**Code of Conduct for all Staff and Volunteers**

**Finstall First School**

*Finstall First School is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment*

*If you are a teacher, your terms and conditions of employment are in accordance with “The School Teachers’ Pay and Conditions Document” and “The Conditions of Service for School Teachers in England and Wales.”*

*If you are a member of the support staff, your terms and conditions of employment are in accordance with “The NJC National Agreement on Pay and Conditions of Service.”*

This Code describes the standards of conduct and behaviour expected from our staff. It also highlights some types of behaviour or conduct, which might be considered incompatible with being a school employee. It is intended to help you by describing the standards expected of you and has been approved by Worcestershire County Council following consultation with the appropriate Trade Unions. Please take time to read it and ensure your conduct meets these requirements. If you are at all uncertain about what is expected, please seek further clarification from your Head Teacher or Line Manager so that you do not unwittingly contravene this Code or otherwise act against the School’s or County Council's interests.

Contravening or failing to act within the spirit of the Code, or behaving in a manner, which could bring the good name of the school or County Council into disrepute, whether or not within the workplace or working time, might be seen as a breach of discipline and could lead to action being taken against you under the appropriate procedure.

**Guiding principles:**

As a School employee, you should put the well-being, development and progress of children and young people first. You should recognise that you are in a position to influence children and young people through your slightest actions, comments or behaviour.

To the public you are a representative of the School. You are expected to maintain the highest standards of professional competence, knowledge, integrity, confidentiality, financial propriety and personal conduct. Contact with all members of the School community, including parents and outside visitors, should be courteous, efficient and impartial to all groups and individuals. You must also familiarise yourself with, and adhere to any rules or codes of conduct or policies relating to your particular School and role and you should comply with all reasonable requirements or instructions from the Head Teacher.

It is not appropriate for you when working within your role as an employee to oppose the stated aims and policies of the School or to undermine the performance of its duties and responsibilities. It is important for all employees to present a unified image to the public. You should ensure that your relationships with your fellow employees and with pupils are always conducted in a professional and courteous manner; you should not censure other colleagues or criticise their work in the hearing of a pupil or parent / carer.

It is not acceptable for you to publicly criticise or blame School management or colleagues through any medium including internet ‘blogs,’ websites or social networking tools such as Facebook or Twitter and you must be aware that the laws governing defamation, breach of copyright, etc. apply equally to ‘blogging’ as to other forms of communications. Offensive, defamatory, discriminatory or otherwise inappropriate comments will not be tolerated and may constitute a disciplinary and / or criminal offence, as could the disclosure / publication of any confidential or personal information about the school, its staff, pupils or other members of the school community.

Any disagreement involving the interpretation or application of the Code as it applies to you should be discussed with your Head Teacher or Line Manager in the first instance. However, if you feel the Code is being applied unreasonably, you may be able to seek redress through the school's Grievance Procedure.

This document applies to staff members including volunteers and students. This code of conduct should be read in conjunction with the following National / School policies: Safeguarding (Including Child Protection), Keeping Children Safe in Education, Positive Handling, Educational Visits, Whistleblowing, Health and Safety, Equal Opportunities and Managing Allegations.

**Introduction:**
The public is entitled to have trust and confidence in the integrity of our School Community, its staff, governors and volunteers. The conduct of all must therefore be of the highest standard.  This Code of Conduct has been prepared to help employees and volunteers on issues of conduct by providing a framework of guidelines.*This policy is to be read in conjunction with other School policies.*

**1. General Obligations:**

Adults working at Finstall First must all act with utmost good faith with regard to the business of the School and do all in their power to promote the School’s interests and not do anything which may adversely affect the School’s reputation.

**2. Equality**

All members of the community, including pupils, families and other employees have a right to be treated fairly and with dignity. You must make yourself aware of and comply with the School's Equality and Diversity Policies and Procedures. If, at any time, you feel that you have been treated unfairly or harassed you should speak to your Head Teacher. **Serious offences such as harassment will be treated as misconduct or gross misconduct.**

**3. Safeguarding**

We are committed to safeguarding and promoting the welfare of children and young people and all staff are expected to share this commitment. You must familiarise yourself with all School procedures relating to safeguarding and child protection. The following employee guidance refers directly to such allegations and how they should be dealt with: “Safe Working Practice for Staff working in Education Settings.”

