually.
- Colleagues in key roles may be asked to complete a 'declaration of interest form', even if they have not declared an interest.
- Colleagues are entitled to use all the services of their employing School as appropriate but in doing so they will receive neither favour nor suffer discrimination or disadvantage. Colleagues must be aware at all times that members of the public expect the highest standards of fairness and equality to be upheld in the administration of services regardless of recipient. They have a responsibility to ensure that they conduct themselves in a manner which does not bring into question either their integrity or their motivation. At no time should they attempt to exert any pressure to obtain services because of their position or to access services other than through those channels available to members of the public. It is for these reasons they should ensure that personal interests are declared.

### 3. RELATIONSHIPS WITH PROSPECTIVE OR CURRENT CONTRACTORS

- 3.1 If colleagues engage or supervise contractors, have an official relationship with contractors or a potential contractor, and/or have previously had or currently have a relationship in a private or domestic capacity with a contractor, they must declare that relationship to their Headteacher.
- 3.2 All orders and contracts must be awarded on merit, by fair competition against other tenders. Colleagues must exercise impartiality and no favouritism must be shown to businesses run for example by friends, partners, relatives, or business associates. No section of the community should be discriminated against in the tendering, evaluation, and award processes.
- 3.3 Colleagues who are privy to confidential information on contracts for tender, or costs for either internal or external contractors, must not disclose that information to any unauthorised party or organisation.
- 3.4 Colleagues are expected to follow the School's Anti-Slavery & Human Trafficking Policy.

## 4. PERSONAL RELATIONSHIPS AT WORK WITH OTHER STAFF WITHIN THE SCHOOL

- 4.1 The school recognises that close and personal relationships may exist or develop within School. Whilst not all such situations raise any issues, there may be occasions where a perceived or actual conflict of interest exists between an Adult's role, as well as the interests of the School, public. It may also impact on the Adult's personal interests.
- 4.2 Close and personal relationships are defined as Adults who are married, dating, in a civil partnership or cohabiting arrangement; Immediate family members Adult e.g. parents, children, siblings including grandparents, grandchildren, step parents, step children and step siblings. The definition also includes other relations such as the extended family, e.g. aunts, uncles, cousins, nieces, nephews and any other individuals with whom there is a close personal relationship.
- 4.3 Adults must not allow a close and personal relationship with another colleague to influence their conduct at work and the professional standards set out in this Policy.
- 4.4 This is particularly important where there is a line management relationship between the Adult and the colleague with whom they have a personal relationship.
- 4.5 Failure to comply with the above requirements may result in disciplinary action.

## 5. INFORMATION TECHNOLOGY & DATA SECURITY

- 5.1 Colleagues must ensure that they follow the School security procedures in relation to the use of information technology (including but not limited to computers, tablets, mobile telephones, smart watches, and linked devices) and the proper management of computer-held information. Particular care must be taken to observe established procedures when using passwords and when logging on and off. Colleagues must never share passwords, which may lead to unauthorised access to the School systems. Where this practice is found, colleagues should be aware it may lead to disciplinary action.
- 5.2 In respect of internet and intranet access, colleagues must comply with the School's policy and School codes of practice and relevant legislation such as the



Regulatory and Investigatory Powers Act, Data Protection Act, Obscene Publications Act, Computer Misuse Act, and the Theft Act.

## 6. SOCIAL MEDIA

- 6.1 Social Media should be used responsibly, and colleagues should ensure that anything published does not bring their School into disrepute or constitute bullying or harassment of a colleague. Failure to do so may result in disciplinary action including the possibility of dismissal.
- 6.2 Where schools have Social Media Guidelines colleagues are expected to follow this.
- 6.3 It is important that colleagues maintain a professional digital footprint and be aware that what they endorse on social media could be seen as bringing the school into disrepute if they can be identified as a member of staff and the content is in serious conflict with the school's values.
- 6.4 If a colleague sees something on social media posted by a colleague which they are uncomfortable with because it breaches this Code of Conduct, for example which they believe could bring the School into disrepute or which could constitute bullying or harassment of a work colleague, they are encouraged to pass evidence of this to their Headteacher, or another member of their senior leadership team.
- 6.5 For additional guidance see further advice which has been published by our recognised trade unions for their members. For example:
- <https://neu.org.uk/advice/social-media-and-online-safety>
  - <https://www.nasuw.org.uk/advice/health-safety/social-media-the-abuse-of-technology.html>

