

CODE OF CONDUCT

Date of issue: 01/09/2021

Purpose

Employees are expected to work in a spirit of collaboration and co-operation within an ethos of mutual respect, trust and confidence.

The public is entitled to expect conduct of the highest standards from an employee and as such this Code of Conduct (the Code) takes account of the Nolan principles for those holding public office, i.e., selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

This Code exists to assist employees to carry out their responsibilities and to make the standards of behaviour clear.

In accordance with the latest 'Keeping Children Safe in Education', statutory guidance in this Code has been adopted by The Two Counties Trust in order for employees to be fully aware of the standards of personal and professional conduct required in relation to safeguarding children. This policy supports systems within schools to ensure that all children are kept safe.

The Code cannot be a checklist covering every eventuality. As such, employees should use reasonable professional judgement when deciding how to act whilst remaining mindful of the impact on their employment, students and colleagues. When an employee is in doubt about a particular action or decision, they may seek guidance from their manager or member of the Senior Leadership Team.

Scope

This Code applies to all employees of The Two Counties Trust. It also applies to agency staff, volunteers, governors / trustees and placements.

The Code should be read in conjunction with other procedures and guidance regarding standards of conduct in particular areas of work.

The Code covers all interactions both in and out of work. Outside of work employees must not behave in a manner which contravenes this Code, by which we mean in a way in which any reasonable adult would question their ability to work with children.

All staff will be required to confirm that they have read and understand this Code. For new employees it will form part of their pre-employment pack.

Where the term Headteacher is used in this Code it also means CEO of the Trust where the employee is a member of the Trust's central team.

Underlying principles

Employees must act within the law and must not undermine fundamental values including democracy, individual liberty, mutual respect and tolerance.

Teachers must have an understanding of, and always act within, the statutory frameworks (for example Keeping Children Safe in Education) which set out their professional duties, boundaries and responsibilities.

Where staff are members of professional bodies, they must also comply with any standards of conduct which are set by that body.

The conduct of all teachers must always be in line with the Teachers' Standards and for Headteachers, the National Standards for Headteachers.

Teachers make the education of their students their first concern and are accountable for achieving the highest possible standards in work and conduct. Teachers must act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills as teachers up to date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their students.

Employees should ensure that their personal beliefs are not expressed in ways which exploit the vulnerability of students or might lead them to act inappropriately or to break the law or the policies and procedures of their school.

Alcohol and drugs

THE TWO COUNTIES TRUST Ambition | Teamwork | Honesty



Unprescribed controlled substances are not permitted on the premises at any time. Any employee found in possession of an un-prescribed controlled substance may be suspended pending an investigation.

Employees who are intoxicated during working time, whose work performance is adversely affected by alcohol, or who act in an unsafe or irresponsible manner whilst under the influence of alcohol during working time may be subject to disciplinary proceedings. In such cases the immediate course of action will be to support the employee to ensure that they are safe, able to get home and signposted to the support which is available through the Employee Assistance Programme.

Attendance

Employees are required to be punctual and to maintain a good standard of time-keeping.

Employees must maintain a satisfactory level of attendance at work and comply with sickness reporting procedures.

Appearance

Appearance at work is expected to promote professional boundaries and working relationships. Employees should not dress in a way which could cause embarrassment or offence.

Bribery

The Trust takes a zero-tolerance approach to bribery and is committed to acting professionally, fairly and with integrity in all its business dealings and relationships wherever it operates and implementing and enforcing effective systems to counter bribery.

Employees must comply with the provisions of the Bribery Act 2010 which defines four key criminal offences:

- The general offence of offering, promising or giving a bribe
- The general offence of requesting, agreeing to receive or accepting a bribe
- The specific offence of bribing a foreign public official
- The failure of a corporate body to prevent bribery by an associated person for the organisation's benefit.

Confidentiality

Employees must keep information about students and /or their families confidential, only sharing information with colleagues who have a right to know.

Confidentiality applies to all forms of communication including social networking sites, work and personal emails.

Conflicts of Interest

Employees must immediately declare any financial or non-financial interests to their Headteacher which could conflict with their role.

Convictions and Cautions

Employees who are arrested or summonsed for an offence or who are charged with and / or receive a conviction, a bind-over order or a warning given by a police force should inform their Headteacher at the earliest opportunity.

Drivers of work vehicles, or those who are required to drive a vehicle for work purposes, must report any driving endorsements or bans immediately to their Headteacher.

