



# Tywardreath School

## Code of Conduct Policy

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a member of  
**ALAT**  
[www.alat.org.uk](http://www.alat.org.uk)



## Policy Review Audit

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## 1. Mission Statement

**Bright Tribe Trust (Bright Tribe) and Adventure Learning Academy Trust (ALAT) brings a new energy and approach to providing the best education for our students.** Through proven practices, Bright Tribe and ALAT will transform the learning of students, raise standards and provide the highest quality learning environments, enabling students and teaching staff to thrive and be the best. Bright Tribe and ALAT's aim is to break down the barriers that limit educational progress. We do this through adopting a personal learning pathway for every child – one that takes account of individual needs, aspirations and talents.

Bright Tribe and ALAT's values:

### Learn

Provide the best education for every student.

Ensure the highest quality teaching and learning.

Work with the family, parent or carer.

### Grow

Grow our students' futures.

Develop the best teaching staff.

Provide the best learning environment and supporting technology.

### Prosper

Lead the way in education.

Realise the opportunities.

Be connected to the community.

## 2. Introduction

The Trust is committed to providing a professional and ethical environment, which serves and protects the whole education community. Certain expectations for good conduct are described in specific policies and procedures e.g. Disciplinary Procedure, Equality and Diversity in Employment Policy, Recruitment Policy and professional expectations are set out in national and local conditions of service and by relevant professional bodies. This policy supplements these provisions and provides additional guidance for employees and individuals engaged to work in the school.

The overriding expectation is that employees and those engaged to work in the school will adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, pupils or students, the public in general and all those with whom they work or come into contact with in the course of their employment or engagement by the school.

This means that employees and those engaged to work in the school should not:

- Behave through words, actions or inaction in a manner which would lead any reasonable person to question their suitability to work with children or act as a role model.

## 3. Scope

3.1 This Code applies to all individuals employed or engaged by the school including:

- relief/supply staff

- voluntary workers

All provisions of this Code are applicable to employees. Employees must familiarise themselves with the content of this Code and any updates as soon as they are available.

For engaged workers and volunteers, this code applies in so far as specific provisions are relevant to the role they are performing within the school. These workers and volunteers should familiarise themselves with the relevant provisions of this Code at the earliest opportunity.

Any breaches of this Code of Conduct Policy will be regarded as a serious matter which could result in disciplinary action, and in certain circumstances could potentially lead to dismissal.

## 4. Roles and responsibilities

### 4.1 Principals and Line Managers

It is the responsibility of Principals to establish and monitor standards of conduct and behaviour within the school, including the establishment of relevant policies and procedures. Principals and Line Managers are to address promptly any breaches of good conduct and behaviour, using informal procedures where possible but implementing formal procedures where necessary.

### 4.2 Employees

It is the responsibility of all employees to familiarise themselves, and comply, with this policy and all procedures, conditions of service and relevant professional standards.

## 5. Safer Practice for Work with Children and Young People

It is important that all adults working with children understand that the nature of their work and the responsibilities related to it, place them in a position of trust. Adults must be clear about appropriate and safe behaviours for working with children in paid or unpaid capacities, in all settings and in all contexts.

The relevant requirements are set out in the school's Child Protection and Behaviour Management Policies and Procedures and in the DfE Statutory Guidance "Keeping Children Safe in Education" (March 2015, as amended). All employees and volunteers must, as a minimum, read and be familiar with Part 1 of that Document.

### 5.1 Underpinning Principles

- The welfare of the child is paramount
- It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people
- Adults who work with children 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
- Adults should work and be seen to work, in an open and transparent way
- The same professional standards should always be applied regardless of individual characteristics which include age, disability, gender, language, race, religion or belief and/or sexual orientation

- Adults should continually monitor and review their practice and ensure they follow the guidance contained in this document.

Appendix A sets out guidance on safer working practices which all employees are expected to follow.

## 6. Confidentiality

All employees and volunteers must be aware of their obligations as outlined in “Keeping Children Safe in Education” regarding disclosing information relating to child protection issues and of their responsibilities under the Data Protection Act.

Working in the school environment means, through a variety of ways, having access to information that must be regarded as confidential. As a general rule, all information received in the course of employment or whilst being engaged by the school, no matter how it is received, should be regarded as sensitive and confidential. If there is any doubt further advice should be sought from line managers or the Principal, as appropriate.

Employees and volunteers should have regard to potential difficulties which may arise as a result of discussions outside work. Employees and volunteers should take care not to discuss specific or sensitive matters without the express permission of the Principal to ensure sensitive information is not disclosed; this includes discussions with friends and family.

No comments or discussions relating to the school or children therein, whether involving sensitive information or not, should be undertaken via social media.

### 6.1 Types of confidential information

Information that is regarded as confidential can relate to a variety of people (e.g. pupils, parents, employees, casual and agency workers, governors or job applicants) and a variety of matters (e.g. personal information, conduct and performance, health, pay, internal minutes etc).

