

# Horton Lodge Community Special School

'Working Hand in Hand to Achieve Potential'



## Code of Conduct for Employees

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## 1. Aims, scope and principles

This policy aims to set and maintain standards of conduct that we expect all staff to follow. By creating this policy, we aim to ensure our school is an environment where everyone is safe, happy and treated with respect. Happiness, Respect and Teamwork are key school values.

The staff of Horton Lodge Community Special School ('the School') have an influential position and will act as role models for pupils by consistently demonstrating high standards of behaviour. We expect all support staff, governors and volunteers to also act with personal and professional integrity, respecting the safety and wellbeing of others.

This policy sets out the minimum standards that are expected of employees and provides a framework that will help to prevent misunderstandings or criticism. Failure to follow the code of conduct may result in disciplinary action being taken, as set out in our staff disciplinary procedures. Please note that this code of conduct is not exhaustive. If situations arise that are not covered by this code, staff will use their professional judgement and act in the best interests of the school and its pupils.

We are required to establish procedures for the regulation of staff conduct under regulation 7 of [The School Staffing \(England\) Regulations 2009](#).

In line with the statutory safeguarding guidance [Keeping Children Safe in Education](#), we should have a staff code of conduct, which should cover low-level concerns, allegations against staff and whistleblowing, as well as acceptable use of technologies (including the use of mobile devices), staff/pupil relationships and communications, including the use of social media.

## 2. Roles and Responsibilities

**Governors:** The Governing Board has a general role in ensuring that appropriate standards of conduct are established and maintained. Members may also be involved in dealing with specific declarations made by employees under the Code-of-Conduct, where appropriate.

**Headteacher:** The Headteacher is responsible for ensuring that staff are made aware of the Code-of-Conduct as part of their induction programme. They may also consider declarations made by employees under the Code and will ensure appropriate action is taken to deal with any alleged breaches.

**Employees:** All staff employed by the School are required to keep to the standards of the Code-of-Conduct and carry out their duties honestly and fairly. Failure to do so is a serious matter and could result in disciplinary action, including dismissal. Employees should therefore ensure that they read



the Code-of-Conduct carefully and contact their immediate line manager or the Headteacher if they have any queries.

### 3. General obligations

Staff will:

- Maintain high standards in their attendance and punctuality
- Never use inappropriate or offensive language in school
- Treat pupils and others with dignity and respect
- Show tolerance and respect for the rights of others
- Not undermine fundamental British values, including democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs
- Not express personal beliefs in a way that exploits pupils' vulnerability or might lead them to break the law
- Understand the statutory frameworks they must act within
- Operate in accordance with the Codes of Conduct provided by their relevant professional bodies
- Adhere to the following principles:
  - The welfare of pupils is paramount.
  - Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
  - Staff should work, and be seen to work in an open and transparent way.
  - Staff should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident, which may give rise to concern.
  - Records should be made of any such incident and of decisions made/further actions agreed.
  - Staff should apply the same professional standards in keeping with the school's Equality Policy.
  - All staff should know the name of their designated person for child protection, be familiar with child protection arrangements and understand their responsibilities to safeguard and protect pupils.
  - Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

### 4. Standards

All employees are expected to perform to the highest possible standard and to carry out their duties honestly, fairly and with integrity.



All employees must report to the Headteacher, or in the case of an allegation against the Headteacher the Chair of Governors, anything illegal, improper or a breach of procedure. The Headteacher or Chair of Governors must record, investigate and take appropriate action on such reports. Please refer to the School's Whistleblowing Policy for further information.

## **5. Safeguarding**

Staff have a duty to safeguard pupils from harm, and to report any concerns they have. This includes physical, emotional and sexual abuse, and neglect.

Staff will familiarise themselves with our child protection and safeguarding policy and procedures, Keeping Children Safe in Education and procedures, and the Prevent initiative, and ensure they are aware of the processes to follow if they have concerns about a child.

### **5.1 Allegations that may meet the harm threshold**

This section applies to all cases in which it is alleged that anyone working in the school, including a supply teacher, volunteer or contractor, has:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place inside or outside of school

We will deal with any such allegation quickly and in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

A 'case manager' will lead any investigation. This will be the headteacher, or the chair of governors where the headteacher is the subject of the allegation.

### **5.2 Low-level concerns about members of staff**

A low-level concern is a behaviour towards a child by a member of staff that does not meet the harm threshold, is inconsistent with the staff code of conduct, and may be as simple as causing a sense of unease or a 'nagging doubt'. For example, this may include:

- Being over-friendly with children
- Having favourites
- Taking photographs of children on a personal device
- Engaging in 1-to-1 activities where they can't easily be seen
- Humiliating pupils



Low-level concerns can include inappropriate conduct inside and outside of work.

