Derry Hill School

MODEL POLICY

CODE OF CONDUCT FOR TEACHING AND SUPPORT STAFF IN SCHOOLS

This model policy will apply to teaching and non-teaching staff working in Wiltshire Schools / Academies and has been agreed with the following recognised unions: NEU, NAHT, NASUWT, ASCL, Unison, Unite and GMB

What is it?

1. This code of conduct:

    - sets out minimum standards of behaviour for employees;
    - provides guidelines to help maintain and improve standards;
    - aims to protect the reputation of both employees and the school;
    - aims to protect the rights and interests of children and young people involved with the school

2. This code of conduct is not exhaustive and does not replace the general requirements of the law, common sense and good conduct.

3. This code of conduct should be read in conjunction with a number of policies and schemes relating to conduct which are set out at the end of this document.

Who does it apply to?

4. This policy applies to all employees of Derry Hill School, including supply workers.

What is my responsibility?

5. School employees need to:
    - read this policy;
    - ensure they understand it;
    - ask if there are any points that are unclear;
    - use this code of conduct, alongside other school policies, to guide them in their role.

6. Breach of this code of conduct may lead to disciplinary action which could result in dismissal. Please refer to the disciplinary procedure for more information.

<u>Teaching staff responsibilities</u>

7. Teaching staff must adhere to:
    - the terms and conditions outlined in the school teachers pay and conditions document (STPCD). A copy of STPCD can be found for reference purposes in the school's administration office.

    - the Teachers Standards as set out by the Department for Education. These cover both teaching standards and personal and professional conduct. Teacher's performance will be regularly reviewed against these professional standards.

What are the main points?

8. The public is entitled to expect the highest standards of behaviour from school employees.

9. Employees represent the school and are trusted to act in a way which promotes the school' interests and protects its reputation.

10. Employees are accountable for their actions and should ask the headteacher for advice if they are not sure of the appropriate action to take.

Staff / pupil relationships

11. It is an offence under section 16 of The Sexual Offences Act 2003 for a person aged 18 or over to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual.

Interests

12. Conflicts of interest may occur if a decision of the school could affect an employee, or close friends and relatives, either positively or negatively.

13. Interests could include:

    - involvement with businesses which have existing or proposed contracts with the school;

14. Employees should ask themselves the question "Would a member of the public think that they or their family would benefit from the connection between their personal interest and their employment with the school?"

15. If the answer is yes then they must declare their interest to the headteacher in writing.

16. Employees may hold their own personal and political views but must act professionally at work and not allow these views to interfere with their work.

Outside Commitments

17. Employees should ensure that their activities outside work do not conflict with their duty to the school.

18. All teaching and support staff should inform the headteacher before engaging in any other business or accepting additional employment.

19. Any additional employment should not conflict with the school's interests or have the potential to bring the school into disrepute.

20. Employees may not set up a business, or accept a job with a business, which is in direct competition with the school. Employees should check with the headteacher where further clarification is required.

21. If an employee works for another organisation they may not act as a messenger between that organisation and the school. Formal channels of communication must be maintained.

22. Any secondary employment must not be carried out during an employee's contracted school working hours, nor whilst on standby for official call out purposes unless such employment can be undertaken from their home.

23. It is an employee's responsibility to monitor the number of hours they work and to ensure that they are rested and refreshed and able to carry out their role. Employees should not exceed an average of

48 hours working time per week calculated over a 17 week period as detailed in the Working Time Regulations.

Confidentiality

24. Employees must take all reasonable steps to ensure that the loss, destruction, inaccuracy or improper disclosure of information does not occur as a result of their actions. This includes information relating to school business and pupil data.

25. Employees must not disclose personal or financial information about any other member of staff without the express consent of that individual or authorisation from the headteacher.

26. Confidential information, belonging to the school, should not be disclosed to any person not authorised to receive it.