Confidential information can take various forms and be held and transmitted in a variety of ways e.g. manual records (files, reports, notes), computerised records and disks, telephone calls, face-to-face, fax, email, intranet/internet.

### 6.2 Sharing Information

Requests for information will be made in a variety of ways and from a variety of people. Requests can range from informal questions raised by parents or other members of staff up to and including written requests from other professionals such as Police or social services. Whilst it is often considered necessary to share such information, if information is shared it is the individual responsibility of the person sharing the information to ensure it is done so legally. The following points should be considered before sharing information:

- It is necessary and proportionate to share this information
- Does the intended sharing of information comply with the Data Protection Act?
- Can the objective be achieved without sharing the information?
- Can the information be redacted to ensure only essential information is shared?
- How should the information be shared?
- Who at the school has authorised the sharing of information?

- Where is the rationale for this decision and the content of the information shared recorded?

Employees and volunteers should never assume that the request for information is legitimate without satisfying themselves that this is a lawful request. Applicants should normally provide any request for information in writing stating clearly the information they are requesting and the reason the information is required. Equally, information should not normally be passed over the telephone but should instead be provided via secure email, in writing or within a professionals meeting.

### **6.3 Responsibility of employees in possession of sensitive information**

Employees and volunteers have a legal responsibility to take measures to ensure that sensitive information is kept safe and not unlawfully disclosed. Common sense measures include, but are not exclusively limited to:

- Ensuring sensitive information is kept locked away when not in use
- Sensitive information is not taken off school premises without the permission of the SLT
- Sensitive information sent via the post is clearly marked as confidential and sent via recorded post
- Emails are redacted to ensure that sensitive information cannot be readily linked to a specific child
- Sensitive information is not shared with anybody else unless there is a lawful reason to disclose this information to them.

### **6.4 Disclosure of Information**

Personal and sensitive information can only lawfully be disclosed within the terms set out in the Data Protection Act and employees and volunteers are responsible for ensuring that any disclosure they make is lawful.

Both during and on leaving the employment of the school, employees must not divulge information of a confidential or commercial nature gained during the course of employment for purposes detrimental to the interests of the Trust or its employees. In the case of any commercially sensitive information the condition applies for a period of 12 months after leaving employment.

### **6.5 Preserving anonymity**

The Education Act 2011 sets out reporting restrictions where any allegation against a school employee or volunteer has been made by a pupil at the same school. Essentially, the anonymity of the member employee or volunteer must be preserved. Whilst this anonymity ceases where the person waives their rights by giving written consent or by going public themselves it should be clear that all employees and volunteers should maintain the stance of preserving the anonymity of the person concerned. Any employee or volunteer engaged by the school who publishes material which could lead to the identification of the employee who is the subject of an allegation of this kind may be subject to disciplinary action, up to and including dismissal.

For the purposes of these provisions, "publication" includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public. For the avoidance of doubt, this includes publishing details of an allegation or other information on a social networking site which could lead to the identification of the teacher.

### **6.6 Media queries**

Employees must not respond to media queries on behalf of the school under any circumstances. All media queries should be referred immediately to the Principal.

## 7. Use of computers, email and the internet

Those using the school's electronic mail services and/or the internet are expected to do so responsibly and to comply with all applicable laws, policies

Those using their own personal computer or equipment for school purposes must only do so where this has been authorised by the Principal. Whilst using their own computer or equipment for school purposes, employees must do so responsibly and to comply with all applicable laws, policies and procedures, including the provisions set out in this Code. Employees should not bring their own computer or equipment onto school premises unless this has been specifically authorised by an appropriate manager. In such circumstances, the computer/equipment must be kept securely and security protected so that it cannot be accessed by pupils at the school.

Computers and laptops loaned to employees by the school are provided to support their professional responsibilities and employees must notify their employer of any significant personal use (see 7.1 below). Reasonable access and use of the internet/intranet and email facilities is also available to recognised representatives of professional associations' i.e. union officers.

Employees must not use school equipment or property for personal gain or fraudulent, malicious, illegal, libellous, immoral, dangerous, offensive purposes. Employees should not undertake IT related activities that are contrary to the school's policies or business interests including accessing, downloading, storing, creating, copying or distributing offensive material (this includes but is not limited to pornographic, sexual, violent or criminal content and racist, sexist, or otherwise discriminatory material).

All forms of chain mail are unacceptable and the transmission of user names, passwords or other information related to the security of the school's computers is not permitted.

### 7.1 Personal Use

The school's e-mail and internet service may be used for incidental personal purposes, with the approval of the line manager, provided that it:

- does not interfere with the school's operation of computing facilities or email services
- does not interfere with the user's employment or other obligations to the school
- does not interfere with the performance of professional duties
- is of a reasonable duration and frequency
- is performed in non-work time
- does not over burden the system or create any additional expense to the school
- does not bring the school and its employees into disrepute.

