



Code of Conduct

To be ratified by Governors 23rd May 2023

1. Introduction

- 1.1 The Governing Body is required to set out a Code of Conduct for all federation employees. The following code has been consulted upon with trade unions and is recommended for adoption by the Governing Body.
- 1.2 All employees are expected to follow the Code of Conduct throughout every aspect of their work. A high degree of trust is placed in federation employees and it is acknowledged that they want to do their best and operate in a professional and appropriate manner. Employees have a duty to ensure that they operate legally, professionally and soundly. This Code is intended to provide a clear framework within which employees will work, in order to deliver the best that they can for the federation and its pupils/students.
- 1.3 Employees need to recognise and be aware that a failure to meet appropriate standards of behaviour and conduct in compliance with the Code of Conduct may result in disciplinary action, including dismissal.

2. Purpose and scope

- 2.1 The Code of Conduct is designed to give clear guidance on the standards of behaviour all federation employees are expected to observe, and the federation should notify them of this

Code and the expectations therein. People who work in schools are in a unique position of influence and must adhere to behaviour that sets a good example to all the pupils/students within the federation.

2.2 The Code of Conduct applies to:

- all staff who are employed by the federation, including the COO*;
- all casual and temporary staff, including agency staff and volunteers;
- all staff in units or bases that are attached to the federation.

(*In the case of the COO, any references to an employee's line manager should be taken to refer to the Chair of Governors)

2.3 The Code of Conduct does not apply to:

- staff who are centrally employed by the LA;
- employees of external contractors and providers of services (e.g. contract cleaners).

(Such staff will be covered by the relevant Code of Conduct of their employ

3. **Links with other procedures**

3.1 The Code of Conduct draws together policies and requirements of the federation and aims to assist employees in performing their duties to the best of their ability. **All federation policies and procedures form part of the Code of Conduct and as such any breach of policies or procedures will be considered a breach of the Code.** Employees are required to familiarise themselves with the contents of the Code and the documents referred to therein. It cannot cover every eventually and if in any doubt or any guidance is required, employees should consult their line manager or COO.

3.2 **Complaints procedure**

The federation has a complaints procedure which deals with any issues that are not covered by other agreed procedures already in existence. Complaints should be dealt with promptly and in a courteous and sympathetic way. Employees who investigate complaints must make sure that any unexpected delays, difficulties or poor quality of service are explained to the complainant as courteously and as sympathetically as possible. Serious complaints must be reported to the COO, or the Chair of Governors should the complaint be against the COO.

4. **Honesty, integrity, impartiality and objectivity**

An employee must perform their duties with honesty, integrity, impartiality and objectivity. Employees have individual responsibility as part of their jobs for implementing policy, delivery of services and operational management of the federation. It is vital that employees understand that it is not just about reality it is also about perception. The highest levels of integrity and responsibility are expected from all employees. This must be capable of demonstration and therefore actions which would lead to a loss of confidence through perceptions are as critical as any others.

5. **Accountability**

An employee is accountable to the Governing Body for their actions.

5.1 Comply with legislation, Terms and Conditions of Service and other written policies, procedures and guidelines.

5.2 During the course of work employees should at all times be aware of and comply with all relevant legislation; for example the Health and Safety at Work Act 1974, the Equality Act 2010, the Data Protection Act 1998, Freedom of Information Act 2000, The Computer Misuse Act 1990 etc and any other relevant legislation, including that relating to individual service areas. However this list is not exhaustive. Employees should also have read and understood the conditions of service under which they are employed, including all local policies and procedures which include for example the equal opportunities policy and procedure. In addition, employees should be conscious of, and ensure that they are complying with, any other specific guidelines issued by their COO or line manager. If an employee is a member of a professional institute or association they are also obliged to comply with any professional code of conduct including teachers' standards, accountancy professional bodies codes of conduct, social care codes of conduct.

5.3 Safeguarding

5.4 Employees have a duty to safeguard pupils/students from harm including physical abuse, sexual abuse, emotional abuse and neglect. The duty of safeguarding pupils/students includes the duty to report concerns about a pupil/student to the COO. Employees are expected to familiarise themselves with the federation's Whistle blowing Procedure. They should also observe federation procedures with regard to Covid precautions.

5.5 Employees are required to comply with the child protection procedures in the Walsall Safeguarding Children Board's "Procedures Manual" (<http://www.wlscb.org.uk>).

5.6 Employees must not act in a way that demeans or undermines pupils, their parents or carers, or colleagues. This includes action taken on social networking sites. Employees must take due care of pupils/students under their supervision to ensure their safety and welfare.

The following procedure will be applied in all situations where it is alleged that a person who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The allegations may relate to the persons behaviour at work, at home or in another setting.

