

Schools HR Policy & Procedure Handbook



SCHOOLS PROFESSIONAL CODE OF CONDUCT FOR STAFF

Professional Code of Conduct for Staff Working in Schools

1. Introduction

The school is committed to safeguarding and promoting the welfare of all pupils in its care and expects all staff and volunteers to share this commitment.

All school staff (whether employed, working on a casual basis, agency staff or volunteering) have personal and legal responsibilities, including treating others with dignity and respect, acting honestly, using public funds and school equipment appropriately, adhering to health and safety guidelines and safeguarding pupils at all times. The law recognises that staff act in loco parentis in respect of pupils in their charge and must act in the role of replacement parent in the school context. Individuals are expected to make decisions or take action in the best interests and welfare of the pupils in their charge.

The code of conduct sets out:

- the minimum required standards of behaviour that are required for any individual working in any capacity at the school or college
- the principal areas and responsibilities that any individual working in any capacity at the school or college need to be aware of when working in a school and the parameters of the framework for appropriate and safe behaviour

2. Roles and Responsibilities

It is the responsibility of the Governing Body to monitor and review the effectiveness of its policies and to be familiar with the statutory safeguarding guidance.

It is the responsibility of the Headteacher to ensure that structures are in place to support the effective implementation of this code of conduct and to monitor standards of behaviour. The Headteacher should also be familiar with all policies including safeguarding and other statutory guidance that underpin expected behaviours, referred to throughout the code of conduct.

Employees, casual workers, agency staff and volunteers should ensure they are familiar with all school policies including safeguarding and statutory guidance that underpin expected behaviours, referred to throughout the code of conduct, and should be made available by the Headteacher.

3. Scope

This code of conduct refers to all staff including employees, casual workers and volunteers. Contractors and agency staff will be expected to follow the spirit of this code in their professional dealings with the provision of services to the school.

4. Safeguarding Pupils

All staff have a duty to safeguard pupils from:

- Abuse
- Physical abuse
- Sexual abuse
- Emotional abuse and
- Neglect

Safeguarding and promoting welfare of children is defined in Keeping Children Safe in Education (KCSiE) 2018 as: “protecting children from maltreatment; preventing impairment of children’s health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable children to have the best outcomes.”

Under KCSiE and Working Together to Safeguard Children 2018 staff have a duty to report concerns about a pupil to the Schools Designated Safeguarding Lead. Safeguarding responsibility applies to all who have contact with children. It must be child centred, identify concerns early and provide help to prevent concerns escalating.

The Schools’ Designated Safeguarding Lead (DSL) at the school will be confirmed to you.

Staff must be familiar with the school’s safeguarding policies including the Child Protection Policy, Whistleblowing Policy and E-Safety Policy. All staff must take reasonable care of the pupils under their supervision with the aim of ensuring their safety and welfare.

5. Contact with Pupils

5.1 Physical Contact

There are occasions where it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. The general culture of ‘limited touch’ should be adapted where appropriate to the individual requirements of each pupil. Pupils with special needs may require more physical contact to assist with their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil’s needs, recorded, consistently applied and open to scrutiny.

There may be times when a distressed pupil needs comfort and reassurance. This may include age appropriate physical contact. Staff should remain self-aware at all times to ensure that their contact is not threatening, intrusive, or subject to misinterpretation. Where a member of staff has a concern about the need to provide this type of care and reassurance they should speak to the DSL.

Staff should be aware that even good intentioned physical contact may be misconstrued by the pupil, an observer or by anyone to whom this action is described. A pupil must never be touched in a way that may be considered indecent. Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. Staff should always be aware that they should be prepared to explain actions and accept that all physical contact be open to scrutiny. Horseplay, tickling or fun fights with pupils must never take place.

5.2 Disclosure of Social Contact

Staff may have genuine friendships and social contact with parents of pupils, independent of the professional relationship. Staff should, however, also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to ‘groom’ the adult and the child and/or create opportunities for sexual abuse. Staff should protect themselves from risk of a situation being misconstrued by seeking approval for any planned social contact with pupils or parents from senior colleagues. Furthermore, they should advise senior leaders of any regular social contact they have with a pupil which could give rise to concern and must refrain from sending personal communication to pupils or parents unless agreed with senior leaders.

6. Pupil Development

Staff must comply with policies and procedures which support the wellbeing and development of pupils. All staff have a responsibility to co-operate and collaborate with colleagues and external agencies

where necessary to support the development of pupils. Reasonable instructions which support the development of pupils should be followed.

7. Intimate Care

All pupils have the right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A care plan must be drawn up, negotiated and agreed with parents/carers and the school/academy and recorded for all pupils who require intimate care on a regular basis.

Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. When assistance is required, staff should ensure that there is another adult in the vicinity and that they are aware of the task to be undertaken. Any deviations from the agreed care plan must be justified and recorded and the parent/carer informed.

Additional vulnerabilities that may arise from a physical disability or learning difficulty should be considered regarding individual teaching and care plans for each child.

8. Transporting Pupils

In certain situations, e.g. out of school activities, staff or volunteers may agree to transport pupils. A designated member of staff should have responsibility for planning and arranging all transport arrangements and to respond to any difficulties which may arise. The nature of the journey, route, and expected time of arrival should be discussed with the driver and recorded.

Where possible and practical it is advisable that transport (ideally not in private vehicles) is provided and more than one adult is present. The designated member of staff should ensure that the vehicle is roadworthy, insured appropriately and ensure the maximum capacity is not exceeded, and that the appropriate driving licence checks have been carried out. These checks are designed to ensure passenger, driver and vehicle safety. Shropshire Council provide additional Guidelines for Educational Visits and Journeys to help ensure schools have accurate record keeping.

9. Educational Visits and Before/After School Clubs

Staff should be familiar with Shropshire Council's Guidelines on Educational Visits for detailed guidance on health and safety and safeguarding during visits.

During school activities that take place off the school site or out of school hours a more relaxed discipline or informal dress code or language code may be acceptable. However, staff must remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship. At least two members of staff should always be present, unless the Headteacher has agreed alternative arrangements. A risk assessment must be undertaken, and parental consent must be given for their pupil to participate in the activity.

10. Photography, Videos and Creative Arts

Many school activities involve recording images including images of pupils. These may be undertaken as part of the curriculum, extra school activities, for publicity or to celebrate achievement. Images must only be taken on school equipment, never on personal equipment.

Staff must be aware of the potential for these to be misused for pornographic or 'grooming' purposes. Careful consideration should be given to how these activities are organised and undertaken.

Pupils who have previously been abused in this way may feel threatened by the use of photography or filming in a teaching environment. Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation.

Using images of pupils for publicity purposes will require consent from parent/carer. Images must not appear in a public place without such consent. A public place includes areas of the school where visitors have access.

11. IT and Social Media

Electronic communication opens up opportunities for learning but may also put pupils at risk through cyber-bullying, grooming or plagiarism amongst others. Staff should comply with the school's E-safety Policy with regards to their acceptable online behaviour, their use of ICT equipment in school and acceptable levels of communication between pupils and adults to ensure there are clear and explicit professional boundaries.

Additionally, staff should be mindful that their personal views shared on social media may have a negative impact or discredit their employment with the school or may affect the reputation or standing of the school, or other members of the school community. Staff should raise any concerns they have about the school with the Headteacher directly rather than on social media. Staff should refer to the school's E-safety Policy for specific guidance relating to their responsibilities surrounding social media.

Under no circumstances should staff have their mobile phone or personal device on their desk or on display in the classroom. Staff should refer to the school's behaviour (or other relevant) policy for specific guidance relating to their responsibilities with regards to use of mobile phones/electronic devices.

Any breach of the above policies may bring into question their suitability to work with children and young people and may result in disciplinary action being taken against them.

12. Honesty and Integrity

High levels of honesty and integrity are expected from school staff. This includes the handling and claiming of money and the use of school property and facilities. Staff must be mindful that the school uses public money which must be spent considerately.

- **Contracted Hours of Work**
All hours which are contracted and paid must be worked effectively. Additional hours must be approved by the Headteacher prior to being worked and being claimed for payment.
- **Use of school materials and equipment**
Staff must not make personal use of materials and equipment provided for school use (such as stationery, photocopier, vehicles, etc.) unless authorised by the Headteacher. Computers and software may only be used in line with the school's IT security policy.
- **Handling money**
When handling money, receipts should be issued to the payee. Clear records of the money paid in or out of the school should be maintained, which are evidenced by receipts and invoices.
- **Disposal of school property**
The school has a procedure for selling or disposing surplus equipment. If staff wish to acquire any item of equipment, they must inform their Headteacher. If the Headteacher wishes to acquire any item of property they should inform the Governing Body.

If as part of an individual's role they are required to deal with the disposal of surplus property, and they wish to acquire an item either for their own use or for any organisation or body in which they have an interest, they must inform their Headteacher before the disposal procedure has started and they must have no further dealings in the disposal of that item.

It is essential that staff are not given, or seem to be given, any preferential treatment.

13. Confidentiality

In carrying out their roles, staff may acquire information which has not been made public or is confidential.