Such use must not be for:

- unlawful activities
- commercial purposes not under the auspices of the school
- personal financial gain
- personal use that is inconsistent of other school policies or guidelines.

If an employee fails to meet these conditions for personal use, their rights to use equipment may be withdrawn. If an employee fails to follow this policy and other supporting procedures, this could result in disciplinary action.

## 7.2 Use of email and internet at home

Access to the internet from an employee's home using a school owned computer or through school owned connections must adhere to all the policies that apply to their use. Family members or other non-employees must not be allowed to access the school's computer system or use the school's computer facilities.

## 7.3 Security

The school follows sound professional practices to secure email records, data and system programmes under its control. As with standard paper based mail systems, confidentiality of email cannot be 100% assured. Consequently users should consider the risks when transmitting highly confidential or sensitive information and use the appropriate level of security measure.

In order to effectively manage the email system, the following should be adhered to:

- open mailboxes must not be left unattended
- care should be taken about the content of an email as it has the same standing as a memo or letter. Both the individual who sent the message and/or the school can be sued for libel
- reporting immediately to IT units when a virus is suspected in an email.

## 7.4 Privacy

Employees should not have any expectation of privacy to his or her school internet usage.

The school reserves the right to inspect any and all files stored in computers or on the network in order to assure compliance with this policy. Auditors must be given the right of access to any document, information or explanation that they require.

Use of the employee's designated personal file area on the network server provides some level of privacy in that it is not readily accessible by other members of staff. These file areas will however be monitored to ensure adherence to policies and to the law. The employee's personal file area is disk space on the central computer allocated to that particular employee. Because it is not readily accessible to colleagues it should not be used for the storage of documents or other data that should be open and available to the whole staff or wider school community.

Managers will not routinely have access to an employee's personal file area. However, management information on usage size of drives or a report outlining the amount of information held on an individual's personal file area will be made available from time to time.

## 7.5 Email/IT Protocols

A good practice guide for employees on the use of emails is available at Appendix B.

Users must:

- respond to emails in a timely and appropriate fashion. If urgent, the email requires a prompt response, otherwise a response should be sent within a reasonable timeframe according to the nature of the enquiry
- not use anonymous mailing services to conceal identity when mailing through the Internet, falsify e-mails to make them appear to originate from someone else, or provide false information to any Internet service which requests name, e-mail address or other details
- not abuse others (known as 'flaming'), even in response to abuse directed at themselves
- not use electronic media and services in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system

- not use, transfer or tamper with other people's accounts and files
- not use their own equipment to connect to the School's network unless specifically permitted to do so and the equipment meets appropriate security and other standards. Under no circumstances is personal equipment containing inappropriate images or links to them, to be brought into the workplace. This will raise serious concerns about the suitability of the adult to continue to work in a school or with children
- Ensure that pupils are not exposed to any inappropriate images or web links whether on school owned computers or on their own computer/equipment used for school purposes (where this has been authorised). School/service and adults need to ensure that internet equipment used by children have the appropriate controls with regards to access. E.g. personal passwords should be kept confidential
- not store sensitive or confidential data on their own equipment – this extends to personal cameras, mobile phones and other similar devices
- use unsecured disks/memory sticks (all disks/memory sticks used must be encrypted and/or password protected)
- respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner
- not use the internet/intranet facilities or equipment to deliberately propagate any virus, worm, Trojan horse or any such other programme that is harmful to normal computer operations.

If a user finds themselves connected accidentally to a site that contains sexually explicit or offensive material, they must disconnect from that site immediately. Such unintentional access to inappropriate internet sites must be reported immediately to their line manager. Any failure to report such access may result in disciplinary action.

Except in cases in which explicit authorisation has been granted by an appropriate manager, employees are prohibited from engaging in, or attempting to engage in:

- monitoring or intercepting the files or electronic communications of other employees or third parties
- hacking or obtaining access to systems or accounts they are not authorised to use
- using other people's log-ins or passwords
- breaching, testing, or monitoring computer or network security measures
- interfering with other people's work or computing facilities
- sending mass e-mails without consultation with the Head teacher. Global sends (send to everybody in the Global address book) are prohibited.

## 7.6 Data Protection

The Data Protection Act 1998 prohibits the disclosure of personal data except in accordance with the principles of the Act. This prohibition applies to e-mail in the same way as to other media. Information gathered on the basis that it would be seen by specified employees must not be given to a wider audience. In accordance with the provisions of Article 8 of the European Convention on Human Rights, the school respects the right to privacy for employees who use IT equipment but does not offer any guarantee of privacy to employees using IT equipment for private purposes.

As data controller, the school has responsibility for any data processed or stored on any of its equipment. Any employee monitoring will be carried out in accordance with the principles contained in the Code of Practice issued by the Information Commissioner under the provisions of the Data Protection Act 1998.