## 7. USE OF SYSTEMS, PROPERTY, AND FACILITIES

- 7.1 The property provided within the workplace, or to support the effective operation of a colleague's work such as telephones, mobile phones, the internet, intranet, e-mail, stationery, photocopiers and other machines or tools, materials, offices, car parks and facilities, may only be used for the School business unless permission for private use is given by the Headteacher.

- 7.2 School telephones (mobile and land line) should not be used to make personal telephone calls or send personal texts, except in an emergency or where appropriate permission to make a call has been sought.
- 7.3 Any communications using School systems may be monitored. Any such monitoring will be in accordance with the law. Telephone call and e-mail/internet logging systems may be used to identify usage for private purposes.
- 7.4 Colleagues must adhere to all of the School specific system security measures that are currently in place or introduced in the future.

## 8. SECONDARY EMPLOYMENT

- 8.1 Any secondary employment (including voluntary work) undertaken must not conflict with the School interests or bring it into disrepute, must not interfere with the proper performance of a colleague's duties, and must only be undertaken outside the colleague's working hours. In such a case it is the responsibility of the individual to ensure that they meet with all the appropriate taxation, insurance and Working Time Regulations associated with being self-employed / an employee of another organisation.
- 8.2 Colleagues are expected to discuss any other paid work with their Headteacher prior to taking it up. Where voluntary work will take up a substantial amount of time this should also be discussed. It is strongly recommended that a written record of this discussion is kept.
- 8.3 Colleague appointments as Governors, Councillors, Trade Union officials, membership of the Territorial Army, as a Justice of the Peace or as a Member of the Employment Tribunal do not constitute secondary employment as described in this Code. Nonetheless the principles of staff making Headteachers aware of these duties and seeking appropriate time off in a reasonable and timely manner apply.
- 8.4 The Governing Body understands the value and importance to both individuals and schools of extending professional experience. Where a colleague wishes to provide their services on a consultancy basis, either to another organisation, or as a representative of another organisation, they should first obtain approval from their Headteacher and their School Governing Body. In the case of Headteachers, approval should be sought through the Local Authority and the Chair of the Governing Body. Approval will be dependent on the needs of the School at that time.

- 8.5 Where the work takes place during normal working hours, any payments should be made to the School through an invoicing system. The individual will be entitled to claim reasonable travel expenses for providing the service, though no additional remuneration will be possible.
- 8.6 Where the work takes place outside the school day – evenings or weekends – this is viewed as ‘secondary employment’.
- 8.7 In such cases, approval must be obtained for the use of any materials owned by the School, or obtained through employment, therein. This is particularly important in relation to data protection and child protection.
- 8.8 While it is appreciated and understood that much good practice within education comes from sharing experiences and expertise, the School reserves the right to intellectual copyright over materials, research and innovative practices which have been developed in conjunction with or as a result of employment by the School. The school recognises that there may be situations where a member of staff has reasonable expectations on intellectual property rights and this clause is not intended to claim that the school has universal claim over them in all circumstances.

