

Code of Conduct / Staff Behaviour Policy

May 2020

Surrey County Council

This Issue	Last Issue	Agreed with Unions	Review Date (reviewed in line with KCSIE update)
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SUMMARY

This example policy is intended to be used as the basis for adaptation by individual settings. The default wording is aimed at standalone establishments and will therefore need to be amended to reflect the different governance structures that apply in multi-school/trust settings. Settings should also reference their own policies by name as applicable throughout this document and ensure that roles/responsibilities are amended as necessary to accurately reflect delegation of duties locally.

1. Introduction

This code of conduct has regard to the DfE statutory guidance, Keeping Children Safe in Education and also includes extracts from Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education Settings May 2019. The full version of this guidance should be used as a working reference document for all members of staff working with children and young people and it will be used during induction and to inform relevant policies and procedures within the school.

Whilst this code predominantly refers to 'employees' or 'members of staff', the school expects all those working for and on behalf of the School, including in a voluntary capacity, to reflect the standards of conduct and behaviour contained within this document.

2. Statement on Personal Conduct

The school expects all employees to promote and maintain high standards of personal conduct and to safeguard and promote the welfare of children and young people.

In particular employees are expected to:

- Perform their duties with honesty, integrity and impartiality and be accountable for their own actions.
- Maintain the confidence and respect of the general public and those with whom they work.
- Treat others with respect, fairness and dignity at all times.
- Communicate immediately any relevant concerns they may have about the quality of provision or the safety and welfare of children and young people.
- Familiarise themselves with systems and procedures, including reporting requirements, within the school that support the protection of children and to attend training and read all safeguarding briefings provided to ensure that they remain up to date.
- Be aware that their behaviour inside and outside the workplace, as well as the behaviour of others in their personal lives, could compromise their position within the school in relation to the protection of children, loss of

trust and confidence or bringing the employer into disrepute. It could also result in action by regulatory bodies.

In addition to this code of conduct, teachers are also expected to meet the professional conduct standards outlined in the DfE Teachers' Standards.

3. Compliance with School Instructions

The school expects all employees to comply with lawful written and oral instruction unless to do so would result in a health and safety risk.

4. Data Protection

The school takes its obligations under data protection laws very seriously. All staff are expected to familiarise themselves with the school's data protection policy and any associated procedures which govern day-to-day working practices as well as how to report a suspected data breach and to recognise when someone may have made a subject access request. If in any doubt employees should consult their line manager promptly or contact the School Data Protection Officer (whose details can be found on the Data Protection Policy).

Disclosure of Information

All employees should develop a clear understanding about what information can be disclosed to government departments, internal or external auditors, parents, pupils and the wider public, and what information should remain confidential.

Any information made available should be provided in a clear and concise way. Employees should seek the advice of their line manager if they are at all unsure of the level of confidentiality which is required.

Employees should not use any information gained in the course of their employment for personal gain, or pass it on to others who might use it in such a way. Information concerning another person's personal affairs should not be divulged without prior approval, except where that disclosure is required or sanctioned by law.

Sharing Information about Pupils

There are some circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have a responsibility to pass information on securely, without delay, but only to those with designated safeguarding responsibilities.

If a child – or their parent / carer – makes a disclosure regarding abuse or neglect, the member of staff should follow the school's safeguarding and child protection procedures. The adult should not promise confidentiality to a child or parent, but should give reassurance that the information will be treated sensitively.

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from the Designated Safeguarding Lead.

Staff must also be aware of their duty to report any breach of GDPR to the Data Protection Officer.

Media / Legal Enquiries

Any media or legal enquiries should be passed to senior management.

5. Whistleblowing

If an employee becomes aware of activities which he/she believes to be illegal, improper, unethical or otherwise inconsistent with this code of conduct, the employee should report the matter in accordance with the school's whistleblowing procedure or child protection procedure, as relevant.

This means that staff should escalate their concerns if they believe that a child or children are not being protected, report any behaviour by colleagues that raises concern and report allegations against staff and volunteers to the Headteacher, or where they have concerns about a Headteacher report these directly to the Chair of Governors.