All staff should share any low-level concerns they have using the reporting procedures set out in our child protection and safeguarding policy. We also encourage staff to self-refer if they find themselves in a situation that could be misinterpreted. If staff are not sure whether behaviour would be deemed a low-level concern, we encourage staff to report it.

All reports will be handled in a responsive, sensitive and proportionate way.

Unprofessional behaviour will be addressed, and the staff member supported to correct it, at an early stage.

This creates and embeds a culture of openness, trust and transparency in which our values and expected behaviour are constantly lived, monitored and reinforced by all staff, while minimising the risk of abuse.

Reporting and responding to low-level concerns is covered in more detail in our child protection and safeguarding policy.

Our procedures for dealing with allegations will be applied with common sense and judgement.

### **5.3 Whistle-blowing**

Whistle-blowing reports wrongdoing that it is “in the public interest” to report. Examples linked to safeguarding include:

- Pupils’ or staff’s health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Attempts to cover up the above, or any other wrongdoing in the public interest

Staff are encouraged to report suspected wrongdoing as soon as possible. Their concerns will be taken seriously and investigated, and their confidentiality will be respected.

Staff should consider the examples above when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or school procedures, put people in danger or was an attempt to cover any such activity up.

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

For our school’s detailed whistle-blowing process, please refer to our whistle-blowing policy. All employees of the School are required to work within the ‘Guidance for Safer Working Practice for Adults who work with Children and Young People in Education, 2019’ provided by the DfE and any additional guidance provided by the School. This aims to safeguard children and young people and reduce the risk of staff and other adults in schools being falsely accused of improper or unprofessional conduct. Please refer to the School’s Safeguarding Policy for further details.



## **6. Duty of Care**

Teachers and other staff are accountable for the way in which they exercise authority; manage risk; use resources; and protect pupils from discrimination and avoidable harm. The duty is exercised through the caring and professional relationships between staff and pupils and behaviour by staff is demonstrated through integrity, maturity and good judgement. When accepting a role with children and young people staff need to understand and acknowledge the responsibilities and trust inherent with the role. Employees must not let safeguarding concerns or allegations to go unreported.

Employers also have a duty of care towards their employees which requires them to create a safe environment in which they work.

## **7. Power and Positions of Trust**

All adults working with children are in a position of trust in relation to the young people within their care. This is not a relationship of equals and there is a potential for exploitation and harm of vulnerable young people. Staff therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff at all times should avoid behaviour which may be misinterpreted by others and report and record any incident with this potential.

Where a person age 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity. Where a person is aged over 18 and in a position of trust tries to establish a relationship with someone who has recently left school this will cause concern and will be treated as a breach of trust established in that prior relationship.

## **8. Confidentiality**

Members of staff will have access to confidential information in order to undertake their everyday responsibilities. In some cases, this may be highly private or sensitive information. Employees should never use this information for their own or others advantage. Information should also never be used to intimidate, humiliate or embarrass a student.

In circumstances where the pupil's identity does not need to be disclosed the information should only be used anonymously.

## **9. Staff-pupil relationships**

Staff will observe proper boundaries with pupils that are appropriate to their professional position. They will act in a fair and transparent way that would not lead anyone to reasonably assume they are not doing so.



If staff members and pupils must spend time on a one-to-one basis, staff will ensure that:

- This takes place in a public place that others can access
- Others can see in to the room (where possible)
- A colleague or line manager knows this is taking place

Staff should avoid contact with pupils outside of school hours if possible.

Personal contact details should not be exchanged between staff and pupils. This includes social media profiles.

While we are aware many pupils and their parents may wish to give gifts to staff, for example, at the end of the school year, gifts from staff to pupils are not acceptable.

If a staff member is concerned at any point that an interaction between themselves and a pupil may be misinterpreted, or if a staff member is concerned at any point about a fellow staff member and a pupil, this should be reported in line with the procedures set out in our child protection and safeguarding policy.

## **10. Communication with pupils**

All communication between staff and pupils / parents of pupils (including ex-pupils) should have explicit and clear professional boundaries. School staff's social media profiles should not be available to pupils or their parents. If they have a personal profile on social media sites, they should not use their full name, as pupils may be able to find them. Staff should consider using a first and middle name instead, and set public profiles to private.

Staff should not attempt to contact pupils or their parents via social media, or any other means outside school, in order to develop any sort of relationship. They will not make any efforts to find pupils' or parents' social media profiles.

Staff will ensure that they do not post any images online that identify children who are pupils at the school without their consent.

Staff should be aware of the school's online safety policy

Where a relationship exists outside of school such as being personal friends with parents of a student outside of school social networking is acceptable but caution and professional judgment must be exercised where all communications may be in the public arena ensuring they do not compromise themselves or the school. Any communication regarding education should not be engaged with in this way.

