



# **DAYSPRING TRUST**

## **STAFF CODE OF CONDUCT POLICY**

***REVIEWED SEPTEMBER 2016***

*Ratified by Board of Directors on 26 September 2016*

## **STATEMENT OF INTENT**

Dayspring Trust expects all of its pupils to receive the highest possible quality of teaching and learning within a positive and respectful environment.

Employees of the Academies within the Trust should understand that their own behaviour and the manner in which they conduct themselves with their colleagues, pupils, parents and other stakeholders sets an example.

This document forms part of an employee's contract of employment and failure to comply with it and the associated Trust wide and academy policies may result in disciplinary action being taken, including legal action where it is warranted.

This document applies to all staff members who are:

- Employed by Academies within the Trust.

This document also applies to:

- Peripatetic staff members who are centrally employed by the Local Authority.
- Employees of external contractors and providers of services.

## **1 Introduction**

- 1.1 The Directors of Dayspring Trust are required to set out a Staff Behaviour Policy (Code of Conduct) for all employees and this policy has been negotiated with Trade Unions.
- 1.2 In addition to this policy, all employees employed under teachers' terms and conditions of employment have a statutory obligation to adhere to the Teachers Standards 2012 and in relation to this policy, Part 2 of the Teacher Standards Personal and Professional Conduct.
- 1.3 All employees 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 practising equal opportunities at all times. These expectations are set out below and should be fully observed by all employees.
- 1.4 Academy employees are role models and are in a unique position of influence and must adhere to behaviour that sets a good example to all pupils within the Academy. As a member of a school community, each employee has an individual responsibility to maintain his/her reputation and the reputation of the Academy, whether inside or outside working hours.
- 1.5 This document is not a prescriptive guide to what employees should and should not do. It highlights the principal areas where employees need to be aware of their responsibilities when working in academies within the Trust and is a framework for behaviour. Employees should ensure they are familiar with the specific policies that underpin these behaviours through reference to the documents highlighted throughout the code. If these documents are not supplied at induction, the employee should ask the Academy for copies.

## **2 Compliance with the Staff Behaviour Policy (Code of Conduct)**

- 2.1 This policy forms part of an employee's contract. Failure to comply with it and the associated school policies may result in disciplinary action being taken and the Trust reserves the right to take legal action against employees where breaches of the code warrant such action.

## **3 Setting an Example**

- 3.1 All employees who work in our academies set examples of behaviour and conduct which can be copied by pupils. Therefore all employees must:
- avoid using inappropriate or offensive language at all times;
  - demonstrate high standards of conduct in order to encourage our pupils to do the same;
  - avoid putting themselves at risk of allegations of abusive or unprofessional conduct.

## **4 Safeguarding Pupils**

- 4.1 All staff have a responsibility to provide a safe environment in which children can learn.

- 4.2 All staff have a responsibility to identify children who may be in need of extra help or who are suffering, or are likely to suffer, significant harm. All staff then have a responsibility to take appropriate action working with other services as needed.
- 4.3 In addition to working with the Designated Safeguarding Lead, staff members should be aware that they may be asked to support social workers to take decisions about children.
- 4.4 Knowing what to look for is vital to the early identification of abuse and neglect. If staff members are unsure they should always speak to the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead. In exceptional circumstances, such as in emergency or a genuine concern that appropriate action has not been taken, staff members can speak directly to children's social care.
- 4.5 Staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the safeguarding regime. The Trust's Confidential Reporting Procedure is in place for such concerns to be raised with the Academy management team including the Trust Board of Directors. The Confidential Reporting Procedure also provides routes for staff to raise concerns externally should they believe that the Trust as a whole is not supporting safeguarding.
- 4.6 Where a staff member feels unable to raise the issue with their employer or feels that their genuine concerns are not being addressed, other confidential reporting channels are open to them. These are outlined in the Confidential Reporting Procedure.
- 4.7 Employees must not demean or undermine pupils, their parents or carers, or colleagues.
- 4.8 Employees must take reasonable care of pupils under their supervision with the aim of ensuring their safety and welfare and act in an open and transparent way that would not lead to any suspicion about their actions or intent.