Staff should be familiar with their establishment's arrangements for reporting and recording concerns and allegations, how to contact the Headteacher, Chair of Governors and Ofsted directly if required and take responsibility for recording any incident and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the school or setting.

All employees are required to comply with any investigation undertaken as a result of such allegations being raised.

6. Appearance and Dress

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, staff should select a manner of dress and appearance appropriate to their professional role and which may be necessarily different to that adopted in their personal life.

Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be viewed as offensive or inappropriate will render themselves vulnerable to criticism or allegations.

Members of staff act as role models and often have a professional relationship with a range of other stakeholders. For most staff, appropriate dress will be smart office-wear with discreet jewellery and make-up. Hair should be neat and tidy at all times. Footwear must be safe, sensible, in good order, smart and clean and have regard to health and safety considerations. Trainers, (unless specifically required for the job role) stiletto heels and plastic flip-flops are not acceptable.

In certain areas, an agreed uniform, protective clothing or other exceptions are in place (such as for PE staff, catering and premises staff). Staff may wear sportswear or casual clothing and footwear for practical or physical activities.

Visible tattoos are discouraged and where present should not be offensive to others. Where they are deemed to be offensive they must be appropriately covered.

7. Smoking, Drugs and Alcohol

Employees must never arrive at work incapable through the effects of alcohol or drugs. Drinking alcohol or taking drugs (apart from appropriately prescribed medication or over-the-counter remedies) at work or during breaks is also strictly prohibited.

The consumption of alcohol at staff events or meetings is subject to the authorisation of the Headteacher.

The school is a non-smoking site. Staff must not smoke or use e –cigarettes on the premises or outside the school gates. Any member of staff wishing to smoke or use an e-cigarette must leave the school grounds. Staff must not smoke or use an e-cigarette whilst working with or supervising pupils offsite.

8. Political Neutrality

Employees should ensure that their own personal or political opinions do not interfere with any policy of the School.

This means that adults should not:

- enter into or encourage inappropriate discussions with may offend or harm others
- undermine fundamental British values,
- express any prejudicial views
- attempt to influence or impose their personal values, attitudes or beliefs on pupils

9. Appointment of Staff

Employees should not be involved in a staffing appointment, or in any decision relating to the discipline, promotion or pay and conditions of another employee (or prospective employee) to whom they are related or have a close personal relationship.

10. Personal living accommodation including on-site provision

Staff should not invite any pupils into their living accommodation unless the reason to do so has been firmly established and agreed with their manager and the pupil's parents /carers.

It is not appropriate for staff to be expected or requested to use their private living space for any activity, play or learning. This included seeing pupils for e.g. discussion of reports, academic reviews, tutorials, pastoral care or counselling. Managers should ensure that appropriate accommodation for such activities is found elsewhere in the setting.

Under no circumstances should pupils (other than those that are family or family friends) be asked to assist adults with jobs or tasks, either for or without reward, at or in their private accommodation. This guidance should also apply to all other persons living in or visiting the private accommodation.

11. Equality, Bullying and Harassment

All employees and members of the local community have a right to be treated with fairness and equality. Employees must ensure that they comply at all times with the School's Equality Policy and other employment policies in relation to equality issues.

The bullying or harassment of other work colleagues, pupils or other members of the community is considered to be gross misconduct. Employees are expected to report any concerns or suspicions they may have about the treatment of others to their line manager or the Headteacher, concerns related to the behaviour of the Headteacher should be reported to the Chair of Governors.

12. Contractors and Competitive Tendering

Contractors may include individuals who are temporarily working alongside school staff, or employees of an external firm that has been awarded a contract to provide services. All contractors should be treated with courtesy and respect.

Any orders and contracts must be awarded by fair and open competition against other tenders. No special favour must be shown to current or recent former employees or associates in awarding contracts.

Employees must declare any relationship with a particular contractor, or any potential contractors, to the appropriate manager.