Adults should also be aware of their communications which could cause possible misinterpretation of their motives or any behaviour which could be construed as grooming.





## **11. Honesty and integrity**

Staff should maintain high standards of honesty and integrity in their role. This includes when dealing with pupils, handling money, claiming expenses and using school property and facilities.

Staff will not accept bribes.

Staff will ensure that all information given to the school is correct. This should include:

- Background information (including any past or current investigations/cautions related to conduct outside of school)
- Qualifications
- Professional experience

Where there are any updates to the information provided to the school, the member of staff will advise the school as such as soon as reasonably practicable. Consideration will then be given to the nature and circumstances of the matter and whether this may have an impact on the member of staff's employment.

## **12. Dress code and Appearance**

Staff will dress in a professional, appropriate manner according to their role. Staff must dress safely for the tasks that they undertake. This includes jewellery and piercings. Outfits will not be overly revealing. Clothes or tattoos will not display any offensive or political slogans or have images which could upset.

## **13. Use of Alcohol and Medication and Smoking**

All staff and volunteers whilst discharging their duties for and on behalf of the School must not be under the influence of alcohol or any other substance which may affect their ability to care for or respond to the needs of children. If staff are taking any medication which may affect their ability to care for children, those staff must seek medical advice. The School must ensure that staff and volunteers only work directly with children if medical advice confirms that the medication is unlikely to impair that member of staff's or volunteer's ability to care for and respond to the needs of children. Staff medication when on School premises must be stored securely, and out of reach of children at all times. Any staff carrying out school business away from School premises must ensure that any medication they need to have with them is safely secured and out of the reach of children at all times. The school is a non-smoking sites. Smoking constitutes a fire hazard and can be unpleasant and dangerous for the smoker and colleagues.

## **14. Use of Mobile Phones**

Mobile phones and personally owned devices will be switched off during work times. Watches that are linked to mobiles should have this function disabled. Mobile phones and personally owned devices brought into school are the responsibility of the device owner. The School accepts no



responsibility for the loss, theft or damage of personally-owned mobile phones or mobile devices. Devices should be protected by PIN codes. Staff must not give their private mobile numbers to students or their parents/carers under any circumstances and should not use their personal mobile numbers to call students or parents/families or carers within or outside of the setting.

## **15. Physical Contact**

There are occasions when physical contact with a pupil is appropriate and required, but it is important it is done so in an appropriate manner to their professional roles. Staff should use their professional judgment at all times.

Physical contact such as intimate care and moving and handling which happens on a regular basis is part of an agreed plan. In circumstances such as these the contact should be subject to an agreed plan and also subject to review.

When supervising pupils during personal care appropriate in order to safeguard pupils this is to satisfy health and safety requirements. Staff in these circumstances need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the pupils.

## **16. Transporting Pupils and Extra Curricular Activities**

In certain circumstances staff or volunteers may agree to transport pupils. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties which may arise.

Where possible transportation should not take place in private vehicles and at least one adult additional to the driver acting as an escort. The driver must have the appropriate insurance and the vehicle meets all other legal requirements.

Staff would take particular care when supervising pupils in a less formal environment such as on a residential or after school activity. Staff must remember they are still in a position of trust and should ensure that their behaviour cannot be misinterpreted as trying to establish an inappropriate relationship or friendship.

## **17. Commitments outside work**

Employees' off-duty hours are their private concern as long as they do not:

- Put their private interests before their duty to the School;
- Put themselves in a position where their duty to the School and private interests conflict or could appear to conflict; or



- Do anything which could adversely affect their suitability to carry out their duties or the reputation of the School.

Teaching staff and support staff may not carry out any other business or take up any additional employment without the permission of the School. The School will not unreasonably prevent employees from carrying out other employment. However, this employment must not, in the view of the School, conflict with its interests and specific conditions may be set out to manage this.

The following conditions apply to all commitments outside work:

- Employees must not carry out private work (whether paid or unpaid) relating to the School without permission from the School;
- Employees must not carry out any work related to a private interest (including taking or making telephone calls) during normal working hours;
- Employees must ensure that any additional hours worked do not contravene the Working Time Regulations 1998 or otherwise give the School cause for concern relating to health and safety at work;
- The outside work must not damage or potentially damage public confidence in the School's conduct or business;
- An employee must not use the School's facilities, equipment or confidential information; and
- All approvals will be reviewed regularly and may be withdrawn if thought necessary.

If School staff work for another organisation (or as a PA for a pupil) they may not act as a messenger between that organisation and the School. Formal channels of communication must be maintained. It is a staff member's responsibility to monitor the number of hours they work and to ensure that they are rested and refreshed and able to carry out their role.