## **5 Confidentiality**

- 5.1 Where employees have access to restricted information about pupils or their parents or carers, they must not reveal such information except to those colleagues who have a professional role in relation to the pupil. Further information is available in the DfE Information Sharing Guidance March 2015  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419628/Information\\_sharing\\_advice\\_safeguarding\\_practitioners.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf)
- 5.2 All employees are likely at some point to witness actions which may give cause for concern, for example a pupil being bullied. This needs to be reported and dealt with in accordance with the appropriate Academy procedure. It must not be discussed outside the Academy, including with the pupil's parent/carers, nor with colleagues in the Academy except with a senior member of staff with the appropriate role and authority to deal with the matter.
- 5.3 However, employees have an obligation to share with their manager or the academy's Designated/Deputy Designated Safeguarding Lead any information which gives rise to concern about the safety or welfare of a student. An employee must never promise a pupil that they will not act on information they are told by the pupil.

## **6 Professional Behaviour and Conduct**

- 6.1 All employees are expected to treat other colleagues, pupils and external contacts eg parents, with dignity and respect.
- 6.2 Employees are expected to comply with the Academy's equality policies in respect of colleagues, pupils and external contact. Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated in our Academies. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, pupils and parents.
- 6.3 Employees must not misuse or misrepresent their position, qualifications or experience or bring the Academy into disrepute.
- 6.4 Employees must inform their line manager if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution.
- 6.5 For staff who work in childcare provision or who are directly concerned with the management of such provision, the school needs to ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2009. Further information on the staff to whom these regulations apply, the checks that should be carried out, and the recording of those checks can be found in Disqualification under the Childcare Act 2006\_statutory guidance. The link to this guidance is [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/414345/disqual\\_stat-guidance\\_Feb\\_15\\_3\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414345/disqual_stat-guidance_Feb_15_3_.pdf)

## **7 Appropriate Relationships with Children**

- 7.1 It is important for staff to avoid behaviour that might be misinterpreted by others in order to protect both young people and themselves. Employees in academies are in a position of trust and have a duty to protect young people from discrimination and harm and to maintain appropriate professional boundaries. Employees are required to read and understand Academy policies on child protection and the Safer Working Practices document.

## **8 Appearance and Dress**

- 8.1 There is an expectation from Directors that employees:
- ensure their appearance is professional, clean and neat when at work or representing the Academy;
  - dress in a manner appropriate to their role;
  - remember that they are role models for pupils and their dress and appearance should reflect this;

- do not dress in a way that would cause embarrassment to pupils, parents, colleagues or other stakeholders.

## **9 Attendance**

- 9.1 Employees should attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days or work and holidays.
- 9.2 Make routine medical and dental appointments outside of their working hours or during holidays, where possible.
- 9.3 Refer to the Academy's policy on leave of absence if they need time off for any reason other than personal illness.
- 9.4 Follow the reporting arrangements for personal illness in the Academy's attendance management policy.

## **10 Declaration of Interests**

- 10.1 An employee should declare this where the group or organisation would be considered to be in conflict with the ethos of the Academy. Membership of a trade union or staff representative group would not need to be declared.
- 10.2 Employees should also consider carefully whether they need to declare to the Academy their relationship with any individual(s) where this may cause a conflict with school activities for example with a Director or a contractor who provides services to the Academy.
- 10.3 Failure to make a relevant declaration of interests is a very serious breach of trust and therefore if employees are in doubt about a declaration, they are advised to take advice from their Academy or union.
- 10.4 All declarations, including nil returns should be submitted in writing annually or when a new declaration arises on an Academy Register of Business Interests (Appendix 1).

## **11 Probity of Records and Other Documents**

- 11.1 The deliberate falsification of documents is not acceptable. Where an employee falsified records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.
- 11.2 Where an employee who has claimed any benefit, including housing benefit, either directly or indirectly and has failed to disclose their full earnings, the Trust may refer the matter to the police.

## **12 Financial Inducements**

### **12.1 Financial Regulations for Schools**

All Academy employees must comply with the Academy's, local authority's and education funding agency's financial regulations. Employees should familiarise themselves with the regulations but some of the principal requirements are set out below.

### **12.2 Business Contacts**

In this section, '*business contact*' refers to any person, body or organisation with which the academy is involved on a financial or charitable basis (including contractors, developers, consultants and charities). This also includes business contacts who are potential suppliers (ie they are tendering for future business).

### **12.3 Declaration of Gifts**

Any gifts that are received should be declared in writing to the Head of School on the Register of Gifts and Hospitality (Appendix 2) with the exception of those items identified in sections 12.4 and 12.5 below. These documents shall be available for inspection by the Academy's internal and external auditors.