## 9. DISCLOSURE OF INFORMATION, CONFIDENTIALITY, AND REFERENCES

- 9.1 Colleagues should be fair and open when dealing with others and ensure that they have access to the information they need unless there is a good reason not to permit this.
- 9.2 Colleagues must act in accordance with, and observe, the law in handling all personal and other information. Special care must be taken in handling special category data, personal and confidential information, which must in no circumstances be inappropriately used. If any colleague is in doubt about their responsibilities, they must consult their Headteacher.
- 9.3 Confidential, personal, or financial information about any colleague, pupil, or parent/carer, must not normally be disclosed to any organisation person, or normally, to any external organisation/agency, without the express approval of the person concerned. There may be safeguarding or other circumstances where there is a justifiable reason to disclose without that approval. Colleagues seeking clarification about ‘authorised’ or ‘unauthorised’ persons or about disclosure without approval should seek the guidance of their Headteacher or appropriate SLT who will take specialist advice on the matter.

9.4 Colleagues must not abuse their position by disclosing confidential information to any third party, this will include the unauthorised release of confidential information regarding:

- competitive tendering or tendering for work which may be beneficial to a third party.
- an employee or service user.

9.5 Colleagues must not use any information obtained in the course of their employment or tenure for personal gain or benefit or to attempt to obtain personal gain, nor pass it on to others who might use it in such a way.

9.6 If during the course of their employment colleagues are dealing with members of their family, partners, friends, or business associates this must be declared to their Headteacher as set down in section 2 of this Code. Where such contact occurs, colleagues must be impartial and act in a professional manner.

9.7 References in relation to employment by the School should only be given by persons authorised to do so by the Headteacher.

## 10. COMMUNICATIONS WITH THE MEDIA

10.1 It is the School's Policy that all media liaison relating to School and School activities is handled by the Headteacher. If a colleague has ideas for positive stories about School activities or is approached by a journalist, they should refer to the Headteacher before any information is given verbally, via e-mail or in writing. In exceptional circumstances (e.g. field trips) where such reference cannot be made, the colleague in charge may assume authority.

10.2 Where a colleague is writing material for publication which does not refer specifically to the School but does relate to their profession/occupation e.g. articles in professional journals, the colleague should notify their Headteacher prior to publication.

10.3 Colleagues should be mindful that placing information in to the public domain through social media such as (but not limited to) Facebook, Twitter, YouTube, Instagram and LinkedIn in relation to the School, their School, or their work in general could constitute communications with the media (see section 6 above).

10.4 Elected representatives of Trade Unions may have occasion to make independent public comment on matters relating to the school, and this would not normally be regarded as being outside this Code of Conduct.

## 11. NEUTRALITY

11.1 Colleagues must not allow their personal or political beliefs or opinions to interfere with their work.

11.2 Schools also nourish and encourage freedom of expression

11.3 Whilst engaged in School, colleagues must take care to avoid wearing or displaying items that could be seen as conflicting with the schools equalities and anti-discrimination and bullying policies or might be reasonably seen as bringing the School into disrepute or conflict with their work.

## 12. THE COMMUNITY AND SERVICE USERS

12.1 Colleagues must always remember their responsibilities to the users of the School and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

12.2 Colleagues are expected to be as open as possible about their actions and the work of the School, notwithstanding the needs of confidentiality.

12.3 Colleagues must always act in a way that preserves public confidence in the School.

12.4 Colleagues have a duty at all times, to uphold the law and relevant guidance bearing in mind the public's trust placed in the School colleagues.

12.5 The Governing Body will not tolerate a colleague's physical or emotional abuse, harassment, discrimination, victimisation or bullying of colleagues, pupils, governors, parents/carers, contractors, or other members of the public. Such actions may be deemed to be misconduct or gross misconduct and may result in disciplinary action including dismissal. Colleagues must comply at all times with any additional policies issued by the School in relation to dignity at work (including harassment, discrimination, victimisation, and bullying).

12.6 The school recognises that members of staff may also be members of the community and recognises their citizenship rights. However, staff should be mindful about avoiding any conflict of interest or perception of it and take due care to separate their roles as member of staff from any other roles in the school or wider community.