**** All allegations should be notified to the Local Authority Designated Officer (LADO) within one working day.** (call 01922 654040 or 07432 422205)**

A senior member of the Human Resources section for the agency must also be consulted.

The LADO will discuss the matter with the Named COO/principle to determine what steps should be taken and where necessary obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is evidence/information that establishes that the allegation is false or unfounded, whether a referral to the Children's Social Care Services is required and/or whether disciplinary action is appropriate.

Most allegations will require immediate referral to the Children's Social Care Services and the Police, but common sense and judgement will be applied in reaching a decision about what action to take.

If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer Significant Harm, the LADO will immediately refer the matter to the Children's Social Care Services and ask for a Strategy Discussion/Meeting to be convened straight away.

Where the safety of other children is in question as a result of the allegation, consideration should be given to invoking the Complex (Organised or Multiple) Abuse Procedure (this can be found on the Walsall Safeguarding Partnership website <https://go.walsall.gov.uk/walsall-safeguarding-partnership/>).

Some allegations may be less serious and at first sight might not seem to warrant consideration of a police investigation or enquiries by Children's Social Care Services. However, it is important to ensure that even apparently less serious allegations are followed up and examined objectively by someone independent of the organisation. Consequently the LADO will be informed of all allegations that come to the employer's attention and appear to come within the scope of this procedure so that he or she can consult Police and social care colleagues as appropriate.

Where a referral is made directly to Children's Social Care Services, they will consult with the Local Authority Designated Officer (LADO), the Police and the Named Senior Officer/Manager in the relevant agency or organisation.

Where such allegations are made, consideration must be given to the following three strands:

1. The police investigation of a possible criminal offence
2. Enquiries and assessment by Children's Social Care Services as to whether the child is need of protection or in need of services
3. Consideration by an employer of disciplinary action in respect of the individual

In addition, such allegations may give rise to complaints of poor practice, which will be considered in line with the agencies complaints or disciplinary procedures.

More information and the full Walsall Safeguarding Partnership Child Protection Procedures can be found at <https://go.walsall.gov.uk/walsall-safeguarding-partnership/>

5.7 Pupils/students development

Employees must comply with federation policies and procedures that support the well being and development of pupils/students. Employees must co-operate and collaborate with colleagues and with external agencies where necessary to support the development of pupils/students and they must follow reasonable instructions that support the development of pupils/students.

5.8 Dress code

Employees should dress appropriately and safely for the work that they do and to meet the expectations of the federation. The federation reserves the right to set minimum standards of dress for employees.

5.9 Equalities

Employees have a duty to adhere to principles of equality and diversity across all interactions ensuring compliance with federation procedures and relevant legislation. The federation will not accept any form of unlawful or unfair discrimination on the grounds of age, disability, gender, gender identity, marital or civil partnership status, race, ethnic origin, colour, nationality, pregnancy or maternity, religion or belief (or no religion or belief), sexual orientation, class or social background, political belief or Trade Union affiliation. If an employee acts in a discriminatory manner, disciplinary action may follow as a consequence. Employees should refer to the federation equal opportunities policy for further information.

5.10 Health and Safety

Employees must by law take reasonable care for the health and safety of themselves and other people, including their students/pupils or colleagues, who might be affected by anything they do, or fail to do, at work. Employees should not do anything intentionally or recklessly or take any action which might endanger themselves or others, or interfere with what is provided in the interests of health, safety and welfare. Employees should make sure that they are familiar with their federation's health and safety policy and act in accordance with it.

6. Respect for others

6.1 Employees should always be courteous, professional and helpful when dealing with other people, whether fellow employees, pupils, parents/carers, volunteers, contacts at external organisations or other stakeholders. Employees are expected to;

- Treat others with dignity and respect and contribute positively to a working environment that promotes these values.
 - Not discriminate unlawfully against any person.
 - Avoid personal prejudice in giving / refusing any service.
 - Ensure all working relationships with colleagues demonstrate mutual respect.
 - Provide the highest possible standards of service and appropriate advice to fellow employees. In carrying out their duties and responsibilities employees honesty and integrity must be beyond question. Employees must never use their authority or position for personal gain, or to enable colleagues or others to gain personally.
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6.2 All employees who work in schools should set examples of behaviour and conduct which can be copied by pupils/students. Employees must, therefore, demonstrate high standards of conduct in order to encourage our pupils/students to do the same. Employees must also avoid putting themselves at risk of unfounded allegations of abusive or unprofessional conduct, be this with regard to pupils/students or their carers. This includes actions taken by employees on social networking sites. Such conduct may result in disciplinary action, up to and including dismissal. Employees must maintain clear professional boundaries and confidentiality at all times. This Code helps all staff to understand what is and what is not acceptable.