### **12.4 Gifts or hospitality to an employee**

Where a business contact offers a personal gift, personal payment or other incentive such as secondary employment to an employee, these should not be accepted and should be returned with a suitable official letter. Such offers should be declared to the Head of School and recorded in the Register of Gifts and Hospitality.

If it is not possible to return gifts then the employee who deals with that supplier should declare the gift to the Head of School who will keep a record of it and decide how it is to be used. Such gifts remain the property of the Academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to these are:

- Low cost, functional items suitable for business use rather than personal use and displaying the supplier's logo eg diaries, pens and calendars. These items may be accepted and do not have to be included in the register.
- Gifts offered by parents/carers or pupils to school staff to express their thanks, however, staff members should always refuse gifts of money. Such gifts do not have to be declared in writing or included on the register.

Where hospitality in the form of meals and drinks is offered by a business contact, this is only acceptable where it forms part of a normal business meeting (eg meals at evening meetings). Offers of hospitality to specific events, such as a dinner or sporting event, should only be accepted after authorisation from the Head of School. These would normally only be approved where there is a clear and demonstrable benefit to the Academy and the hospitality would not expose the Academy to criticism that the business contact was exerting undue influence. These should be recorded in the Register of Gifts and Hospitality.

Visits by employees to exhibitions, conferences, business meals and social functions in connection with the Academy's business and authorised by the Academy, shall be at the Academy's expense.

## **12.5 Gifts or hospitality to the Academy**

Where a business contact sends a gift to the Academy (for example a stationery supplier sending a gift), these should not be accepted and should be returned to the supplier. Such offers should be declared to the Head of School and recorded in the Register of Gifts and Hospitality.

If it is not possible to return the gift then the employee who deals with that supplier should declare the gift to the Head of School who will keep a record of it and decide how it is to be used. Such gifts remain the property of the Academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to this are low cost, functional items suitable for business use (as opposed to personal use), such as diaries, calendars or pens, these may be accepted and do not have to be declared on the register.

## **13 Use of Academy contacts**

- 13.1 Apart from participating in concessionary schemes arranged by trade unions or other such groups for their members, employees shall not use Academy business contacts for acquiring materials or services at trade/discount prices for non-academy activities.

## **14 Outside Employment**

- 14.1 Where an employee wishes to take up secondary employment or voluntary activities outside the Academy, permission must be obtained from the Board of Directors via the Head of School.
- 14.2 The Board of Directors will not unreasonably stop employees from undertaking additional employment but such employment must not constitute a conflict of interest, adversely affect an employee's primary employment at the academy or result in the employee exceeding the maximum working week of 48 hours under the Working Time Regulations.
- 14.3 If approved the secondary employment must be undertaken outside the working hours of the employee's post in the Academy.

## **15 Health and Safety**

- 15.1 Employees must be familiar with and adhere to the Academy's Health and Safety Policy, procedure and guidance and must ensure that they take every action to keep themselves and everyone in the academy environment safe and well.
- 15.2 This includes taking immediate safety action in a potentially harmful situation (either at the academy or off-site) by complying with statutory and Academy guidelines and collaborating with colleagues, agencies and the local authority.

## **16 Use of Alcohol and Illegal Drugs**

- 16.1 The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. All employees are expected to attend work without being under the influence of alcohol or illegal drugs and without their performance being adversely affected by the consumption of alcohol or drugs.
- 16.2 If alcohol or drug usage impacts on an employee's working life, the Academy has the right to discuss the matter with the employee and take appropriate action, having considered factors such as the Academy's reputation and public confidence.