Employees should be clear on the separation of client and contractor roles. Senior employees who have both a client/contractor responsibility must be aware of the need for accountability and openness.

Employees privy to confidential information on tenders of costs relating to contractors should not disclose the information to any unauthorised party or organisation.

13. Use of the School's Materials, Property or Resources

Employees must ensure that school funds entrusted to them are used in a responsible and lawful manner.

Employees should not make personal use of any school property, facilities, equipment, materials, vehicles or resources unless properly authorised to do so.

14. Hospitality and Acceptance of Gifts

All School staff and those working on behalf of the School are expected to refuse the offer of inappropriate and disproportionate hospitality and gifts made as part of the discharge of their duties unless there are compelling reasons or exceptional circumstances for doing so.

The acceptance of gifts and hospitality must be treated with extreme caution and may be regarded as a breach of the code of conduct. The onus is on the individual to take responsibility for making informed judgements about any offers of gifts and hospitality made to them and for seeking advice if they are unsure whether they can accept.

As to what is 'inappropriate and disproportionate', something like a small token of appreciation to a teacher, a small bouquet of flowers sent in thanks or small and low values gifts given at the end of term by parents, would not seem unreasonable whereas anything which is significant, such as tickets to football matches or concerts, have a value to them which could have the potential to be interpreted as recompense, inducement or endorsement.

Gifts or hospitality must not be accepted where it might be perceived to influence a decision in respect of purchasing goods or services, awarding contracts, preferential treatment or in the discharge of any other aspect of the School's day-to-day business. It is the responsibility of individual members of staff to refuse such offers and to report any possible conflict of interest and any cases where they believe that the school may be compromised.

It is a criminal offence for employees or those working on behalf of the school to corruptly receive any gift, loan, fee, reward or advantage for doing, or not doing anything, or showing favour, or disfavour, to any person in their official capacity.

In no circumstances should a statement ever be made in return for a personal gift or money.

It is expressly prohibited for an employee to accept any gift or hospitality from an organisation if he/she is actively involved in a tender process with the organisation on behalf of the School. This prohibition commences at the point that an invitation to tender is published and extends to a period of three months after a contract has been awarded.

For reasons of probity and transparency, the principle of receipt of gifts or hospitality extends to the spouse, partner or immediate family of the employee.

If an employee has any doubt about such an offer of a gift or hospitality, he/she is responsible for notifying and discussing this with his/her immediate manager.

Giving Gifts

It is inadvisable to give personal gifts to pupils or their families. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return.

Any reward given to a pupil should be in accordance with agreed practice, consistent with the School's Behaviour policy, recorded and not based on favouritism.

15. Working Relationships and Social Contact Outside the Workplace

Some members of staff live and work in the same community. Members of staff will have both internal and external working relationships that are formed on a daily basis with colleagues, pupils, parents and contractors. These should be conducted in a professional, friendly and respectful manner. It is acknowledged that staff may have genuine friendships and social contact with parents of pupils, and families - independent of the professional relationship.

If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement. This also applies to social contacts made through outside interests or the staff member's own family. Staff need to be aware that they will be viewed as members of school staff, as well as friends at all times in these situations. Staff should also be aware that they should not discuss school matters with parents of pupils at the school and should maintain professional barriers.

In general, there are extremely few situations where it is appropriate for parents to approach staff through personal routes in regard to school business, and in general they should be referred back to the normal procedures.

Staff need to be mindful that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse, exploitation or radicalisation.

Staff should be aware and recognise that some types of social contact with pupils or their families may be perceived as harmful or exerting inappropriate influence on children and may bring the school into disrepute.

Staff should ensure that any type of social contact does 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. Staff must ensure that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

Some staff may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the staff member or seeks support outside of their professional role this should be discussed with senior management and where necessary referrals made to the appropriate support agency.

Staff must not accept friend invitations or become friends with any pupil on any social media platform. Staff should also refrain from following the Twitter or similar social media accounts of pupils or their parents.