7. Stewardship

7.1 All employees must ensure that they use funds entrusted to or handled by themselves in a responsible and lawful manner. Employees must not utilise property, vehicles or other federation facilities including equipment and materials for personal use unless expressly authorised to do so by the COO.

7.2 Care and use of Federation resources

All equipment and vehicles belonging to the federation should be utilised with due care and attention. Federation resources, whether tangible assets such as materials, equipment and cash, or information, may not be used other than for the proper advancement of the work of the federation. The use of federation owned mobile phones and/or federation telephones must be in accordance with federation policy and for federation business only unless prior permission has been given by the COO. Federation vehicles must only be used for authorised purposes and employees should only carry passengers where this is part of their working duties. Unauthorised use of federation vehicles will render insurance cover void. In such circumstances, the employee would be personally liable to pay damages in the event of an accident causing injury and/or damage.

7.3 Security and use of computer equipment / data

The information technology systems operated by the federation and the information stored within are of paramount importance to the effective running of the federation. The Data Protection Act 1998 and the Computer Misuse Act 1990 must be complied with. Employees must ensure that no unauthorised person gains access to equipment/data, which is within their responsibilities. User identifications and passwords must not be released to anyone, and passwords must be regularly changed. No data should be released unless to do so is in compliance with the requirements of the Data Protection Act 1998.

The federation will monitor the use of computers/internet access on a regular basis to ensure compliance with relevant legislation and federation procedures.

8. Personal interests

8.1 Whilst employees' private lives are their own concern, employees must not allow their personal interests or activities to conflict with their role at the federation. Employees must not misuse their position or information acquired during the course of their employment to further their private interests or to confer an advantage or disadvantage to any person.

8.2 An employee should not put themselves in a position where their job, or the interests of the federation/pupils and their own personal interests conflict. This includes behaviour (including that in an employee's own time), which because of the nature of employment would undermine the federation's confidence or trust in the employee or that would bring the federation into disrepute. In particular, employees must comply with the following requirements in relation to personal and/or conflicting interests;

8.3 Gifts & hospitality

Gifts with a minimum nominal value may be accepted such as pens, diaries and chocolates; however cash should not be accepted. Unacceptable gifts should be politely and where appropriate firmly refused. Employees should refer to the COO for further guidance if in any doubt.

8.4 Financial and non-financial interests

8.5 Where an employee has any financial, private and personal interests with outside organisations or groups which may conflict with their duties, they must declare such involvement to the COO for formal recording and they must not allow it to influence in any way how they carry out their work.

8.6 Examples of interests include friendship, membership of an association, organisation or society, federation governorship, and any other kind of relationship that could influence their judgment and give the impression that they might be acting from personal motives. Employees must inform their COO in writing about any relationship they have with contractors or potential contractors which could be seen as giving them financial gain or advantage. Employees should declare any interests such as ownership of land and shares in any relevant company where a conflict of interest might exist. Employees are required to consult their COO before accepting any company directorship or positions akin to directorships in any limited liability company, including membership of the board of a community association whether such an association is incorporated as a limited liability company or a registered charity or not.

8.7 Additional employment

8.8 Employees may undertake work outside federation, either paid or voluntary, provided that it does not conflict with the interests of the federation or its ethos and is not to an extent which may contravene the working time regulations or affect an individual's work performance. This applies to all employees and workers including those on secondment, temporary assignment, agency work and working with voluntary organisations or trusts, or board members. If there is a conflict, the COO can formally request that the employee ceases to continue with their conflicting work.

8.9 Employees have a duty to take reasonable care of their own health and safety. Employees must inform their COO in writing if they have/take up additional employment, particularly where this means that their total number of hours worked exceed an average of 48 hours per week, or where the additional work could have a detrimental effect on their health and safety.

8.10 Alcohol / drugs

All employees have a responsibility to ensure that they report fit for work duties and conduct themselves in a professional manner. Any employee who is under the influence of

drugs or alcohol may present a health and safety risk to themselves, pupils/students or colleagues, or may present a risk to the federation through deficiency of performance and/or its reputation within the community. The consumption of alcohol on federation premises is not permitted and an employee may be asked to remove themselves from work where they are deemed unfit for work due to any substance misuse or where they may present a risk to themselves or others. The use of any illegal drugs or any prescription medicines that have not been prescribed for the user is expressly prohibited. It is a criminal offence to be in possession of, use or distribute an illicit substance. Such conduct may result in disciplinary action. Where it is established that there is an alcohol or drug dependency, the federation will provide assistance and support where appropriate and possible. Any continued unacceptable behaviour or performance may lead to disciplinary action, not excluding dismissal.