In addition, there is statutory guidance available which is relevant for all staff working with children: “Keeping Children Safe in Education.” All staff and volunteers working in regulated activity are given appropriate safeguarding training at Finstall First School each year.

**4. Disclosure and Barring Service**

All staff in Schools must have provided the school with a current DBS certificate (previously CRB) before taking up their post. Any convictions, cautions or other information on the disclosure will have been fully risk assessed and employees with convictions or cautions will only be permitted to take up post with the express authority of the Director of Children's Services.

You must immediately inform your Head Teacher if, during the course of your employment, you are subject to any allegations of a criminal nature, any criminal proceedings or convictions or cautions in order that this risk assessment can be undertaken. Not all convictions will automatically exclude you from continuing in your role. However, failure to notify the Head Teacher of any such occurrences may be viewed as a serious breach of conduct and be subject to disciplinary action, including dismissal.

**5. Confidentiality**

You must make sure you know whether information is ‘public’ or confidential and treat it accordingly. You may sometimes acquire information at work, which has not been made public or is confidential. Examples include information about a pupil or family, a colleague, information on tenders or costs, the proceedings of confidential meetings. You must ensure that sensitive and/or confidential information is properly secured and safeguarded at all times especially if being transported in paper or electronic formats. Particular care must be taken with information stored on portable electronic media such as laptops and memory devices which are often targeted for theft due to their high intrinsic value.

Confidential Information which comes into your possession must not be used for personal benefit or divulged to other parties except in the proper course of duty, for example to other professionals working with the same child. If you have any doubt whether or not disclosure is appropriate, you must check with your Head Teacher before releasing confidential information.

Some information can be extremely valuable in business and commerce and its publication loss or misuse could seriously disadvantage the school or county council and its employees. Therefore, it is important that you do not, deliberately or inadvertently, pass on information, including software, during or after your employment with the school, to anyone who has no right to receive it. You must not discuss, disclose, publicise or use such information for your own or anyone else’s personal interest or advantage.

You must decline any approaches or offers made asking for information which could be detrimental to, or help others to gain a contract, grant or any other advantage from the School or County Council and / or its employees, e.g. a potential contractor could offer a financial reward for information leading to the award of a major contract. Approaches or offers of this kind must be declared to your Head Teacher without delay.

**6. Personal interests, including gifts**

Off-duty hours are an employee / volunteer’s own personal concern.  It is important, however, that people do not put themselves in a position where their duty to the school and their private interests conflict.

The interests of the school or the way you do your job must not be influenced by personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that you are using your position with or knowledge of the School for personal gain or that you could be influenced by improper motives. If you belong to outside organisations, including voluntary organisations, there must be no conflict with your job or other School or County Council interests. You should advise your Head Teacher or Line Manager in writing about anything which could give this impression.

In order to avoid any possible accusation of bias, you should endeavour to not be directly involved in the appointment, promotion, discipline or other employment decision relating to another employee to whom you are related or with whom you have a close personal relationship.

If you work in close proximity with other employees or pupils to whom you are related or have a close personal connection, you must maintain a strictly professional relationship at work. You should also be aware that if any relationship leads to disruption in the workplace, unacceptable conduct or performance or situations involving undue favouritism or detriment, action will be taken under the appropriate procedure, which could lead to you being redeployed or your contract terminated.

***For Head Teachers and other staff who have responsibility for placing orders and school expenditure:***

You must advise your Line Manager / Governors in writing about anything which could give the impression that you may be acting for personal gain, financial or otherwise, or in the interests of another person or organisation; or you are involved as an employee in matters which might reasonably be regarded as affecting the well-being or financial position of yourself, your spouse, partner, relative, a close friend or any person with whom you have a close association.

You should avoid being involved as an employee in matters, which might reasonably be regarded as affecting the well-being or financial position of yourself (or the persons, companies or organisations referred to above) so significant that it is likely to prejudice your judgment of the School / County Council or public interest. You must advise your Line Manager / governors of any personal dealings of a business or private nature with existing or potential suppliers, consultants or contractors who you know (or could reasonably be expected to know) to have dealings with the School or County Council.