In order to comply with its duties under the Human Rights Act 1998, the school is required to show that it has acted proportionately, i.e. are not going beyond what is necessary to deal with the abuse and that the need to investigate outweighs the individual's rights to privacy, taking into account the school's wider interests. In drawing up and operating this policy the school recognises that the need for any monitoring must be reasonable and proportionate.

Auditors (internal or external) are able to monitor the use of the school's IT equipment and the storage of data. They are nevertheless bound by the provisions of the Human Rights Act 1998, the Data Protection Act 1998, associated codes of practice and other statutory provisions and guidance, including the Regulation of Investigatory Powers Act 2000 in respect of any activity that could be classed as directed surveillance.

## 8. Social Networking

Social networking applications include, but are not limited to, public facing applications such as open discussion forums and internally-facing applications, (i.e. e-folio) regardless of whether they are hosted on school networks or not. The school expects that users of social networking applications will always exercise due consideration for the rights of others and that users will act strictly in accordance with the terms of use set out in this code.

Social networking applications include but are not limited to:

- blogs i.e. blogger
- Online discussion forums, for example Facebook, Bebo, Myspace
- Media sharing services for example YouTube
- Professional networking sites, for example Linked In
- 'Micro-blogging' application for example Twitter.

### 8.1 Personal social networking sites

All employees of the school, individuals engaged by the school or individuals acting on behalf of the school from third party organisations should bear in mind that information they share through social networking applications, even if they are on private spaces, may still be the subject of actions for breach of contract, breach of copyright, defamation, breach of data protection, breach of confidentiality, intellectual property rights and other claims for damages. Employees must therefore not publish any content on such sites that is inappropriate or may lead to a claim, including but not limited to material of an illegal, sexual or offensive nature that may bring the school into disrepute (see Appendix C for examples of such content).

Employees using social networking sites must also operate at all times in line with the school's Equality and Diversity policy, failure to do so may lead to disciplinary action, up to and including dismissal.

Any communications or content published on a social networking site which is open to public view, may be seen by members of the school community. Employees hold positions of responsibility and are viewed as such in the public domain. Inappropriate usage of social networking sites by employees can have a major impact on the employment relationship. Any posting that causes damage to the school, any of its employees or any third party's reputation may amount to misconduct or gross misconduct which could result in disciplinary action, up to and including dismissal. Employees must not use social networking sites for actions that would put other employees in breach of this policy.

Employees should not use personal sites for any professional activity or in an abusive or malicious manner. The school reserves the right to require the closure of any applications or removal of content published by employees which may adversely affect the reputation of the school or put it at risk of legal action.

## **8.2 Posting inappropriate images**

Indecent images of any employee that can be accessed by students, parents or members of the public are totally unacceptable and can lead to child protection issues as well as bringing the school into disrepute.

## **8.3 Posting inappropriate comments**

It is totally unacceptable for any employee to discuss pupils, parents, work colleagues or any other member of the school community on any type of social networking site.

## **8.4 Social interaction with pupils (past and present)**

Staff must not have any contact with current pupils or former pupils under 18 years of age online or through any form of social media. This would also apply to individuals who are known to be vulnerable adults. Breach of this policy may result in disciplinary action up to and including dismissal.

Offers of assistance to a pupil with their studies via any social networking site are inappropriate and also leaves the employee vulnerable to allegations being made. Adults should ensure that personal social networking sites are set at private and that pupils are never listed as approved contacts.

Adults should not use or access social networking sites of pupils.

## **8.5 Making Friends**

Employees should be cautious when accepting new people as friends on a social networking site where they are not entirely sure who they are communicating with. Staff must not be 'friends' on social media with current pupils or former pupils under 18 years. This would also apply to individuals who are known to be vulnerable adults.

### **Reporting breaches of this code**

Anyone who becomes aware of inappropriate postings on social networking sites must report it to their line manager straight away. The line manager will then follow the disciplinary procedure where appropriate. If an employee fails to disclose an incident or type of conduct relating to social networking sites, knowing that it is inappropriate and falls within the remit of this code of conduct, then that employee may be subject to disciplinary action up to and including dismissal.

Should an employee become aware of an underage person using social networking sites, (Facebook and Bebo have set it at 13 years and MySpace have set it at 14 years), then they should report this to the site operator and if that child is at their particular school, then this should also be reported to their line manager.

## **8.6 School managed social networking sites**

This includes internal forums for staff and outward facing forums for school activities/clubs etc.

When such a school managed site is utilised, all employees must adhere to the following requirements:

- only use an official (i.e. not personal) email addresses for user accounts which will be used for official purposes
- appropriate feedback and complaints information must be published in a prominent place which is easily accessible to other users

- the school's logo and other branding elements should be used where appropriate to indicate the school's support. The school's logo should not be used on social networking applications which are unrelated to or are not representative of the school's official position
- employees should identify themselves as their official position held within the school on social networking applications. e.g. through providing additional information on user profiles
- employees should ensure that any contributions on any social networking application they make are professional and uphold the reputation of the school– the general rules on internet/email apply
- employees should not spend an unreasonable or disproportionate amount of time during the working day developing, maintaining or using sites
- employees must not promote or comment on personal, political, religious or other matters
- employees should be aware that sites will be monitored.