Customer care

Employees should aim to respond in a reasonable timescale within working hours to messages, e-mails and telephone calls, be courteous and helpful in all forms of communication.

Digital images

Informed and written consent must be obtained from students (or their parent or carer) before an image of a student may be used in any context. Where consent is given images must be stored securely and retained for only as long as required in accordance with the General Data Protection Regulations.



Equality and Diversity

Employees should promote and uphold the Equality and Diversity policy, avoiding any behaviour which might be construed as discriminatory, harassment or bullying, intimidatory, or which victimises others.

Gifts

The acceptance of gifts and/or payments from members of the public or any other source for services rendered or to be provided whilst engaged on Trust business or as an inducement to engage in further business will be regarded as a breach of contract and dealt with accordingly. This clause is not intended to cover end of term gifts and the like from students or token gifts of appreciation.

Health and Safety

Employees are required to comply with health and safety procedures, take reasonable steps to safeguard the health and safety of themselves and others and to assist in the creation of a safe working and learning environment.

Employees must notify the Headteacher of pregnancy or any medical condition they have during the course of their employment which may impact on their fitness to undertake their duties, or which impacts on the health and safety of themselves or others.

Honesty and Integrity

Employees must maintain high standards of honesty and integrity. Students, colleagues, parents, carers, volunteers, placements and visitors should be treated with respect and professional courtesy.

Employees should maintain professional boundaries and avoid behaviour which would lead any reasonable adult to question their behaviour, motivations or intentions.

Low Level Concerns

All members of the Trust (including employees, volunteers, governors, trustees, contractors and supply staff) share a collective responsibility to ensure that all concerns about adults working in or on behalf of the Trust are dealt with promptly and appropriately.

A low level safeguarding concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the harm threshold set out in Keeping Children Safe in Education.

A low level concern is any concern, a sense of unease, or a nagging doubt that an adult working in or on behalf of the Trust may have acted in a way that:

- is inconsistent with the staff code of conduct including inappropriate conduct outside of work;
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples could include:

- being over-friendly with children;
- having favourites;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door;
- using inappropriate language

Where low level concerns exist, these should be shared with the Designated Safeguarding Lead as soon as possible and in any event within 24 hours.

The Designated Safeguarding Lead, in conjunction with the Headteacher, must satisfy themselves whether the report represents a low level concern, behaviour which is entirely consistent with this Code, or a concern which meets the harm threshold. If the latter, the matter should be dealt with under the managing allegations and concerns against individuals policy.

If the concern is confirmed to be low level, the Designated Safeguarding Lead, or a suitably senior member of staff will meet with the individual who raised the concern and promptly investigate. Reports about supply staff and contractors should be notified to their employer.



As much information as possible should be collected by speaking to the person who raised the concern, the individual concerned and any witnesses, retaining a written record of all conversations.

The information collected will enable the concern to be categorised and determine next steps. In many cases a low level concern will require a conversation with the individual setting out why the behaviour has been concerning, what change is required and an exploration whether any support or training is needed to make the required change.

If a low level concern raises issues of potential misconduct or capability, this should be referred to HR for advice on next steps.

The outcome of investigations into low level concerns should be recorded in writing in a confidential central file held by the Designated Safeguarding Lead.

The record should include:

- Details of the concern
- Context in which the concern arose
- Action taken
- Rationale for the decisions and actions taken
- The name of the individual sharing the concern should be noted. If the individual wishes to remain anonymous that should be respected as far as reasonably possible.

The individual sharing the concern and the individual who is the subject of the concern should be informed of the outcome.

Records should be securely stored and reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where multiple low level concerns have been shared about the same individual, these should be stored in chronological order.

Where such a pattern of behaviour is identified, a course of action should be agreed with HR. Where the concern moves to become a concern which meets the harm threshold, the LADO should be contacted.

No record of a low level concern shall be retained on an employee's file or reference made in the provision of an employment reference unless the matter is escalated to the harm threshold or if the matter becomes a disciplinary matter.

Performance of duties

Employees should apply their skills to the best of their ability at all times, legally and with diligence, acting in such a way which promotes and safeguards their own and others interests, safety and well-being.

Personal Equipment

Personal photographic equipment including, but not exclusively, cameras, mobile phones and iPads, must not be used to photograph students in any circumstances.

If there is a requirement for staff to take photographs of students for school purposes this must only be carried out using equipment provided by the school, including on school trips, and in accordance with school procedures.