**Gifts, inducements, hospitality and sponsorship:**

* As a guideline, a gift with a value of more than £25 is unlikely to be seen as only a 'token', so needs to be referred to your Head Teacher or Line Manager.
* Offers of hospitality, even if of a seemingly minor nature, must be treated with particular caution as they can leave both individuals and the School open to all manner of allegations of impropriety. Accepting hospitality must be justified in the public interest, e.g. when there is a genuine need to represent the School. You must inform your Head Teacher of an invitation or offer of hospitality before it is accepted.
* Personal purchases: You should be aware of possible conflicts of interest when you buy goods or use the services of firms, which have dealings with the school and follow any school procedures relating to the disclosure of any such transactions.
* Procurement procedures must be strictly adhered to and you must not accept any inducement or preferential treatment if you are responsible for procuring goods or services for the school or disposing of surplus property. In addition, staff should always be in a position to demonstrate that 'Best Value' has been sought and achieved. Detailed guidance on procurement and tendering is set out in the council’s Financial Regulations and Procurement Code.

**7. Other Employment**

Employees are not allowed to set up a business or accept employment with a business engaged in work which is in direct competition with the School.

If employees / volunteers do have another job, it must not conflict with the School’s interest or bring the School into disrepute.

If employees / volunteers have another job with another organisation, they must not act as a messenger, go between or arbitrator between that organisation and the School. Formal channels of communication must be maintained.

Employees’ / volunteers’ working commitments to another employer must not interfere with their work for the School; they must be able to work for the School at the contracted / arranged times rested and refreshed.

You must not undertake private work when on sick leave without the express knowledge and prior written approval of your Head Teacher and subject to appropriate medical advice.

You must not undertake private work for any Worcestershire County Council School or establishment during a period of paid leave or suspension.

**8. Notification of Sickness Absence**

In cases of short term absence, up to 7 days, staff should notify either the Head Teacher or the Deputy Head Teacher in the first instance, as soon as possible. We prefer that this is done by a phone call, especially if it is within one and a half hours of your start time. If initial contact is done by text and you do not get a response within 1 hour, please follow this up with a phone call.

Please let us know the reason for your absence, the expected date of your return to work or confirm when you will be in contact again – at least every other day in cases of short term absence and at least weekly for cases of more than 7 days. After the initial contact, follow up contact should always be made with either the Head Teacher, the Deputy Head Teacher or the School Office. You may also wish to inform other staff in your year group but this must be in addition and not instead of using the correct channel.

If you return to work before the eighth consecutive day of sickness absence, including weekends, you will need to complete a sickness record form (self-certification). If you are absent for eight days or more you must provide a medical certificate from your GP to cover all periods of absence thereafter.

**GP's 'Fit Notes'**

Since April 2010, the medical certification system allows a more proactive approach to managing a return to work. 'Fit Notes' allow for two options: the GP can either state that you are **not fit for work** or they can state that you **may be fit for work** taking into account advice on the note, such as amended duties, altered hours, workplace adaptations, etc. There is no longer a 'fit for work' option on the form.

**9. Working time and holidays:**

**Teachers** Your working time is in accordance with the School Teachers' Pay and Conditions Document, and as directed by your Head Teacher. You may not take holiday during term-time, without prior written permission from the Governing Body.

**Support Staff working term-time only**

Your working time will be in accordance with your Contract of Employment and as directed by your Head Teacher. (Your salary includes an element of holiday pay pro rata to the annual leave entitlement of a full-time, full year employee.) You may not take holiday during term-time without prior written permission from the Governing Body.

**10. Copyright**

You should be aware that 'intellectual property' such as software, ideas, documents, etc. created during your employment belongs to the School. All files, materials, the media upon which they are located and all software programmes or packages which are utilised or developed solely for or in connection with your job remain the property of the School.

**11. Information Technology and Data Protection**

Everyone using computing equipment has a duty of care to use it according to prescribed arrangements, e.g. to avoid introducing computer viruses, to comply with the Data Protection Act and to safeguard and ensure the security of information. You must familiarise yourself with the Schools' Acceptable Use Policy. Personal use of any facilities – including laptops – must be authorised and only undertaken at times deemed appropriate by your Head Teacher.