### 8.7 Cyber bullying

The school will not tolerate any form of cyber bullying by employees. Any such behaviour will result in disciplinary action, up to and including dismissal. Cyber bullying may include but is not limited to:

- Offensive emails including joke emails which may offend other employees
- Email threats
- Leaving offensive or inappropriate comments on blogs or networking sites
- Offensive comments sent by text, email or posted on social networking sites
- Sharing another person's details/personal information online without appropriate consent.

Employees who feel they are the subject of cyber bullying must notify their line manager at the earliest opportunity.

## 9. Use of Mobile Telephones

Employees are required to ensure mobile telephones are switched off/switched to silent during working hours. Employees are not permitted to use their mobile telephones during working hours, and must ensure they are stored securely and are not accessible by pupils at any time.

Employees are not permitted to contact pupils or former pupils under 18 years of age this would also apply to individuals who are known to be vulnerable adults by mobile phone, text message or by sending picture messages using their mobile telephone or divulge their telephone number to pupils. The only exception to this is if the member of staff is a parent of the student. Breach of this policy may result in disciplinary action up to and including dismissal.

Employees must ensure student phone numbers are not to be saved on school's mobile phone, nor teachers'/staff personal mobile phones.

Employees provided with a mobile telephone to carry out their duties must ensure they only use the mobile telephone for the purposes agreed with their line manager. Any unauthorised usage must be reimbursed to the school and/or may be the subject of disciplinary action.

Any urgent phone calls or messages must be directed to the office who will notify employees immediately. Employees who need to use their mobile telephone to make or receive an urgent call during working hours must obtain prior authorisation from management to do so.

## 10. Business and Contract Interests

All relationships of a business or private nature with external contractors, or potential contractors, must be made known to the Trust. Orders and contracts must be in accordance with standing orders and financial regulations of the trust. No special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, must declare that relationship to the trust.

## 11. Gifts, Legacies, Bequests and Hospitality

Employees may not accept any gift or legacy from a person intended to benefit from their services (or those whom they supervise) or from any relative without the prior written permission of the Principal/Governing Body. Employees may not give any gift to someone from whom they expect to receive any favour in their official capacity.

Hospitality offered to an employee's official capacity should only be accepted if that is part of a genuine business activity. Any such hospitality should be properly authorised and recorded by the Principal/Governing Body.

Employees should always consider any particular sensitivity around accepting hospitality from an organisation that may be affected by decisions taken by the Trust.

Whilst employees may accept gifts of token value such as pens and diaries, they should not accept personal gifts from contractors or outside suppliers.

Failure to observe these rules will be regarded as gross misconduct.

See Appendix A for gifts in respect of pupils.

## 12. Close personal relationships at work

Situations arise where relations, or those in other close relationships, may be employed at the school and it is recognised that close personal relationships can be formed at work.

Close personal relationships are defined as:

- employees who are married, dating or in a partnership or co-habiting arrangement
- immediate family members for example parent, child, sibling, grandparent/child
- other relationships for example extended family (cousins, uncles, in-laws), close friendships, business associates (outside the school).

Whilst not all such situations where those in close personal relationships work together raise issues of conflict of interest, implications can include:

- effect on trust and confidence
- perception of service users, the public and other employees on professionalism and fairness
- operational issues e.g. working patterns, financial and procurement separation requirements
- conflicting loyalties and breaches of confidentiality and trust.

Open, constructive and confidential discussion between employees and managers is essential to ensure these implications do not occur.

## 12.1 Management

It is inappropriate for an employee to line manage or sit on an appointment panel, for those with who they have a close personal relationship. Employees must not be involved in any decisions relating to discipline, promotion or pay adjustment for anyone where there is a close personal relationship. If this was the case, the Principal would need to identify another individual to undertake the particular responsibility, so that a 'conflict of interest' situation is avoided.

Any applicants applying for positions are required to disclose on their application form if they:

- are a relative or partner of, or;
- have a close personal relationship with any employee in the school/academy

Applicants are asked to state the name of the person and the relationship. Failure to disclose such a relationship may disqualify the applicant.

Employees should discuss confidentiality with their Head teacher/line manager, any relationships with an applicant.

If a close personal relationship is formed between two colleagues in the school this should be disclosed, in confidence, to the line manager by the employees concerned as this may impact on the conduct of the school.

It is important to ensure that any approach or actions are not unfair or discriminatory. Nevertheless it is important to explore, in discussion with the employees concerned, the issues that may arise to ensure these can be managed effectively.

## 12.2 Impact

It may be appropriate to employ someone to work in a team with someone with whom they have a close personal relationship. It may also be necessary in certain circumstances to consider transferring staff that form close personal relationships at work. Any such action will be taken wherever possible by agreement with both parties and without discrimination.

