



**The Robert Carre Trust**

## **Code of Conduct for Employees**

### **1 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 associated policies and the Teachers' Standards.
- 1.2 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 line manager, Head of School or the Executive Headteacher
- 1.3 This Code does not form part of any employee's contract of employment and it may be amended at any time, but should be seen as supplementing our employees' terms and conditions of service as laid out in their conditions of service.

### **2 Scope**

- 2.1 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.
- 2.2 As recognisable figures in the local community the behaviour and conduct of staff of the Trust 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 rules].

### **3 Safeguarding and promoting the welfare of children**

- 3.1 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.
- 3.2 All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.
- 3.3 To do this employees must have fully read and understood our child protection, safeguarding and any other policies, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times.

- 3.4 All employees must cooperate with colleagues and with external agencies where necessary.

#### **4 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.

#### **5 Health & Safety**

All employees must ensure that they:

- Read and understand the Trust's Health and Safety Policy
- Comply with Health and Safety Regulations and use any safety equipment and protective clothing which is supplied to you by the Trust
- 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 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.

#### **6 Honesty and personal integrity**

6.1 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

6.2 Employees must comply with any lawful or reasonable instructions issued by managers

6.3 Employees uphold public trust in our Trust 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.

6.4 Employees must have proper and professional regard for the ethos, policies and practices of our Trust and maintain high standards in their own attendance

and punctuality. Employees must treat all colleagues with respect, dignity, fairness and courtesy at all times.

- 6.5 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 property and facilities.

## **7 Tackling discrimination**

- 7.1 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 Anti Bullying policies.
- 7.2 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.

## **8 Professional boundaries and relationships**

- 8.1 Employees in our Trust 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 offence<sup>1</sup> 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.
- 8.2 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.
- 8.3 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.
- 8.4 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.
- 8.5 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 school's Safeguarding Officer immediately so that they can receive support on the most appropriate way to manage the situation.
- 8.6 For employees who are in a relationship with a colleague, parent or carer, or any other person associated with the Trust we expect that they identify this to

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<sup>1</sup> Section 16 of The Sexual Offences Act 2003

the Executive Headteacher or Head of School 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 reserves the right to transfer one or both employees to another role in the Trust following appropriate consultation with both employees in order to seek agreement to the transfer.

## **9 Confidentiality and protection of data**

- 9.1 Members of staff may have access to confidential information about students, colleagues or other matters relating to the Trust. 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.
- 9.2 If an employee is ever in doubt about what information can or can't be disclosed they should speak to the school's Safeguarding Officer
- 9.3 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's systems as set out in our GDPR 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.
- 9.3 Employees must ensure that they have read and understood all of our policies that relate to data including our IT policies.

## **10 Physical contact with students**

- 10.1 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.
- 10.2 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 the school's Safeguarding Officer
- 10.3 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.

- 10.4 Sexual contact, including grooming patterns of behaviour, with students is unlawful and unacceptable in all circumstances.

## **11 Social contact with students**

- 11.1 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 the Executive Headteacher or Head of School.
- 11.2 The Trust's 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.
- 11.3 Our Trust is part of our community and we recognise that, as members of the community, employees will come into contact with students outside of the school. We expect staff to use their professional judgement in such situations and to report to Executive Headteacher or 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.

## **12 Working one to one with students**

- 12.1 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. It is important, therefore, that employees:

- Avoid meeting on a one-to-one basis in secluded areas of the 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
- Report to their line manager if the student becomes distressed or angry.

## **13 Dress and appearance**

Working in our Trust employees are role models to our students and how they present themselves is important. Our expectation is that staff are decently, appropriately and professionally dressed in work at all times. 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 acceptable they will be informed.

## **14 Gifts and hospitality**

For many of our employees there will be a limited opportunity to accept gifts and hospitality, but all staff must be aware that it is not acceptable for staff to accept bribes. Therefore any gift, promotional offer or hospitality, intended either for the employee or for the Trust that exceeds a nominal value of £50 must be declared to the Executive Headteacher and permission must be obtained before accepting. If an employee is ever unsure, then the best course of action is to politely decline the offer.

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 a gift with a value of greater than £50 should inform the Executive Headteacher who will then decide whether the gift can be accepted. Staff should make the Executive Headteacher 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.

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

## **15 Keeping within the law**

15.1 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.

15.2 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 Trust 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 Headteacher/Head of School (Executive Headteacher if they are the Head of School, or Chair of Trust if they are the Executive Headteacher) immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed at the Trust (this includes outside of their working hours). The Executive Headteacher/Head of School and/or Trustees/governors will then need to consider whether this charge or conviction damages public confidence in the Trust or makes the employee unsuitable to carry out their duties.