Employees should also be aware that when they are using personal IT equipment for undertaking School related business that the same rules apply.

You should not use social media in any way that might bring your professional status or your School into disrepute. You should not accept pupils as 'friends' or 'followers' and should not 'follow' or have any personal connections with pupils on any social media or other internet sites.

Mobile phones should not be used in the presence of pupils in contracted hours. They should be switched off and left in a secure place in contracted hours. There are exceptions to the rule; inform the Head Teacher if you need access to a phone, for example waiting for a doctor’s call.

Except in the case of emergency, staff should never contact pupils or parents from their personal mobile phone, or give their mobile phone number to pupils or parents. If a member of staff needs to make telephone contact with a pupil, a school telephone should be used.

Staff should never send to, or accept from, colleagues or pupils, texts or images that could be viewed as inappropriate.

A member of staff should never use their Personal Electronic Devicesto photograph a pupil(s) or allow themselves to be photographed by a pupil(s).

Photos taken on School devices should be for School use only.

**12. Contact with the media**

Unless you are properly authorised to speak with, write or give interviews to the media you should refer any enquiries from the media on work related matters to your Head Teacher. Advice is available to school through the County Council's Communications Unit or through our SLA with B&S Educational Systems and Training Limited.

**13. Standards of appearance**

Finstall First School does not impose particular dress standards but staff are expected to present a reasonable and professional appearance and dress appropriately to the circumstances within their working environment, bearing in mind that you are working with children and young people. To dress professionally shows pride, effort, respect for oneself and one’s profession. Adults in school are role models for learners in the school; therefore they have a responsibility to model appropriate dress and appearance. The image that we project as professionals is associated with how we present ourselves; the image of the school in the community is related to how all adults in the school dress. It is therefore important to dress appropriately when acting in a professional capacity.

Adults should be neat, clean, smart and tidy, wearing clothes, including shoes, which are commensurate with their post in the school. The staff dress code is smart rather than casual. This is not a policy meant to detail every eventuality, it is up to individual staff to decide whether their appearance is appropriate guided by the principles above.

Finstall First School is committed to promoting diversity and will therefore respect individual preference in terms of customs, culture, religion and tradition.

**14. Drugs and alcohol**

Employees must not take drugs, alcohol or any other substance before work, during a break or at lunch time that is capable of causing their behaviour, judgement or performance at work to be affected.

**15. Smoke free environment**

All county council buildings, workplaces and vehicles are smoke free areas. Since July 2007, it has been against the law to smoke in workplaces; failure to comply is now a criminal offence.

**16. Health and Safety**

Unsafe working can endanger you, your colleagues and members of the public. You must familiarise yourself with the School's and County Council's Health and Safety Policy and guidelines for your particular work. Please speak to your Head Teacher for further information. You must follow the rules, codes and safe practices they describe, including reporting any accidents, incidents or near misses you have at work.

## 17. One to one situations

Staff should:

* ensure that wherever possible there is visual access and / or an open door in one to one situations
* avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy
* always report any situation where a pupil becomes distressed or angry
* consider the needs and circumstances of the pupil involved

**18. Intimate / personal care**

Staff should:

* adhere to their organisation’s “Intimate care policy”
* make other staff aware of the task being undertaken
* consult with colleagues where any variation from agreed procedure / care plan is necessary
* record the justification for any variations to the agreed procedure / care plan and share this information with the pupil and their parents / carers
* avoid any visually intrusive behaviour
* have a witness
* always consider the supervision needs of the pupils and only remain in the room where their needs require this.

**19. Physical Contact**

Staff should:

* be aware that even well intentioned physical contact may be misconstrued by the pupil, an observer or any person to whom this action is described
* always allow / encourage pupils, where able, to undertake self-care tasks independently
* ensure the way they offer comfort to a distressed pupil is age appropriate
* adhere to the schools Positive Handling policy.