Colleagues who feel they are affected by a close personal relationship at work involving other colleagues should at all times feel that they can discuss this, without prejudice, with their Head teacher/line manager.

# 13. References

When providing a reference, the individual providing the reference must make it clear if it is provided as a personal or colleague reference or provided formally as a reference on behalf of the employer.

Personal or colleague references should not be provided on headed paper. References on behalf of the employer should be cleared and signed by another manager.

## 14. Dress code

All staff are professionals. As professionals, staff should dress and present themselves in an appropriate manner for work. Staff should be smartly dressed.

Men should wear a tie and a collared shirt, (tucked in to trousers) smart trousers and business shoes. Women should wear smart trousers, a smart skirt or a smart dress with a suitable top or/and smart jacket and business shoes. A general principle is that dress should be business-like in appearance and not include inappropriately revealing tops, bare midriffs or short skirts.

Tattoos should be as far as reasonably practicable covered. For example, the wearing of a long sleeve shirt on forearms to cover a tattoo on the forearm. No tattoos of an offensive or explicit nature will be visible.

The line manager will need to consider the health and safety requirements of the role held by an individual for example a caretaker would be required to wear personal protective equipment when undertaking any manual duties and PE staff may need to wear sportswear.

The following items are not appropriate:

- Casual clothes; Jeans or clothing made from denim or see-through material
- Sleeveless T shirts or collarless shirts
- Low or revealing necklines
- Skirts or dresses of a revealing length
- Hats or caps
- Trainers, flip flops or backless shoes
- Sports Wear (Staff teaching PE are an exception).

There may be different rules for out of school activities (non-pupil days, summer fairs etc.) but in any case dress should be such that:

- is not likely to be viewed as offensive, revealing, or sexually provocative
- does not distract, cause embarrassment or give rise to misunderstanding
- is absent of any political or otherwise contentious slogans
- is not considered to be discriminatory and or culturally insensitive.

Standards of dress and personal presentation are relevant to all employees. Common sense and discretion need to be applied within the spirit of the dress code. An employee who is unacceptably dressed in a consistent manner can be subject to disciplinary action. In general, standards of dress should be smart, fit for purpose and portray a favourable impression of the school.

## **15. Neutrality**

Employees serve the community as a whole. It follows they must serve all members of the school community and the public and ensure that the individual rights of all of these groups are respected. Employees must not allow their own personal, political, religious or other views and opinions to interfere with their work.

## **16. Use of financial resources**

Employees must ensure that they use public and any other funds entrusted to them in a responsible and lawful manner. They must also observe the Trusts financial regulations and school's financial regulations.

## **17. Sponsorship**

Where an outside organisation wishes to sponsor or is seeking to sponsor a school activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. The sponsorship should always be related to the school's interests and/or the authority's departmental or corporate activities and never for personal benefit only. Particular care must be taken when dealing with contractors or potential contractors.

## **18. School Property and personal possessions**

Employees must ensure they take care of school property at all times. If employees are found to have caused damage to school property through misuse or carelessness this may result in disciplinary action.

Employees are responsible for the safety and security of their personal possessions while on school premises. The school will not accept responsibility for the loss or damage of personal possessions.

## Appendices

### Appendix A – Safer Working Practices

Below is a broad overview of the key expectations for adult's interactions with children and young people (source Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings (DCSF 2009)). However, Keeping Children Safe in Education (March 2015, as amended) is the current key statutory guidance which all employees must follow. All employees and volunteers must, as a minimum, read Part 1 of that document.

These documents should be read in conjunction with the body of the Code of Conduct and other relevant schools policies and procedures.

#### 1. Duty of Care

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from sexual, physical and emotional harm. Children 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 the safety and well-being of pupils. Failure to do so may be regarded as professional neglect.

The duty of care is, in part, exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement.

This means that adults should:

understand the responsibilities, which are part of their employment or role

- always act, and be seen to act, in the child's best interests
- avoid any conduct which would lead any reasonable person to question their motivation and intentions
- take responsibility for their own actions and behaviour.

#### 2. Making a Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not appropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Individuals are expected to seek advice wherever possible prior to acting, or in an emergency, to make judgements to secure the best interests and welfare of the children in their charge.

Such judgements should always be recorded and shared with a member of the senior management team and with the parent or carer. In undertaking these actions individuals will be seen to be acting reasonably.

#### 3. Power and Positions of Trust

Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity.

A relationship between an adult and a child or young person is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

#### **4. The Use of Personal Living Space**

No child or young person should be in or invited into, the home of an adult who works with them.

Under no circumstances should pupils assist with chores or tasks in the home of an adult who works with them. Neither should they be asked to do so by friends or family of that adult.

Where a person aged 18 or over is in a specified position of trust with a child under 18, it is 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.

#### **5. Gifts, Rewards and Favouritism**

The giving of gifts or rewards to pupils should only be part of an agreed policy for supporting positive behaviour or recognising particular achievements.

