



North West Academies Trust

Employee Guidance

October 2019

Contents

1	Purpose	2
2	Scope.....	2
3	Safeguarding and promoting the welfare of children	2
4	Duty of care.....	2
5	Health & Safety	3
6	Honesty and personal integrity.....	3
7	Tackling discrimination	3
8	Professional boundaries and relationships	4
9	Confidentiality and protection of data	4
10	Physical contact with students.....	5
11	Social contact with students.....	5
12	Working one to one with students	6
13	Dress and appearance.....	6
14	Gifts and hospitality.....	6
15	Keeping within the law	7
16	Conduct outside of work.....	7
17	Review	7

Purpose

- 1.1 The aim of this Code of Conduct for employees is to set out the standards of conduct expected of all staff and to provide further information for employees. This should be read in conjunction with our disciplinary procedure, Teachers' Standards and the statutory guidance Keeping Children Safe in Education.
- 1.2 This Code should make it clear to employees the expectations the Trust/Academy/School has of them. Employees should note that this Code is not exhaustive in defining acceptable and unacceptable standards of conduct and employees must use common sense in adhering to the underpinning principles. If any employee is ever unsure what the expectations are in any given circumstance they should speak to their Executive Head/Headteacher/Head of School/ line manager.
- 1.3 This Code does not form part of any employee's contract of employment and it may be amended at any time in consultation with the recognised trade unions.

1 Scope

- 1.1 The Code applies to all employees regardless of length of service including those in their probationary period. It also applies to agency workers and self-employed contractors although, unlike employees, breaches of the Code will not be managed through the disciplinary procedure.
- 1.2 As recognisable figures in the local community the behaviour and conduct of staff of the Trust/Academy/School outside of work can impact on their employment. Therefore, conduct outside work may be treated as a disciplinary matter if it is considered that it is relevant to the employee's employment (see disciplinary procedure).

2 Safeguarding and promoting the welfare of children

- 2.1 All employees are responsible for safeguarding children and promoting their welfare. This means that employees are required to take action to protect children from maltreatment, prevent impairment of children's health or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care. This will enable all children to have the best outcomes.
- 2.2 All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.
- 2.3 To do this employee's must have fully read and understood our safeguarding policy, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times.
- 2.4 All employees must cooperate with colleagues and with external agencies where necessary.

3 Duty of care

Staff must:

- Understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- Always act, and be seen to act, in our students' best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
- Take responsibility for their own actions and behaviour

4 Health & Safety

All employees must ensure that they:

- Read and understand the Trust/Academy/School Health and Safety Policy
- Comply with Health and Safety Regulations or instructions and use any safety equipment and protective clothing which is supplied to you by the Trust/Academy/School.
- Comply with any hygiene requirements
- Comply with any accident reporting requirements
- Never act in a way which might cause risk or damage to any other members of the Trust/Academy/School community or visitors.
- Inform their line manager of any paid work undertaken elsewhere. This is to comply with the Working Time Regulations, which are a Health and Safety initiative.

5 Honesty and personal integrity

- 5.1 Employees are expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct at our Trust/Academy/School.
- 5.2 Employees must comply with any lawful or reasonable instructions issued by managers or governors.
- 5.3 Employees uphold public trust in our Trust/Academy/School and maintain high standards of ethics and behaviour, within and outside school, by:
 - Treating students with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position
 - Having regard for the need to safeguard students' well-being, in accordance with statutory provisions
 - Showing tolerance of and respect for the rights of others
 - Not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - Ensuring that personal beliefs are not expressed in ways which exploit students' vulnerability or might lead them to break the law.
- 5.4 Employees must have proper and professional regard for the ethos, policies and practices of our Trust/Academy/School and maintain high standards in their own attendance and punctuality. Employees must treat all colleagues with respect, dignity, fairness and courtesy at all times.
- 5.5 Staff must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of Trust/Academy/School property and facilities.

6 Tackling discrimination

- 6.1 Employees are required to understand the types of discrimination and bullying that students and colleagues may be subject to. Employees are required to have read and understood our Equality and Diversity policy / Anti-Harassment and Bullying policy.