## 13. SAFEGUARDING AND CHILD PROTECTION

13.1 Colleagues working with children and young people are in a particular position of great trust. Any breach of that trust, or which impacts the safety or welfare of children and young people, including but not limited to assault, sexual misconduct, or breach of the policies and procedures meant to safeguard pupils, will be regarded as potential gross misconduct. This may lead to disciplinary action including the possibility of dismissal without notice.

13.2 Colleagues, agency staff, contract service personnel and volunteers who work with children and young people are subject to the requirements of the School's Safer Recruitment policy. They must, in their own interests, read any and all codes of practice and conduct, in conjunction with this Code of Conduct and must observe current legislation including (but not limited to) the Children's Act 1989 and any other relevant Child Protection Procedures.

13.3 Colleagues are expected to comply with the Guidance for Safer Working Practice 2019, which provides practical guidance about which behaviours constitute safe practice and which behaviours should be avoided.

<https://www.saferrecruitmentconsortium.org/GSWP%20Sept%202019.pdf>

13.4 All colleagues must adhere to their School's local operating procedures in relation to safeguarding, child protection and PREVENT. This may include, but is not limited to, arrangements for private meetings with students, and caring for students who require assistance with personal care.

13.5 Allegations of abuse against teachers including supply teachers, other staff, volunteers and contractors: where it is alleged that an adults has:

- Behaved in a way that harmed a child, or may have harmed a child
- Possibly committed a criminal offense against or related to a child
- Behaved towards a child or children in a way that indicates s/he would pose a risk or harm to them
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children

Governors will follow the Tower Hamlets Safeguarding Partnerships Guidance

for Managing Allegations of Abuse Against Members of Staff and Managing Concerns that do not meet the harm threshold

- 13.6 Colleagues who witness any behaviour which they consider to be detrimental to the safety and welfare of children and people within our school have a duty to report it to their Headteacher or to the Chair of Governors or Local authority if it relates to the behaviour of the Headteacher, or to 'blow the whistle' (refer to the School's Whistleblowing policy).
- 13.7 Colleagues working in posts covered by the Disqualification under the Childcare Act 2006 (DFE 2018) ("relevant posts") are required to complete a declaration form prior to commencing employment, and on an annual basis thereafter. They are required to declare immediately anything which could render them disqualified and are not permitted to work in a relevant post if disqualified unless a waiver is granted by Ofsted. The School expects all colleagues to declare immediately to their Headteacher any criminal charges brought or caution / conviction acquired during their employment with us, and to discuss any relationship or association (in the real world or online) which may have implications for the safeguarding of children in the School so that an appropriate risk assessment can be carried out. In the event of such disclosures the school will always undertake a reasonable investigation, and no disciplinary or other measures will be applied without a consideration of all the relevant circumstances and a hearing where appropriate. Please seek advice from the School Safeguarding Lead and/or School HR provider if appropriate.
- 13.8 It is acknowledged that colleagues may have genuine friendships and social contact with parents of pupils, independent of the professional relationship. Colleagues should, however, exercise professional judgement and seek advice if necessary, and be aware that behaviour outside of school can impact on suitability to continue in employment with the School. Colleagues must not contact pupils (or parents on school-related business) from their private email address or social media accounts: everything must go via agreed work-based communication channels.

## 14. RECRUITMENT AND OTHER EMPLOYMENT MATTERS

- 14.1 In accordance with the School's Equalities policies, colleagues must take care that they are not open to any charge of discrimination in recruitment or employment practices, by fully adhering to the School's Safer Recruitment policy.
- 14.2 To avoid any possible accusation of bias, colleagues must not be involved in selection and appointment processes where they are related to an applicant or have a close personal or business relationship with them. They should declare

an interest where there is a potential conflict of interest in such cases.

- 14.3 Work decisions should be objective and always based on merit. Colleagues must not be involved in decisions relating to discipline, promotion or pay for any colleague who is a relative, or with whom they have a close personal or business relationship, although if they are a staff governor, they do not need to be excluded from decisions of a general nature relating to pay.
- 14.4 If there are exceptional reasons why 14.1 to 14.3 should not be complied with, or any doubt as to how to proceed, advice must be sought from the Headteacher, who will take professional advice before acting.