Staff should exercise care when selecting pupils for school teams, productions, trips and/or specific work tasks 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, agreed criteria.

There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank-you and this is acceptable. It is inappropriate to receive gifts on a regular basis or of any significant value.

#### **6. Infatuations**

Occasionally, a child or young person may develop an infatuation with an adult who works with them. These adults should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach.

An adult, who becomes aware that a child or young person is developing an infatuation, should discuss this at the earliest opportunity with a Principal, senior manager and parent/carer so appropriate action can be taken to avoid any hurt, distress or embarrassment.

#### **7. Communication with Pupils (including the Use of Technology)**

Communication, by whatever method, should take place within clear and explicit professional boundaries as set out in this Code of Conduct and relevant IT policies.

Adults should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.

Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to pupils including e-mail, home or mobile telephone numbers. E-mail or text communications between an adult and a child young person may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites.

#### **8. Social Contact**

Adults should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement in making a response. There will be occasions when

there are social contacts between pupils and staff, where for example the parent and teacher are part of the same social circle. These contacts however, will be easily recognised and openly acknowledged.

Nevertheless, there must be awareness on the part of those working with children and young people that some social contacts, especially where these are not common knowledge can be misconstrued as being part of a grooming process. This can also apply to social contacts made through outside interests or through the staff member's own family. It is recognised that staff can support a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the staff member for support outside their professional role. This situation should be discussed with senior management and where necessary referrals made to the appropriate support agency.

## **9. Sexual Contact**

All adults should clearly understand the need to maintain appropriate boundaries in their contacts with pupils. Intimate or sexual relationships between children/young people and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual activity between an adult and the child or young person with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action.

All children and young people are protected by specific legal provisions in this respect regardless of whether the child or young person consents or not. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material.

'Working Together to Safeguard Children'<sup>1</sup>, defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening".

Adults should be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

## **10. Physical Contact**

Any physical contact should always be in line with the school's policy on behaviour management and physical contact.

Generally:

When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background.

Staff should therefore, use their professional judgement at all times.

Unusual incidents should be recorded as soon as possible in the school's incident book and, if appropriate, a copy placed on the child's file.

Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary.

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Children with special needs 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 child's needs, consistently applied and open to scrutiny.

<sup>1</sup> Working Together to Safeguard Children. A guide to interagency working to safeguard and promote the welfare of children HM Government 2006

### **11. Children and Young People in Distress**

There may be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Adults should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

Where an adult has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this should be reported and discussed with a senior manager and parents/carers.

### **12. Intimate Care**

Some job responsibilities necessitate intimate physical contact with children on a regular basis, for example assisting young children with toileting, providing intimate care for children with disabilities or in the provision of medical care. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and be recorded as part of an agreed care plan. The emotional responses of any child to intimate care should be carefully and sensitively observed, and where necessary, any concerns passed to Principal or senior managers and parents/carers.

All children have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity should be encouraged to act as independently as possible.

The views of the child should be actively sought, wherever possible, when drawing up and reviewing formal arrangements. As with all individual arrangements for intimate care needs, agreements between the child, parents/carers and the school/service must be negotiated and recorded.

### **13. Personal Care**

Young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations.

This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

Adults need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the pupils with whom they work.

### **14. First Aid and Administration of Medication**

Medication and First Aid must only be administered in accordance with school policies.

### **15. One to One Situations/Home visits**

Where there is a need for an adult and young person to be alone together or for an adult to visit a young person's home this should be within recognised policies and procedures.

Pre-arranged meetings with pupils away from the school premises should not occur unless prior approval is obtained from their parent and the Principal or other senior colleague with delegated authority.

### **16. Transporting Pupils**

In certain situations e.g. out of school activities, staff or volunteers may transport children – such arrangements are subject to strict policies and procedures.

It is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

### **17. Educational Visits and After-School Activities**

Trips and Activities are subject to specific policies and procedures.

Adults should take particular care when supervising pupils on trips and outings, where the setting is less formal than the usual workplace. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries.

### **18. Photography and Videos**

Working with pupils may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and wellbeing of pupils. Informed written consent from parents or carers and agreement, where possible, from the child or young person, should always be sought before an image is taken for any purpose.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Adults need to remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

It is not appropriate for adults to take photographs of children for their personal use.

It is recommended that when using a photograph the following guidance should be followed:

- if the photograph is used, avoid naming the pupil
- if the pupil is named, avoid using their photograph
- schools should establish whether the image will be retained for further use
- images should be securely stored and used only by those authorised to do so.