Where staff have access to confidential information about pupils or parents/carers, staff must not reveal this except to colleagues who have a professional role in relation to the pupil. In circumstances where the identity of the pupils does not need to be disclosed the information should be used anonymously. Information should be treated in a discrete and confidential manner.

There are some circumstances when a member of staff will be expected to share information about a pupil, such as when abuse is alleged or suspected. The member of staff has a duty to pass this information on to the DSL without delay.

Additionally, confidential information relating to colleagues, events which occur within school or the school in general, should not be passed to anyone not entitled to receive it, nor posted on any public forum, or social media sites.

If a member of staff is in any doubt whether to share information or keep it confidential guidance should be sought from a senior member of staff. Any media or legal queries should be passed to the Headteacher.

Under the General Data Protection Regulations (GDPR) 2018, the school must record any breaches of confidentiality and in certain cases report the breach to the Information Commissioner. Failure of school staff to observe the requirements of confidentiality and/or the school's Data Protection Policy may constitute gross misconduct and could lead to dismissal without notice.

14. Conduct Outside Work

School Staff are expected to show the highest possible standard of behaviour to pupils in and out of school. Care should be taken not to undermine public confidence in any way.

Although off duty hours are a personal concern, work and private interests must not conflict. Where this may occur a discussion with the Headteacher should take place to ensure the appropriate action is taken.

Staff must notify their Headteacher immediately of any police investigation, charge, caution or reprimand, fine or conviction. This information will be treated in confidence, but may result in suspension, investigation and disciplinary action, including dismissal. Criminal convictions that involve violence, possession or use of illegal drugs or sexual misconduct are likely to be viewed as unacceptable.

Staff may undertake paid or voluntary work outside of school, provided that it does not conflict with the interests of the school or their performance at school. Activities including lectures, private tuition, publications or television/radio appearances should be notified to the Headteacher in advance if they relate to the activities of the school.

15. Health and Safety

Staff must act in accordance with the duty of care to ensure their own safety and welfare and that of pupils, colleagues and visitors at all times. It is not acceptable to attend work whilst under the influence of alcohol or any substance, including prescribed medicine, which may affect their ability to care for pupils or carry out their duties.

Each school should have the required number of trained First Aiders and Fire Wardens. Accidents and near misses must always be reported in the Accident Reporting book – as a near miss may develop into a serious incident. Please refer to the school's Health and Safety Policy.

16. Dress and Appearance

Dress and appearance are a matter of personal choice and self-expression; however, the manner of dress and appearance must be of a professional nature appropriate to their role, the activities they are involved with and health and safety requirements related to these. Dress and appearance should not cause offence, be revealing or sexually provocative, distract or cause embarrassment or give rise to misunderstanding or be considered discriminatory.

Personal protective equipment must be worn where a risk assessment has indicated that it is appropriate.

17. Personal Living Accommodation

Staff should not invite pupils to their living accommodation unless the reason to do so has been agreed with the Headteacher and the pupil's parents/carers.

18. Contractors and Suppliers

Orders and contracts must be awarded on merit, by fair competition against other tenders, and 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 or favoured.

Staff who engage contractors/suppliers, supervise contractors or have any other official relationship with contractors/suppliers and have previously had or currently have a relationship in a private or domestic capacity with contractors/suppliers, should declare that relationship to the Headteacher.

Staff should also tell their Headteacher if they, or a close relative, have a large number of shares in a Company with which it is likely that the school will be dealing and the investment recorded. This only applies where they have, or may reasonably be thought to have, a role on behalf of the school in selecting the source of supply or the quantity or specification of the goods or services of that company. It does not apply where they have invested some money in a relatively small number of shares (normally not exceeding a market value from time to time of £5,000 in a large company with which the school is doing business) (or in a small company where an individual's shareholding represents 20% or more of the company's equity).

If staff fail to disclose a private pecuniary interest in a contract with the school, they may be committing a criminal offence.

Staff involved with the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the school. Staff must be aware of the need for accountability and openness.

19. Gifts and Inducements

- **Gifts from parents & pupils**

It is unacceptable for staff to receive gifts on a regular basis or to accept any gift of significant value (£30+) from parents and/or pupils. Such offers should be discussed with the Headteacher prior to acceptance. Small inexpensive items such as flowers or chocolates may be accepted however.

- **Gifts to pupils**

The giving of gifts or rewards to pupils by school staff should be part of an agreed policy or plan recorded and discussed with the Headteacher and the parent/carer of the pupil.

Staff should not accept significant personal gifts from contractors and/or outside suppliers, although insignificant items of token value, such as pens or diaries, are acceptable.