## 15. EQUALITY, DIVERSITY, AND INCLUSION

- 15.1 The School values variety and individual differences, and aims to create a culture, environment and practices at all levels which encompass acceptance, respect, and inclusion. Colleagues must ensure that they read and adhere to any related School policy or guidance, and adhere to all related legal requirements, such as the Equalities Act and the Human Rights Act.
- 15.2 All colleagues, pupils, governors, parents/carers contractors, partners, trade union representatives and members of the public must be treated equally and in a way that creates mutual respect, they must not be discriminated against on grounds of ethnicity, sex, pregnancy or maternity, disability, age, religion or belief, marriage or civil partnership status, gender identity or sexual orientation.

## 16. DRESS AND PERSONAL APPEARANCE

- 16.1 All colleagues act as ambassadors for the School and are role models to pupils/students. They must therefore maintain a professional standard of dress and appearance that is appropriate or required for the workplace and to the work being undertaken. Colleagues must be clean and tidy and ensure good personal hygiene.
- 16.2 Where particular clothing is provided for health, safety, and hygiene and/or uniform purposes it must be worn, this includes name badges.
- 16.3 Where a School has adopted local guidelines on dress and personal appearance, this should be adhered to by all colleagues.



## 17. HEALTH & SAFETY

- 17.1 Colleagues are required at all times to observe and work to School Health and Safety Policies and in accordance with safe systems of work, regulations and codes of practice, and relevant Health and Safety law.

## 18. CRIMINAL CONVICTIONS

- 18.1 Under the terms of the Rehabilitation of Offenders Act 1974 (Exceptions) order 1975 (as amended in 2013), colleagues must disclose details of any unspent convictions, cautions, reprimands, bind-overs and final warnings they may have, including any criminal proceedings pending against them, with the exception of any criminal history that is protected or “filtered. Failure to disclose such convictions and to comply with any of the above constitutes possible gross misconduct and may result in disciplinary action including the possibility of summary dismissal without notice.
- 18.2 Colleagues whose work involves driving must declare any motoring offences to their Headteacher.
- 18.3 Colleagues who have access to children or young people as part of their work are absolutely required to report any convictions whatsoever to their Headteacher. In this respect, colleagues must provide information of any pending criminal proceedings against them and subsequent cautions or convictions. See also section 13.

## 19. DRUGS AND ALCOHOL

- 19.1 School colleagues must attend work in a condition to undertake their duties in a safe manner.
- 19.2 The consumption of alcohol, illegal drugs or “legal highs” impairs performance and may constitute a health and safety risk and interfere with that person's health and/or work performance. Where it is evident during working time or on School premises that a person is under the influence or has detectably taken these substances or there is other substantial reason to believe this to be the case this will be regarded as potential gross misconduct. If the person has an underlying substance related problem this will be dealt with under the appropriate policy.
- 19.3 Any consumption of legal drugs (i.e. prescription or over the counter drugs) which impairs performance must be discussed with the Headteacher.

- 19.4 Governing Body members believe that consuming alcohol at any time when supervising young people or on school premises is inappropriate and may be regarded as an act of gross misconduct. Exceptions to this will be agreed in advance and notified to colleagues by the Headteacher for events such as colleague end of term gatherings and PTA functions.
- 19.5 Zero alcohol is the expectation when driving on school business.
- 19.6 Likewise the use of illegal substances will not be tolerated and will result in the Headteacher or Governing Body reporting the matter to the police.
- 19.7 Smoking by colleagues is prohibited on any School site. If colleagues find it necessary to smoke, they are actively encouraged to do so away from school boundaries and out of sight of pupils and, wherever possible, parents and the public.
- 19.8 The use of electronic smoking devices (vaping) on any School site is prohibited and deemed to be covered by Section 19.7 of this policy.
- 19.9 Where a School has adopted a local policy on drugs and alcohol, this supersedes it. However, a School may have in place operational processes to support this policy.