8.11 Criminal offences

Employees are expected to conduct themselves at all times (inside and outside of work) in a manner which will maintain confidence in both their integrity and the reputation of the federation. Employees must inform the COO without delay if they are arrested, convicted, cautioned, subject to criminal investigation or formally warned of a crime. Employees do not need to disclose fixed penalty notices for minor driving offences except where driving is a key requirement of the employees' role or the conviction results in disqualification. Employees sentenced to immediate imprisonment may be dismissed without notice or compensation in lieu of notice.

8.12 Use of social networking sites

Employees must exercise caution when using information technology and be aware of the risks to themselves and others. Employees must take reasonable care when using social networking sites to ensure that they comply with the Code of Conduct. Failure to comply with such action could result in disciplinary action against them, not excluding dismissal.

Employees have a duty to ensure that the contents of such media;

- is not defamatory against the federation, its employees, pupils/students or their parents/carers;
- does not bring the federation into disrepute;
- does not damage the reputation of the federation, the employee, or the community;
- does not include pictures of children or employees at the federation, without prior permission.

8.13 Relationships at work

8.14 Employees may in the course of their duties enter into a personal relationship with a colleague. In the event of this happening, they should ensure that such a relationship does not conflict with their work activities or the federation. In order to avoid accusations of a possible conflict, employees in this situation are strongly advised to disclose this relationship in confidence to the relevant manager(s)/chair of governors concerned. Employees should be aware that in order to demonstrate transparency and integrity, there should be no line management responsibility and accountability between the two employees, especially if the objectivity and professionalism of the manager could be called into question. Where this is not possible due to the size of the federation for example, then the management arrangements must be professional, impartial and of the highest professional standards.

8.15 Employees who enter into a personal relationship with a parent/carer must take steps to ensure they do not put themselves at risk of allegations of unprofessional conduct.

9. Reporting procedures

9.1 Confidential reporting - Whistleblowing

9.2 In the event any employee becomes aware of any activities that they believe to be illegal, unethical, improper or otherwise inconsistent with this Code of Conduct or any other federation policy or procedure, they should report the matter to the COO in the first instance or through the federation Whistleblowing Procedure.

Confidential reporting is intended to encourage and enable employees to report serious concerns confidentially without fear of reprisal or recrimination. Under the Public Interest Disclosure Act 1998, employees are legislatively protected in the event they raise any concerns. Employees should refer to the Whistleblowing Procedure for further information.

9.3 Bribery and corruption

The federation does not tolerate any form of bribery and corruption. Employees need to be aware that bribing another person or receiving a bribe are serious criminal offences under the Bribery Act 2010.

10. Openness

10.1 Where information is private, sensitive or not appropriate for a wider audience there will be a need for confidentiality. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone who is not entitled to receive it, or needs to have access to it for the proper discharge of their functions. If in doubt employees should check with their line manager or COO. Any requests to access personal data relating to an individual employee or pupil must be handled in line with the Data Protection Act 1998, Data Protection (Processing of Sensitive Personal Data)(Elected Representatives) Order 2000 and the common law duty of confidentiality. Employees should not use any information obtained during their employment for personal gain or benefit, nor should they pass it to others who might use this in such a way. Employees are expected to;

- Ensure they do not disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of the person authorised to give it, unless they are required to do so by law.
- Ensure they do not prevent another person from gaining access to information to which that person is entitled to by law.
- Adhere to the Data Protection Act 1998 and any other relevant legislation relating to the disclosure of information and ensure that confidentiality is not breached.
- Use their discretion to determine the appropriateness of where they hold conversations of a confidential nature. Employees who view, overhear or otherwise come into contact with private information, must ensure confidentiality is maintained at all times.

10.2 Media contact

Only certain employees are authorised to interact with and give information to the press and other media. If you are approached by the press or media, advise that it is not

appropriate to give any information or comment on the matter and refer the enquiry to the Head teacher immediately. Employees authorised to give information to the press and other media must give only the facts of a situation and must not express an opinion in relation to these facts.

Employees must not contact the press or other media unless specifically authorised to do so. Contacting the media without such permission may lead to disciplinary action, not excluding dismissal.

11. Appointment of staff

Employees involved in appointments should ensure that those appointments are made only on the basis of merit. 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 including agency workers, who is a relative or friend. The onus is on the employee to declare those people they would define as a 'friend' using their own personal judgment in accordance with the spirit of this Code, in particular honesty, integrity, impartiality and objectivity. In the above, 'relative' includes a spouse, civil partner, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, cousin or the spouse or partner of any of the preceding persons; and 'partner' above means a member of a couple who live together.