The provisions of this section are not intended to apply to trade union officers engaged in legitimate trade union duties and activities.

## **18. Conduct outside work**

Whether in or outside work, employees must not conduct themselves in any way that creates doubt as to their suitability for their post or in a way that would bring the School into disrepute. This would include criminal convictions or conduct which would bring an employee's suitability to work with children into question. Any relevant (potential) conviction or matter which could affect suitability work with children must be disclosed to the School by an Employee at the earliest opportunity.

All employees working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people



in their care. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and their colleagues.

There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in the workplace or indicate unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Employees in contact with children and young people should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than School premises.

The behaviour of an adult's partner or other family members may raise similar concerns and may require careful consideration by the School as to whether there may be a potential risk to children and young people in the workplace.

## **19. Personal interests**

Employees must declare to the Headteacher on the appropriate form, any financial or non-financial interests that could conflict with the School's interests. Failure to comply with this requirement is a criminal offence. See Annex A.

Employees must not be involved in decisions about matters in which they have a personal interest.

Employees must declare membership of any organisation that is not open to the public, does not have formal membership and has secrecy about rules, membership or conduct. A definition of such an organisation is provided in Annex B. Employees should complete the appropriate form and send it to the Headteacher or, in the case of the Headteacher, to Chair of Governors.

If an employee is in doubt as to whether there is a conflict of interest, they should seek further guidance from Headteacher

## **20. Educational Visits/ School trips/ Events at other locations**

Staff responsible for organizing such activities should be familiar with the DFE's advice on Health and Safety and HSE recommendations and undertake all appropriate risk assessments. Employees representing the school should act in a manner befitting their role as ambassadors for the School whilst working off site.



## 21. Health and Safety

Employees have a duty of care to themselves and for others whose health and safety may be affected by their actions at work. Failure to adhere to policies, processes and systems in place to protect employees at work could result in disciplinary action.

## 22. Equality

All members of the local community, parents, carers and employees have a right to be treated fairly and equally. Employees must follow the School's policies on equal opportunities, in addition to the requirements of the law.

## 23. Relationships with other policies and procedures.

Employees should ensure that they perform their duties in accordance with all policies and procedures adopted by the School. In particular, employees' attention is drawn to the following policies:

**Disciplinary Procedure:** This procedure should be used to deal with an allegation against a member of staff that they have acted in breach of the Code.

**Safeguarding Policy:** This policy should be followed if an allegation concerns the abuse of a child.

**Whistleblowing Policy:** This should be followed to disclose information which relates to suspected wrongdoing or dangers at work.

## 24. Monitoring and review

Feedback is encouraged on the effectiveness of this Code of Conduct. It will be reviewed regularly to ensure it is appropriate in light of recommended best practice and complies with employment law. In the event of any conflict with statute, the legal provisions will have precedence over this policy in all cases.

The School should monitor the application of this Code of Conduct, particularly to ensure that its practices comply with it and are not discriminatory.

## 25. Other considerations

Please note that this Code of Conduct is not exhaustive. If situations arise that are not covered by this Code, Senior Staff/ Governors will use their professional judgement and act in the best interests of the School and/or Governing Body.



## **Annex A - Section 117 of Local Government Act 1972**

If an employee becomes aware that they have a direct or indirect financial interest in a contract which the School or local authority has entered into or intends to enter into, they must declare this immediately.

An employee must not accept any fee or reward other than their normal salary.

If an employee breaks either of the conditions shown above, they can be prosecuted and fined. The maximum fine is Level 4 on the Standard Scale.

## **Annex B - Organisations to which rules about personal interests apply.**

Any lodge, chapter, society, trust or regular gathering or meeting, which:

- (a) is not open to members of the public who are not members of that group;
- (b) includes an obligation on the part of the member to make a commitment of allegiance to the lodge, chapter, society or gathering or meeting; and
- (c) includes a commitment of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

Freemasons are considered to come within this definition.

A lodge, chapter, society, trust, gathering or meeting is not to be regarded as a secret society if it forms part of the activity of a generally recognised religion.

## **Annex C – Local Government Competition Regulations**

The following summarises some of the key principles to be observed:

All employees should:

- avoid acting in a way which restricts or prevents competition or is likely to have that effect;
- do nothing that would distort or inhibit competition; or
- treat outside bidders or contractors equally with the authority's direct service organisation. For example, information given to the direct service organisation about the work which is subject to competition must be made available to all bidders.



## **Annex D – Bribery Act 2010**

Under the Bribery Act 2010 it is an offence for any public serving employee to solicit or accept any gift or consideration as an inducement or reward for:

- doing, or knowingly doing, anything in their official capacity or
- showing favour or disfavour to any persons in their official capacity.