## 20. SEXUAL CONTACT WITH YOUNG PEOPLE AND ABUSE OF TRUST

- 20.1 A relationship between an adult and a child or young person is not a relationship between equals; the adult has a position of power or influence. There is potential for exploitation and harm of children or vulnerable young people.
- 20.2 All adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Adults must not use their position to form or promote relationships with children (whether current pupils or not), that are of a sexual nature, or which may become so.
- 20.3 Adults should maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report any incident with this potential.
- 20.4 Any sexual behaviour or activity by an adult with or towards a child or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not.

- 20.5 Where a person aged 18 or over is in a specified position of trust with a child or young person under 18 years, the Sexual Offences Act 2003 makes it an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity.
- 20.6 Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children', Appendix A defines sexual abuse as "...forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening..."
- 20.7 Adults must not have sexual relationships with pupils or have any form of communication with a child, which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, texts, electronic mail, phone calls, social networking contact or physical contact.
- 20.8 An adult should not make sexual remarks to, or about, a child or discuss their own sexual relationships with or in the presence of pupils. Adults should take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanor and language all require care and thought.
- 20.9 There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person, and manipulate that relationship so that sexual abuse can take place. Adults should be aware that conferring special attention without good reason or favoring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

## 21. INFATUATIONS AND CRUSHES

- 21.1 A child or young person may develop an infatuation with an adult who works with them. If an adult becomes aware that a pupil has become or may be becoming infatuated with them or a colleague, they must report this without delay to the Headteacher or a senior leader so that appropriate action can be taken and to avoid any hurt or embarrassment. An adult may become aware of an infatuation through a report, something overheard or other signs (no matter how small or seemingly insignificant).
- 21.2 The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations.
- 21.3 Examples of situations which must be reported are given below:

- where an adult is concerned that he or she might be developing a relationship with a pupil which could have the potential to represent an abuse of trust
- where an adult is concerned that a pupil is becoming attracted to him or her or that there is a developing attachment or dependency
- where an adult is concerned that actions or words have been misunderstood by a pupil such that an abuse of trust might be wrongly suspected by others
- where an adult is concerned about the apparent development of a relationship by another adult, or receives information about such a relationship

## 22. GENERAL CONDUCT

**22.1** Colleagues must obey lawful instructions and always act in a way that will not adversely affect the school's legal position. Colleagues are expected to promote the principles contained in this Code of Conduct by self-example and to demonstrate respect for others.

**22.2** Governing Body members expect all colleagues to exercise sound personal judgement, to take account of the views of others and to take individual responsibility to decide a personal view on any issue arising in the course of their employment.

**22.3** Colleagues requiring further information or requiring advice concerning the appropriate course of action to adopt in any situation, should contact their Line Manager or Headteacher.

**22.4** This Code of Conduct should be read in conjunction with its appendices and with any other codes of practice or policies that relate to colleague conduct and/or workplace or system security policies and procedures.

## 23. REVIEW

The Code of Conduct will be viewed at least bi-annually, and kept under review in the light of legislation, and recommendations and guidance issued nationally in relation to standards of conduct in public life and revised, as necessary.

## 24. APPENDICES

### 24.1 Keeping Children Safe in Education 2020

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/912592/Keeping\\_children\\_safe\\_in\\_education\\_Sep\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912592/Keeping_children_safe_in_education_Sep_2020.pdf)

### 24.2 Guidance for safer working practice for those working with children and young people in education settings May 2019

<https://www.saferrecruitmentconsortium.org/GSWP%20Sept%202019.pdf>

I confirm that I have read and understood the above and agree to comply with the school's Code of Conduct as set out in this document and the appendices Keeping Children Safe in Education 2022 and Guidance for Safer Working Practice for Those Working with Children and Young People in Education Settings, copies of which have been made available to me.

Signed: .....

Print name: .....

Date: .....