27. Employees must not use any information obtained in the course of their employment to cause damage to the school or for personal gain or benefit. Nor should they pass information on to others who may use it in such a way.

28. Employees should also be aware that under Section 13 Education Act 2011 that it is a criminal offence to disclose the identity of a teacher who is the subject of an allegation of a criminal offence made by or on behalf of a pupil until a teacher is charged with this offence. This includes disclosing any information that could make that person identifiable. Further details are available from the headteacher

Time, facilities and publications

29. Employees must spend all of their contracted hours working for the school.

30. Employees may not make personal use of the school's property or facilities (stationery, photocopiers, car parks etc.) unless authorised to do so by the head teacher. Computers and software may only be used in line with the school computer (IT) security policy and e-mail/internet use code of practice.

31. Employees may only use the school telephones to make or receive private calls in exceptional circumstances, and with the permission of the headteacher.

32. Any public funds entrusted to an employee must be used in a responsible and lawful manner.

33. Employees who want to publish any material which they have written in connection with their duties or in which they describe themselves as holding a position within the school must first gain the consent of the headteacher.

34. If, in the course of their work, an employee creates a copyright work (for example a procedures manual or a software programme); patentable invention; design capable of registration; this would become the property of the school and, if appropriate, they would be required to cooperate in the registration formalities.

35. Employees may retain fees for any lectures delivered with the agreement of the headteacher.

Equality

36. The school is firmly committed to the principles of equality and diversity and has a positive duty to promote these within the community it serves.

37. Employees must treat colleagues, pupils, parents, carers, governors and members of the public and the local community with respect and must not discriminate unlawfully against any person.

38. Employees involved in making appointments should ensure that decisions are based only on the ability of the candidate to undertake the duties of the post. If any applicant is a close personal friend or relative they should not be involved in the appointment process.

39. Employees should not be involved in any decisions relating to discipline, pay or promotion of close personal friends or relatives.

Gifts, Hospitality and Sponsorship

40. Employees must not accept any fee or reward for work done other than their pay and allowances as set out in their contract of employment except as set out in paragraphs (*a) and (*b) below.

41. It is an offence under the Prevention of Corruption Acts for employees to accept gifts, loans, fees or rewards as an inducement to act in a certain way in their official capacity.

    (*a) Employees may accept small items (e.g. inexpensive pens, diaries, flowers, chocolates). They should check the process for this with the headteacher.

    (*b) Employees may only accept an offer of a more significant gift (as a guide worth more than £25) or hospitality (e.g. visits, meals, sporting events etc.) if there is a genuine need to do so in order to represent the school in the community.

42. Gifts, benefits and hospitality offered to employees or members of their family as a consequence of their employment must be declared to the headteacher in writing whether accepted or not.

43. Employees should never accept significant gifts or hospitality from pupils, parents, carers, actual or potential contractors or outside suppliers.

44. If an external organisation wishes, or is sought, to sponsor a school activity the rules concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors. The headteacher must be involved in any decision.

45. Where the school wishes to sponsor an event or service no employee or member of their family must benefit unless full disclosure of interest has been made to the headteacher. All sponsorship must be recorded.

Dress and personal protective equipment

46. Employees should ensure that their dress is appropriate to the professional nature of their role at the school, the activities they are involved in and any health and safety requirements related to these.

47. Suitable personal protective equipment will be issued and must be worn where a risk assessment indicates it is appropriate.

Speaking to the media

48. It is advisable for any approaches regarding school related issues, from all press, radio or TV stations or specialist press to be directed to the headteacher.

Misconduct

49. All employees should conduct themselves in a professional manner at work. Serious misconduct and/or criminal offences committed during or outside of working hours which bring them or the school into disrepute may be the subject of disciplinary action which could lead to dismissal.

50. It is essential that employees inform the headteacher of any regulatory body investigation, police investigation, charge, caution, reprimand, fine or conviction immediately. All such disclosures will be handled in confidence but this may result in a suspension from duties while an investigation takes place.