- 6.2 Employees must not ignore any form of discrimination. This includes inappropriate jokes and banter. Employees must positively promote equality and diversity and inclusion at all times.

7 Professional boundaries and relationships

- 7.1 Employees in our Trust/Academy/School are in a position of trust in relation to our students which means that the relationship between an employee and a student is not one of equals. It is a specific offence¹ for a person aged 18 or over (e.g. teacher, youth worker) 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.
- 7.2 Employees must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with students.
- 7.3 Employees must not make sexual remarks to any student or discuss their own sexual relationships with, or in the presence of students. Employees must not discuss a student's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a member of staff towards any student is unacceptable and illegal.
- 7.4 Employees must ensure that professional boundaries are maintained at all times. This means that employees should not show favouritism to any student and should not allow students to engage in any type of behaviour that could be seen to be inappropriate. Students are not employees friends and should not be treated as such.
- 7.5 Employees should be aware that it is not uncommon for students to become strongly attracted to a member of staff or to develop an infatuation. If any member of staff becomes aware of an infatuation they should discuss it with their Executive Head/Headteacher/Head of School immediately so that they can receive support on the most appropriate way to manage the situation.
- 7.6 For employees who are in a relationship with a colleague, parent or carer, or any other person associated with the Trust/Academy/School we expect that they identify this to the Executive Head/Headteacher/Head of School/line manager and ensure that this does not create a conflict of interest or affect their professional judgement or responsibilities in any way. Where an employee has managerial authority over another employee with whom they are in a close personal relationship, the Trust/Academy/School reserves the right to transfer one or both employees to another role in the Trust/Academy/School following appropriate consultation with both employees in order to seek agreement to the transfer.

8 Confidentiality and data protection

- 8.1 Members of staff may have access to confidential information about students, colleagues or other matters relating to the Trust/Academy/School. This could include personal and sensitive data, for example information about a student's home life. Employees should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Employees should never disclose this information unless this is in the proper circumstances and with the proper authority.
- 8.2 If an employee is ever in doubt about what information can or can't be disclosed they should speak to their line manager.

¹ Section 16 of The Sexual Offences Act 2003

- 8.3 We will comply with the requirements of **Data Protection Legislation** (being (i) unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998). Employees are expected to comply with the Trust/Academy/School systems as set out in our Data Protection Policy. If any employee becomes aware that data is at risk of compromise or loss, or has been compromised or lost they must report it immediately to the Data Protection Officer, in order (where applicable) for relevant breaches to be reported to the Information Commissioners Office within 72 hours.
- 9.4 Employees must read and understand our Data Protection Policy and other relevant policies including in relation to criminal records information, recruitment and safer recruitment, internet, email and communications, information security, copies of which are available from the Trust HR Officer.

9 Physical contact with students

- 9.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with students. Employees must ensure that they only do so in ways that are appropriate to their professional role and in response to the student's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the student. Employees should always be able to explain why they have made physical contact with a student. Employees should ensure that they have read and understood our Physical Contact Policy.
- 9.2 There may also be occasions where a student is in distress and needs comfort and reassurance which may include age appropriate physical contact. If an employee is in this position then they should consider the way in which they offer comfort, ensuring that it is not open to misinterpretation and is always reported to Executive Head/Headteacher/Head of School.
- 9.3 Staff may legally physically intervene with students to prevent them from committing a crime, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Physical force should never be used as a form of punishment.
- 9.4 Sexual contact, including grooming patterns of behaviour, with students is unlawful and unacceptable in all circumstances.

10 Social contact with students

- 10.1 Except where a familial relationship exists, employees should not establish or seek to establish social contact, via any channels (including social media), with students for the purposes of securing a friendship or to pursue or strengthen a relationship. Employees should use their work provided equipment only for communicating electronically with students. If there are any circumstances in which an employee has had to provide their personal contact details, including phone numbers, email address etc., to any student then they should report this to Executive Head/Headteacher/Head of School.
- 10.2 The Trust/Academy/School advice to staff is not to connect to students via social media or other communication channels unless this is for professional purposes and that the employee can demonstrate that this is the case.
- 10.3 Our Trust/Academy/School is part of our community and we recognise that, as members of the community, employees will come into contact with students outside

of the Trust/Academy/School. We expect staff to use their professional judgement in such situations and to report to Executive Head/Headteacher/Head of School any contact that they have had with a student, outside of school, that they are concerned about or that could be misinterpreted by others.