## Appendix B – Email Good Practice Guide

Good Practice	
Read receipt	When it is important to know that a recipient has opened a message, it is recommended that the sender invoke the 'read receipt' option.
Attachment formats	When attaching a file it will have a specific format. Be aware of the possibility that a recipient may not have the software necessary to read the attachment. Format incompatibility can occur even between successive versions of the same software, e.g. different version of Microsoft Word.
E-mail address groups	If messages are regularly sent to the same group of people, the addressing process can be speeded up by the creation of a personal group in the personal address book.
Message header, or subject	Convey as much information as possible within the size limitation. This will help those who get a lot of e-mails to decide which are most important, or to spot one they are waiting for.
Subject	Avoid sending messages dealing with more than one subject. These are difficult to give a meaningful subject heading to, difficult for the recipient to forward on to others for action, and difficult to archive.
Recipients	Beware of sending messages to too many recipients at once. When sending messages for more than one-person's use be sure to indicate people for whom there is some expectation of action or who have central interest. cc to indicate those who have peripheral interest and who are not expected to take action or respond unless they wish to do so.
Replying	When replying to a message sent to more than one person, do not routinely reply to all recipients of the original message. Consider who needs to read your reply, e.g. if the sender is organising a meeting and asking you for availability dates, you need only reply to the sender.
Absent	If you have your own e-mail address, it is possible, for users of MS Exchange or have local enhancements to MS-mail, to set the 'out of office' message when you are going to be away for some time, e.g. on annual leave. You won't lose your messages, they will await your return, but the sender will know that you're not there and can take alternative action if necessary.
Evidential record	Never forget that electronic conversations can produce an evidential record which is absent in a telephone conversation. Comments made by an employee during the course of an exchange of e-mails could be used in support, or in defence, of the school's legal position in the event of a dispute.
Legal records	Computer generated information can now be used in evidence in the courts. Conversations conducted over the e-mail can result in legally binding contracts being put into place.
Distribution lists	Keep personal distribution lists up-to-date and ensure you remove individuals from lists that no longer apply to them

## Good Practice

E-Mail threads	<p>Include the previous message when making a reply. This is called a thread. Threads are a series of responses to an original message. It is best that a response to a message is continued by using reply accessed on the quick menu bar, rather than start an entirely new message for a response. Keep the thread information together. It is easier for the participants to follow the chain of information already exchanged. If the message gets too long the previous parts can be edited while still leaving the essence of the message.</p>
Context	<p>E-mail in the right context, care should be taken to use e-mail where appropriate. There may be occasions when a telephone call would be more appropriate especially on delicate matters. Beware of the use of excessive use of capitals. It can be interpreted as shouting so consider how the style of your email may be interpreted by its recipient.</p>
Forwarding e-mails	<p>Consideration should be given when forwarding e-mails that it may contain information that you should consult with the originator before passing to someone else.</p>
Large e-mails	<p>For larger e-mails, particularly Internet e-mails, where possible send at the end of the day as they may cause queues to form and slow other people's e-mail.</p>

## Appendix C - Examples of unacceptable behaviour using social networking sites

### **Breach of contract**

There is an implied term of mutual trust and confidence between employer and employee in all employment contracts. A very negative and damaging posting or communication on a social networking site about the school or colleagues may entitle the Head teacher/line manager to decide that this term has been broken. Such conduct would be subject to the school's disciplinary procedure and could warrant the employee's dismissal.

Emails are capable of forming contractual documents. Contracts can easily be formed by careless emails and non-compliance with the terms of any such contracts will render an organisation liable for a breach of contract claim. Emails tend not to be subject to the same safeguard procedures as paper documents which are often checked before they are signed off.

### **Defamation**

If an employee places defamatory information or material on a social networking site such as bad mouthing another colleague or a pupil of the school, such conduct would be subject to the school's disciplinary procedure and could lead to the employee's dismissal.

### **Discrimination**

The school's recruitment and selection policy provides the correct and proper procedures to be used in the recruitment and selection of staff. Candidates should be selected on the basis of testable evidence provided on application forms and through the selection process and references as provided by the applicant. Under no circumstances should information from social networking sites be used to make selection decisions. Such action could result in expensive discrimination claims. For example - not all candidates will have profiles on social networking sites and using information from this source may be seen as giving an unfair advantage or disadvantage to certain candidates, possibly discriminating against younger people who are likely to use social networking sites more often.

Many forms of discrimination claims, including harassment claims can occur via emails, If an employee places discriminatory material about another employee, a member of the Governing Body, parents, children, young people, and vulnerable adults, this could amount to bullying or harassment of that individual.

The school may be vicariously liable for such acts unless it took such steps that were reasonably practicable to prevent material being placed on a site. Where an employee carries out an act of harassment or discrimination in the course of their employment, the school is vicariously liable for that act even when the act is unauthorised. Once an issue of email harassment has been raised and the harasser identified, immediate action should be taken to stop the harassment and instigate the disciplinary procedure while supporting the harassed employee.

### **Breach of health and safety**

For example an internet video clip of employees performing stunts wearing the organisations uniform. When information like this is found, the school should follow the company's disciplinary procedure to investigate the possibility of a breach of health and safety legislation on the part of the employee. If a school is aware of this and fails to investigate there may be liability for personal injuries in the law of negligence.



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