## **17 Use of Academy Premises, Equipment and Communication Systems**

- 17.1 Academy equipment and systems (phone, email and computers) are available only for academy-related activities and should not be used for the fulfilment of another job or personal use. This is unless authorised by the Head of School eg in an emergency or for brief periods outside of working hours. This excludes employees who have agreed to use their personal mobile phone for business use.
- 17.2 This includes photocopy facilities, stationery and premises. It also applies to any access provided for remote use and to staff working outside of academy premises.
- 17.3 Illegal, inappropriate or unacceptable use of school equipment or communication system may result in disciplinary action and in serious cases could lead to an employee's dismissal. This list is not exhaustive and includes:
- Creating, sending or forwarding any message that would reasonably be considered inappropriate or unacceptable.
  - Committing or implying commitment to any contractual arrangements.
  - Accessing, publication or circulation of illegal, offensive, unacceptable, inappropriate or non-work related material.
  - Any illegal activities.
  - Posting confidential information about the academy and/or other employees, pupils or parents/carers.
  - Gambling or gaming.
  - Unauthorised use of academy facilities (or employee's personal IT equipment), for personal use during employee's working time.
- 17.4 Employees receiving inappropriate communication or material or who are unsure about whether something he/she proposes to do might breach this policy should seek advice from the Head of School.
- 17.5 The academy has the right to monitor emails, phone calls, internet activity or document production, principally to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems. Communication systems may be accessed when the Academy suspects an employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity.

- 17.6 Passwords should not be shared and access to computer systems must be kept confidential. Breach of this confidentiality may be subject to disciplinary action.
- 17.7 Any Academy equipment that is used outside Academy premises, for example laptops, should be returned to the Academy when the employees leaves employment or upon request by the Head of School.

## **18 Social Networking Websites**

- 18.1 Employees must not access social networking websites for personal use during work time.
- 18.2 Access to some journals, blogs and social networking sites is permitted during work time for the purposes of undertaking job related duties only. Academy employees must act in the best interests of the Academy and not disclose personal data or information about any individual including staff or pupils and this includes images. Access may be withdrawn and disciplinary action taken if there is a breach of confidentiality or defamatory remarks are made about the Academy, staff or pupils.
- 18.3 The Academy respects an employee's personal life. However, it must also ensure that confidentiality and its reputation are protected. Employees using social networking websites in their private life;
- Should refrain from identifying themselves as working for the Academy, in a way which has, or may have, the effect of bringing the academy into disrepute.
  - Should not identify other academy employees without their consent.
  - Should not make any defamatory remarks about the academy, it's employees, pupils, parents/carers or partners, or conduct themselves in a way that is detrimental to the academy.
  - Disclose personal data or information about the Academy, employees or pupils that could breach the Data Protection Act eg posting images or photographs of pupils.
  - Should not allow pupils to access their personal social networking accounts and where they are contacted by a pupil they should bring it to the Head of School's attention.

## **19 Data Protection and Freedom of Information**

- 19.1 All employees at the Academy and the Trustees will come into contact with a significant volume of data and information in relation to employees, pupils, school activities and other matters. There is an obligation on staff therefore to read and observe the requirements of the Data Protection Act 1998.
- 19.2 Under the Data Protection Act, there is an expectation that staff will collect, maintain and dispose of sensitive or personal data in a responsible manner.
- 19.3 Staff should not disclose sensitive information about the academy and/or its employees to other parties eg parents or colleagues. There are particular exceptions to this for example disclosure of suspected or alleged abuse of a pupil to Child Protection officers or discussions with a person accompanying or representing an employee in a formal meeting.

- 19.4 All communication with the media must be directed through the Head of School or their nominee.
- 19.5 There are circumstances in which staff are obliged to release pupil data, for example, parents seeking information about pupil progress or other colleagues in the academy.
- 19.6 Everyone has the right to request access to data that is held about them and such requests should be made to the Executive Business Manager who will address the request in conjunction with the Local Authority Data Protection Officer.
- 19.7 If an employee receives a request for information under the Freedom of Information Act this should be forwarded to the Executive Business Manager who will address the request.

**REGISTER OF BUSINESS INTERESTS FORM**

**STAFF DECLARATION FORM**

I wish to declare the following information in accordance with the Trust's requirements that a Register of Business Interests should be maintained.

**Name:** .....

**Post:** .....

**Signature:** .....

**Date** .....

You should provide full details of your declaration below, including a nil return.

Declaration of relationships or contracting arrangements	
Relationships or links with businesses. Contracts or proposes contracts (or any activity which would cause potential conflict) in which you are involved/interested	State whether the interest is direct or indirect, and the nature of the interest

**REGISTER OF GIFTS AND HOSPITALITY**

**TRUSTEE AND STAFF DECLARATION FORM**

I wish to declare the following information in accordance with the Trust's requirements that a Register of Gifts and Hospitality should be maintained.

**Name:** .....

**Post:** .....

**Signature:** .....

**Date:** .....

You should provide full details of your declaration below, including a nil return.

Declaration of gifts and hospitality		
Date gift/hospitality received	From whom	Description of gift/hospitality