Are there any exemptions?

51. No – however some parts of the code of conduct will have more of an effect on senior, managerial and professional staff than others.

52. Many employees are responsible under their own professional codes of conduct. In cases where professional codes of conduct appear to conflict with the school's own code advice should be obtained from the headteacher.

Headteacher responsibilities:

53. Provide additional advice and guidance on any points within the code of conduct.

54. Signpost employees to relevant policies, documents and guidelines.

Further advice and information

55. The school may also operate a number of policies and schemes relating to conduct at work which employees are required to follow these include:
    - Disciplinary procedure
    - Personal use of social media policy
    - Computer (IT) Security Policy and/or E-mail/Internet Use Code of Practice

56. For further information or clarification employees should speak to the headteacher.

Frequently asked questions

- **What should an employee do if they know that someone is breaching this code of conduct?**

  Often it is those closest to an organisation who realise that there is something wrong. Sometimes people are reluctant to act upon their concerns because they think that they are being disloyal, or because they are afraid that they might be victimised if they speak up.

The school has in place a whistleblowing policy to enable employees to raise concerns in an appropriate manner and to ensure that they do not suffer any detriment as a result of doing so.

- **Can an employee's partner's business tender for a contract?**

  The code of conduct does not preclude anyone from having the opportunity to tender for business. However the process must be, and be seen to be, fair open and transparent. To this end employees would need to make the headteacher aware of their interest, take no part in the tendering process and ensure that they do not pass on any information which would give that business any advantage in the process.

- **Can an employee's relative apply for a job in the school?**

  Yes. They can apply and would be considered on the basis of their suitability for the role. They should declare their relationship on the appropriate section of the application form.

  If the employee is involved in recruiting for the role they should not be involved in any stage of the appointment and should disclose the relationship as soon as they are aware that their relative or close personal friend is applying for the role so that someone else can be assigned to the appointments process.

- **Can an employee take an evening job?**

  All teachers and support staff should inform their headteacher prior to taking on any additional work.

  In all circumstances employees must remember:

  - They should not do work which is in direct competition with the school;
  - The work they are doing should not bring the school into disrepute;
  - They may not act as a "go- between" between the school and the other business;
  - They must not undertake other work when they are on duty for the school, including during standby or call out duties unless the work can be undertaken from home;
  - That they are responsible for ensuring they get enough rest and do not exceed working time regulations.

- **What if a pupil buys an employee a box of chocolates – should they accept them?**

  Generally gifts which are of low value (under £25) can be accepted. Employees should be guided by school procedures and by common sense.

- **Can employees accept discounts because they work for the school?**

  Any other discount offered should be treated in the same way as gifts and hospitality and generally should not be accepted.

- **Can employees campaign for a political party outside of work?**

  Employees may campaign on behalf of a political party however when engaged on school business they must remain politically neutral and not allow their personal or political views to interfere with their duties.

- **What types of interests should be declared?**

  An interest is anything which could cause a reasonable member of the public, knowing all facts, to think that an employee might be influenced when making a decision in the course of their work.

  Interests could include:
  - Land or property ownership
  - Relationships with people involved
  - Acting as a school governor for another school
  - Involvement with an organisation or pressure group which may oppose a school policy

  Individuals are free to take part in activities organised and authorised by the Trade Unions without declaring an interest.

- **Can an employee make a comment to the press if they are approached for example, as a union member on a picket line?**

  In these circumstances the employee should direct the press to the correct contact. If an employee does make a comment to the press, whilst in their role as a member of a union, they will need to consider any potential conflict of interest or impact on their work role with the school and the school's reputation.

- **Can an employee use the school photocopier to make personal copies?**

  Employees should get authorisation from the headteacher before using any work facilities for personal use.

- **What should an employee do if the code of conduct doesn't cover their specific situation?**

  In the first instance seek advice from the headteacher.

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