**20. Social contact outside of the workplace**

Staff should:

* always approve any planned social contact with pupils or parents with senior colleagues
* refrain from sending personal communication to pupils or parents
* inform senior management of any relationship with a parent where this extends beyond the usual parent / professional relationship
* inform senior management of any requests or arrangements where parents wish to use their services outside of the workplace e.g. baby-sitting, tutoring

**Appendices**

**Appendix 1**

**Conduct and Performance**

Unacceptable behaviour and / or failure to maintain satisfactory standards of conduct or performance will lead to action being taken against you under the appropriate procedure. This includes specifically the failure to behave at all times in accordance with the School's and County Council’s stated values.

You must ensure that you understand the requirements of this Code of Conduct and any terms and conditions, rules, standards and requirements that apply to you and your job. Any of the examples of unacceptable behaviour listed below may be considered as misconduct or gross misconduct depending on the relevance to your role, your seniority, the seriousness of the act and particular circumstances. Those underlined normally will be considered as gross misconduct. The list is not exhaustive and other unacceptable behaviour not specifically listed nevertheless may be considered as misconduct or gross misconduct:

1. any form of unjustifiable discrimination, harassment, threatening or bullying behaviour, e.g. on the grounds of race, sex/gender, sexual orientation, marital status, disability, age, religion or belief; whether or not the subject of current legislation;
2. any physical, emotional or sexual abuse of a child or other vulnerable person
3. possession, displaying, viewing or downloading of offensive materials, accessing ‘unacceptable’ websites, e.g. websites of a sexual nature, gambling, betting or gaming, in the workplace or via any portable device, e.g. laptop, mass storage, which is the property of the School or County Council and has been provided in connection with the post-holder's work;
4. undertaking private activities during working hours;
5. unpunctuality, misuse of time and time recording, unauthorised absence from work;
6. refusing to comply with reasonable orders and instructions;
7. deliberately causing damage to School or County Council property;
8. harming or endangering other persons or property, e.g. by contravening safety rules;
9. neglect of duty / lack of due care or diligence, disruptive behaviour, poor attitude;
10. fighting, threatening or actual violence towards, physical assault or abuse of another person whilst at work (NOTE: this does not include reasonable physical restraint necessarily carried out in the course of duty);
11. theft, unauthorised removal, misappropriation, improper or unauthorised use of County Council or other property, systems (including telephones, IT, email and internet), vehicles, equipment, name or other resources. This may include loss by failing to properly secure or safeguard;
12. failure to report criminal convictions, particularly those which may be relevant to the type of work undertaken, e.g. driving convictions where the work necessitates driving on school business, indecent assault where working with children or vulnerable adults;
13. fraudulent or misleading practices and/or omissions in connection with official duties, e.g. deliberately falsifying school or council documents, reports, etc.;
14. fraudulent or false claims for payment of salary, expenses and/or allowances, etc. or seeking financial gain by deception;
15. acts involving bribery or corruption;
16. any action for which it would be appropriate for the School or County Council as an employer to take legal proceedings (irrespective of whether such proceedings are taken);
17. sexual misconduct at work;
18. wilfully breaching any school or County Council policy or procedure;
19. drunkenness, being unable to carry out duties through the influence of any substances including drugs, whether or not prescribed, and alcohol, or for any other avoidable reason. (N.B. It is equally inappropriate for those hosting visitors or working in close proximity to service users such as children and vulnerable adults to have alcohol on their breath even though this may not amount to drunkenness);
20. possession, buying or selling of weapons, illegal substances or materials at work;
21. any breach of trust or security in respect of information or procedures;
22. obtaining or attempting to obtain access to any information (including information held or stored by electronic means) to which the employee is not entitled;
23. any action which may bring the good name of the school or county council into disrepute;
24. as an employee, public opposition to the stated aims and policies of the school, criticism or blame of colleagues through any medium including internet ‘blogs,’ websites, social networking sites, etc.;
25. any action unconnected with work, which brings in to question your suitability as an employee of the School or County Council;
26. failing to report serious misconduct, aiding or inciting another employee to undertake any of the above actions or other act of wrongdoing
* ***I understand the implications of following the Code of Conduct for my own protection and professional reputation, as well as the impact that my conduct can have on my school community and establishment.***
* ***I understand that should I conduct myself in a way that contravenes the Code of Conduct that it may lead to disciplinary action***
* ***I agree to take all possible precautions as outlined above.***

**Approved by Governors on: xxx**

**Review Date: Feb 2020**