Staff must read the school's Online Safety Policy carefully and follow all advice and guidance within it.

Personal phone numbers, email addresses and communication routes via all social media platforms should not be used and staff should not share their home address with pupils. If contacted via an inappropriate route the member of staff must inform their line manager immediately.

If approached by ex-pupils, staff must act with integrity and must consider if the relationship might be considered to be an abuse of the position of trust.

16. Communication with Children and Young People

Employees should not seek to communicate, make contact with or respond to contact with pupils outside of the purposes of their work and should not give personal contact details (e.g. email address, home or mobile telephone numbers, details of web-based identities) to children.

Only equipment and services provided by the school should be used for communication and employees are expected to adhere to the School IT Acceptable Use Policy.

Staff can communicate with parents via portals on the school website such as: 'show my homework' or 'insight'. For other electronic communication staff must always use a professional email account, for example ABC@school.surrey.sch.uk and under no circumstances use their private email account.

Employees are expected to report to their line manager any contact or correspondence with children they receive via personal contact mechanisms.

Members of staff should always report any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff to the Headteacher or another senior manager.

17. Physical Contact with Pupils

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, however it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs and any agreed care plan.

Any physical contact should be in response to the child's needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Adults should therefore, use their professional judgement at all times.

Members of 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
- never touch a pupil in a way which may be considered indecent
- always be prepared to explain actions and accept that all physical contact be open to scrutiny
- never indulge in horseplay or fun fights
- 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;
- always tell a colleague when and how they offered comfort to a distressed pupil
- establish the preferences of pupils
- consider alternatives, where it is anticipated that a pupil might misinterpret or be uncomfortable with physical contact
- always explain to the pupil the reason why contact is necessary and what form that contact will take
- report and record situations which may give rise to concern
- be aware of cultural or religious views about touching and be sensitive to issues of gender

In certain curriculum areas (e.g. PE, drama or music), staff may need to initiate some physical contact with children, for example, to demonstrate technique in the use of equipment, adjust posture or support a child so they can perform an activity safely or prevent injury.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary.

The extent of the contact should be made clear and undertaken with the permission of the pupil. Contact should be relevant to their age / understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

Staff working in these areas are expected to have regard to any particular guidance or protocols provided to them on appropriate physical contact.

Staff must read and follow the guidance in the school's Physical Intervention Policy. Physical contact should be avoided, de-escalation strategies should be employed and support sought from a colleague. Restraint should only be used by those who have had MAPA or other appropriate training.

Intimate / Personal Care

The School has an intimate care policy. All members of staff who may be called upon to provide such care should ensure they are familiar with, and act in accordance with, this policy.

18. Behaviour Management and Physical Intervention

All members of staff must avoid any form of degrading or humiliating treatment to punish a child or use force as a means of punishment. Staff are expected to act as role models and should avoid shouting at children other than as a warning in an emergency situation.

Adults may reasonably intervene to prevent a child from committing a criminal offence, injuring themselves or others, causing damage to property or engaging in behaviour prejudicial to good order and to maintain good order and discipline.

The use of physical intervention should, however, be avoided wherever possible and, where necessary, should only use minimum force and for the shortest time needed.

All members of staff are expected to understand and to follow the School's Behaviour Policy and Physical Intervention Policy as appropriate to their role.

19. Sexual Conduct

Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a pupil under 18 years of age and sexual activity with a child could be a matter for criminal and/or disciplinary procedures.

20. Lone Working and One to One Situations Involving Pupils

Staff working one to one with pupils, including visiting staff from external organisations, can be more vulnerable to allegations or complaints and should ensure that, wherever possible, there is visual access and/or an open door in one to one situations.

Members of staff should not arrange to meet with pupils from the school away from the work premises unless the necessity for this is clear and approval is obtained from a senior member of staff, the pupil and their parents/carers.

Staff are expected to adhere to the School's policies on lone working.

The School will conduct risk assessments in relation to the specific nature and implications of one to one work and any planned home visits.