10.4 Employees should read and understand our Social Media policy.

11 Working one to one with students

11.1 There will be times where an employee is working one to one with a student and this is acceptable. Employees need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore it is important that employees:

- Avoid meeting on a one to one basis in secluded areas of the Trust/Academy/School
- Ensure that the door to the room is open or that there is visual access into the room
- Inform a colleague or line manager of the meeting, preferably beforehand
- Reports to their line manager if the student becomes distressed or angry

12 Dress and appearance

Working in our Trust/Academy/School employees are role models to our students and how they present themselves is important. Our expectation is that staff are dressed appropriately for task. We do not permit the wearing of clothes that are revealing, allow underwear to be seen, have offensive logos or writing, or are ripped or torn at any times. If an employee is unsure whether any item of clothing is inappropriate, then they should not wear it to work. Employees can always speak to their line manager if they are unsure. Where we identify that an employee is wearing clothing that we do not find appropriate for task they will be informed.

13 Gifts and hospitality

It is traditional for students and their parents or carers to give gifts as a small token of appreciation or as a thank you to members of staff at certain times throughout the academic year. This Code of Conduct is not designed to stop that practice. Staff may accept gifts from students and their parents or carers provided that they meet this definition. Any member of staff receiving gifts on a regular basis should inform the Executive Head/Headteacher/Head of School who will then decide whether the gift can be accepted. Staff should make the Executive Head/Headteacher/Head of School aware of any student who is giving them gifts on a regular basis, or any student or parent or carer who expects something in return for a gift, as this would not be acceptable.

AND

Staff should not give gifts to students unless this is part of a recognised practice in line with our behaviour policy.

14 Keeping within the law

14.1 Staff are expected to operate within the law. Unlawful or criminal behaviour, at work or outside work, may lead to disciplinary action, including dismissal, being taken. However, being investigated by the police, receiving a caution or being charged will not automatically mean that an employee's employment is at risk.

14.2 Employees must ensure that they:

- Uphold the law at work
- Never commit a crime away from work which could damage public confidence in them or the Trust/Academy/School, or which makes them unsuitable for the work they do. This includes, for example:
 - submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)
 - breaching copyright on computer software or published documents
 - sexual offences which will render them unfit to work with children or vulnerable adults
 - crimes of dishonesty which render them unfit to hold a position of trust.
- Write and tell the Executive Head/Headteacher/Head of School (Chair of Governors if they are the Executive Head/Headteacher/ Head of School) immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed at the Trust/Academy/School (this includes outside of their working hours). The Executive Head/Headteacher/Head of School and/or governors will then need to consider whether this charge or conviction damages public confidence in the Trust/Academy/School or makes the employee unsuitable to carry out their duties.

15 Conduct outside of work and at work related functions

15.1 Unlike some other forms of employment, working at our Trust/Academy/School means that an employee's conduct outside of work could have an impact on their role.

15.2 Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the Trust/Academy/School or the employee's own reputation or the reputation of other members of the Trust/Academy/School community. Employees should be aware that any conduct that we become aware of that could impact on their role within the Trust/Academy/School or affect the Trust/Academy/School reputation will be addressed under our disciplinary procedure.

15.3 We therefore expect employees to make us aware immediately of any such situations that have happened outside of the Trust/Academy/School.

16.4 Employees are required to demonstrate responsible behaviour at work-related functions and work-related social events that take place outside normal work hours and to act in a way that will not have a detrimental effect on our reputation.

17 Review

This Code of Conduct is reviewed and amended Annually by the Trust. We will monitor the application and outcomes of this code of conduct to ensure it is working effectively.