## **16 Conduct outside of work and at work related functions**

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

- 16.2 Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the Trust or the employee's own reputation or the reputation of other members of the Trust community. Employees should be aware that any conduct that we become aware of that could impact on their role within the Trust or affect the Trust's reputation will be addressed under our disciplinary procedure.
- 16.3 We, therefore, expect employees to make us aware immediately of any such situations that have happened outside of the Trust.
- 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. Alcohol/Drugs**

- 17.1 All school employees should ensure that they report fit for work and remain fit to perform their duties. The consumption of alcohol is not permitted on school premises unless specifically approved by the Executive Headteacher/ Head of School and never during school session times. The Trust prohibits the use, possession, distribution or sale of drugs at the work-place, or when conducting school business.
- 17.2 Where it is established that there is an alcohol or drug dependency problem, this will be considered as a treatable illness and Headteachers will provide assistance wherever possible. The Employee Support and Counselling Service is also available to provide counselling and advice. Where an employee refuses help or drops out of a treatment programme this will not be automatic grounds for dismissal, however any unacceptable behaviour or level of performance thereafter will be subject to appropriate action.

## **18. Additional Employment**

- 18.1 The school will not prevent an employee from undertaking additional employment providing it does not conflict with the interests of, or in any way weaken public confidence in the school and does not in any way affect performance of their duties and responsibilities whilst he/she is at work. Employees have a duty to take reasonable care of their own health and safety. Staff in the school *must* inform the Executive Headteacher /Head of School if they have/take up additional hours, which mean that their total number of hours worked, exceed an average of 48 hours per week, or which could have a detrimental effect on their health and safety (see employee leaflet POEL25 Working Time Regulations). Employees are required to obtain consent from Executive Headteacher /Head of School if they wish to take up any additional employment.
- 18.2 A related issue concerns payment received by employees for work which arises principally as a result of work-related skills and is carried out for private purposes during working hours (by prior agreement) or annual or special leave and during periods of school closure, or when using Trust information, equipment or facilities. Examples might be when an employee writes a book using information belonging to the Trust, an employee who marks examination papers during annual leave periods or an employee who produces computer software which is capable of being marketed outside the school for profit. The question then arises of who should retain payments for such work (i.e. the

school, the employee or a split between the Trust and the employee). Should an instance of this nature arise employees should consult the Executive Headteacher /Head of School who will make a decision regarding the acceptability of the project and, if applicable, how resultant payments will be handled, prior to commencement of any such work. It may be necessary for the Executive Headteacher /Head of School to take advice from the Human Resources Advisor.

## **19. Promotional Sales/Benefits**

- 19.1 Offers from companies of promotional sales should be declined. Employees should bring such matters to the attention of the Executive Headteacher /Head of School in order that a decision can be made as to whether it is appropriate to inform the Director Of Finance, Administration and Resources who can write to the company concerned, indicating that improved discounts are the only form of promotion acceptable to the Trust.
- 19.2 The use of personal loyalty cards whilst making purchases on behalf of the Trust is also unacceptable. It may bring into question the impartiality of the use of that supplier.

## **20. Sponsorship**

- 20.1 Where an external organisation wishes to sponsor or is seeking to sponsor a Trust activity, whether by invitation, tender negotiation or voluntarily, the conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 20.2 From time to time a Local Authority sponsors or gives grants for sporting and cultural events such as exhibitions, plays or performances or games. The general rule is that no employee nor any partner, spouse or relative associated with the school shall receive any benefit from such sponsorship or grant in a direct way without there being full disclosure to the Executive Headteacher / Head of School.

## **21. Appointment of Staff**

- 21.1 An employee must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, who is a relative or friend.
- 21.2 In this paragraph “relative” means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and “partner” in sub paragraph (1) above means a member of a couple who live together.
- 21.3 Employees involved in appointments should ensure that those appointments are made only on the basis of merit. In order to avoid any possible accusation of bias, employees should not be involved in an appointment (which includes involvement in any part of the selection process) where they are related to an applicant, or have a personal relationship with him or her outside of work.



- 21.4 Similarly, employees should not be involved in decisions relating to discipline, promotion, recruitment or pay and conditions for any other employee who is a relative, partner, etc. Employees must declare a personal relationship and if it is thought that a potential conflict of interest arises, arrangements should be made to re-organise the work of both parties.

## **22 Associated Policies**

ICT Acceptable Use Policy  
Acceptance of Gifts and Hospitality Policy  
Whistleblowing Policy  
Health & Safety Policy  
Staff Disciplinary Policy  
Safeguarding Policy  
SEND Policy

## **23 Review**

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

**Adopted at the meeting of the Board on 9 December 2020**

**Next Review Due: November 2022 (2 Years)**