Relationships between employees, the public, parents and students

Relationships with others should always be conducted in a professional and courteous manner.

Employees must not seek to establish social contact with students for the purpose of securing friendship or to pursue or strengthen a relationship if the student is only known to them in the capacity of a student in the course of their employment. This is important because:

- such contact can blur the professional boundaries between the employee and the student;
- such contact can compromise confidentiality;
- such contact can place both student and the employee in a position of vulnerability;
- students may struggle to differentiate between the role of an employee and a friend and therefore may have expectations which the employee cannot fulfil.



Employees should not seek to make personal contact, other than in certain exempted circumstances, between staff and current / former students of school age outside of the school / academy environment. This includes contact by telephone, text, email or social networking sites. Any proposed work related contact outside of the normal school environment, must be agreed in advance by the Headteacher and be recorded and monitored.

Any unexpected contact with students outside of the school / academy environment should be kept to a minimum, for example a brief greeting.

Employees should use their professional judgement when correspondence is received from former students, the public or others. Significant contact should be discussed with their manager or the Headteacher.

Where former students under the age of 18 make contact with an employee, the employee must disclose significant contact and discuss the response with their manager before responding.

Employees must not give out their personal details such as home / mobile number or home or personal e-mail address to students, former students, families or carers.

Reputation and the media

Employees must uphold the name, professional image and good standing of their school and the Trust in all dealings internally and externally. Employees must not make formal statements to the media or any other party on behalf of The Trust.

Employees must not engage in in any activity which would bring their school or the Trust into disrepute.

Radicalisation

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. All employees should aim to protect children from the risk of radicalisation and report any concerns to the Headteacher.

Safeguarding

All employees must be aware of the policies in relation to Safeguarding and report any safeguarding concerns to their Designated Safeguarding Lead. Employees must not promise confidentiality to a child and always ensure that any actions taken are in the best interests of a child.

Employees are expected to comply with safe working practices and in particular have a duty to safeguard students as identified in Safeguarding arrangements. Employees must safeguard students' wellbeing, in accordance with statutory provision and the local Safeguarding Children Board procedures and school safeguarding procedures which protect children.

Employees must take reasonable care of students under their supervision to ensure, as far as possible, their welfare and safety.

The duty to safeguard students includes a professional responsibility to report any concerns regarding a child or group of children immediately to the Designated Safeguarding Lead in accordance with the Safeguarding policy.

All employees have a responsibility to ensure that they understand the Safeguarding policy and attend Safeguarding training regularly.

Employees must not give out their personal details to any student including former students as this could be a Safeguarding concern.

Teachers have a statutory duty to report to the police cases where they discover that an act of Female Genital Mutilation appears to have been carried out on a girl under the age of 18. The teacher should discuss any such case with the Designated Safeguarding Lead in the first instance.

It is a criminal offence under the Sexual Offences Act 2003 for anyone to engage in a sexual relationship or grooming for such a relationship with a child aged under 18 for whom they are in a position of trust. Employees must work within professional boundaries at all times with children with whom they are in a position of trust.

If employees are unsure how to respond to a particular situation, they should immediately contact the Designated Safeguarding Lead.



Any concerns about an inappropriate relationship between an employee and a student (irrespective of their age) will be fully investigated under the managing allegations of abuse procedure.

Where a relationship develops between an employee and an ex-student which may raise concerns about the employee's suitability to work with children, the Headteacher will contact the Designated Officer for guidance.

Social media

Guidance and information on the use of Social Media is contained in the Social Media Guidelines.

Weapons

Weapons are not permitted in any school and discovery of weapons by an employee should be dealt with in accordance with safeguarding procedures.

Use of public funds and resources

Employees must ensure that public funds are managed in a responsible and lawful manner.

Employees must not utilise property, vehicles or other resources of the school / academy or Trust for personal use unless authorised in advance by the Headteacher. This includes e-mail, telephone, computers, photocopiers or other equipment.

Breaches of The Code

A breach of The Code is potentially a disciplinary matter and will be dealt with under the Disciplinary Procedure.

Serious breaches of The Code may be classed as gross misconduct and result in dismissal.

Acts of a criminal nature or Safeguarding concerns may be referred to police, The Safeguarding Board, The TRA and the Disclosure and Barring Service.

General Data Protection Regulation

All data within this policy will be processed in line with the requirements and protections set out in the UK General Data Protection Regulation and the Data Protection Act 2018.