21. Transporting Pupils / Educational Visits

A designated member of staff will be appointed to plan and provide oversight of all transport arrangements and respond to any concerns that may arise. Staff should not offer lifts to pupils unless the need for this has been agreed by a manager.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles and with at least one adult additional to the driver acting as an escort.

It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so. They should also be aware of and adhere to current legislation regarding the use of car seats for younger children.

Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum carrying capacity is not exceeded.

Staff should never offer to transport pupils outside of their normal working duties, other than in an emergency or where not doing so would mean the child may be at risk. In these circumstances the matter should be recorded and reported to both their manager and the child's parent(s).

The school's Health and Safety Policy and Educational Visits Policy set out the arrangements under which staff may use private vehicles to transport pupils.

Educational visits will be undertaken in accordance with the school's Educational Visits Policy and any member of staff accompanying children on an educational visit are required to familiarise themselves with and adhere to this policy.

22. Administering First Aid and Medication

Any member of school staff may be asked to become a qualified first-aider or to provide support to pupils with medical conditions, including the administration of medicines, but cannot be required to do so unless this forms part of their contract of employment.

Any such employee will receive suitable training and will be expected to adhere to school guidelines and policies on undertaking such responsibilities.

23. Health and Safety

All employees have a shared duty to help prevent injuries or accidents occurring at work by complying with the school's Health and Safety Policy and all instructions relating to safety and security procedures.

24. Photography, Videos and Other Images

The school has strict rules of the taking and use of images which are contained within the school's child protection policy. All members of staff should have regard to these rules. Under no circumstances should members of staff use their personal equipment to take images of pupils at, or on behalf of, the school or display or distribute images of pupils except as authorised by the school and with appropriate consent.

Staff should read and be aware of the advice in the school's Safer Use of Images Policy.

25. Declaration of Personal Interests and Outside Commitments

Employees are responsible for ensuring that their private interests, beliefs and personal associations do not conflict with their professional duties.

All employees should declare any non-financial or financial interest which might conflict with the ethos or work of the School or any relationship which, by the employee's association with that person, might adversely affect the School's reputation, attract negative publicity or potentially bring into question the employee's suitability to work with children and young people.

Declarations should be made via the School Bursar (or for the Headteacher via the Chair of Governors) who should ensure that a written record is made in accordance with the school's procedure.

Declarations must extend to acknowledging the involvement of a relative or partner of an employee in an organisation with which the school does business (or seeks to do business), particularly if they are directors, partners or hold senior managerial positions in those organisations.

Where employees are in any doubt about whether any personal relationships, interests, or outside commitments should be declared in particular circumstances, they should either declare the information in any case, or else seek further advice from the Bursar or the Headteacher.

26. Secondary Employment

Employees are able to take up additional employment other than at the school provided the employment concerned does not constitute a conflict of interest or adversely affect their employment at the school.

Employees should, however, keep the school informed of other employment they undertake so that the school may ensure that the 48-hour weekly working time limit under the Working Time Regulations 1998 is adhered to. In the event that an employee's combined working hours are likely to exceed this figure they will be asked to sign a working time 'opt out' agreement.

27. Criminal Charges or Convictions

All employees must inform the Headteacher immediately of any criminal conviction, caution, reprimand or final warning or if they are the subject of a police investigation during the course of their employment.

Staff should be aware that behaviour by themselves, those with whom they have a relationship or association, or others in their personal lives, may impact on their work with children.

28. School Policies

The school has in place a range of policies, some of which have been referred to in this code of conduct. Employees are expected to familiarise themselves with any

policy the school has provided or drawn to their attention and to ensure that they take account of any future policy changes communicated to them.

If in doubt about the application or interpretation of any policy an employee should seek advice from his/her line manager in the first instance.

29. Status of Code of Conduct

The content and operation of this policy is reviewed as and when deemed necessary by the Governing Body. The policy is discretionary and does not confer any contractual rights.

Employees will be expected to have regard to any updates to this code which have been brought to their attention.