- **Hospitality**

Staff should only accept hospitality from pupils/parents or carers or actual or potential contractors/suppliers (e.g. visits, meals, sporting events) if there is a genuine reason to impart information or represent the school/academy in the local community. Offers of hospitality should be

authorised by the Headteacher and recorded before being accepted, even if staff choose to pay to attend the activity themselves. Refusal by staff to attend should also be recorded.

- **Sponsorship**

Where an outside organisation wishes to sponsor or is seeking to sponsor a school, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Care must be taken when dealing with contractors/suppliers or potential contractor/suppliers.

Where the school wishes to sponsor an event or service, neither staff nor any relative or those in a close personal relationship must benefit from such sponsorship, either directly or indirectly, without there being full disclosure to Headteacher of any such interest. Similarly, where the school through sponsorship, grant aid, financial or other means, gives support in the community, staff should ensure that impartial advice is given and that there is no conflict of interest involved.

- **Personal Purchases**

Caution should be exercised when for their personal use staff buy goods or use the services of contractors/suppliers which they know have dealings with the school.

Staff should not accept prices or terms for such goods or services which they believe may have been reduced for them personally because of the contractor/supplier's dealings with the school; similarly, they should not seek such reductions.

Staff should be aware that it is a serious criminal offence to corruptly receive or give any gift, loan, fee, reward or advantage as an inducement to act in a certain way in their professional capacity. If an allegation is made, staff must be able to prove that any such reward has not been corruptly obtained.

20. Recruitment and Employment Decisions

Staff involved in appointments should ensure that their decisions are based on merit. To avoid any possible accusation of bias, staff should not be involved in an appointment where they are related to the applicant or have a close personal relationship. Similarly, staff should not be involved with decisions relating to discipline, promotion, or pay adjustments for any relative or those in a close personal relationship. Members of staff who are relatives, or have a close personal relationship, should not normally have a supervisory, assessing or authorising relationship with each other, queries should be directed to the Headteacher. If it is unavoidable, you must not use the relationship to influence or advance the interests of that member of staff.

Only the Headteacher or person with delegated responsibility may issue a reference for any member of staff, past or present, if the reference is to be an official one given on headed paper on behalf of the School.

This does not preclude a member of staff giving a reference for any other member of staff, past or present, providing the reference makes it clear that the views are those of the author in a private capacity and not necessarily those of the school. The use of official stationery, logos, and in particular headed notepaper, for this purpose is forbidden.

21. Compliance with the Code of Conduct

The **Disciplinary Procedure** may be enacted if there is any breach of the code of practice which could result in disciplinary action up to and including dismissal. It is therefore very important that staff read, understand and adhere to this code. The Disciplinary Procedure exists to deal with those situations where procedures and policies have not been followed or expectations of a standard of behaviour have not been met. It is designed, wherever possible, to encourage improved conduct informally, however where cases are more serious the formal process will be followed.

Where staff are accused of abuse, neglect, physical, emotional or sexual abuse of pupils, the agreed document 'Allegations of Abuse against Staff in Schools' should be followed.

Volunteers, contractors, casual and agency staff who breach the code may be requested to cease working at the school.

This code cannot cover every problem which may occur. If in doubt, the Headteacher should be consulted before taking action.

Whistleblowing is the mechanism for staff to voice their concerns, made in good faith, without fear of repercussion. Staff have a duty and responsibility to bring matters of concern to the attention of the senior leaders and/or external agencies. This is particularly important where the welfare of pupils may be at risk. The Whistleblowing Policy is available to staff who believe that inappropriate behaviour has occurred.

The Capability Procedure supports the school to deal with issues of capability and performance in a fair and consistent way and at the earliest possible stage, whilst the employee continues to carry out their role. This is achieved by making the employee aware of any performance which falls below the required standards and encouraging, supporting, providing training and giving them an opportunity to improve.

Equalities; The school expects all staff to show consideration and respect to their colleagues, pupils, parents, carers, governors and members of the public and the local community and treat everyone with dignity and respect and not discriminate unlawfully against any person. The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief,
- sex, and sexual orientation.

The school will also not discriminate on the grounds of trade union membership or non-membership, part time or fixed term contract status and past unrelated convictions, caring responsibilities and will also support social inclusion.

The workplace should be a fair, inclusive and safe environment where diversity is valued. The Equality Policy contains further information.

Harassment and Bullying; All staff have a duty to help create an environment at work where unlawful discrimination, victimisation, harassment and bullying in any form is considered unacceptable and will not be tolerated. The Harassment and Bullying Policy provides further information.

22. Monitoring and Review

The Governing Body will monitor the outcomes and impact of this Code of Conduct on an annual basis.