



**embrace
challenge:
expect
excellence**

Daubeney Academy



Staff code of conduct

Date approved:	July 2020
Approved by:	CMAT Board
Date of next review:	July 2021

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Statement of intent

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

Employees at the academy should understand that their own behaviour, and the manner in which they conduct themselves with their colleagues, pupils, parents/carers and other stakeholders, sets an example.

Name of academy recognises that the majority of staff members act appropriately and treat each other with dignity and respect; however, we consider it important to clarify the expected standards.

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

This document applies to all staff members who are:

- Employed by the academy, including the headteacher.
- Employed in units or bases that are attached to the academy.

This document does not apply to:

- Peripatetic staff members who are centrally employed by the LA.
- Academy catering staff employed by an external catering provider..
- Employees of external contractors.

These employees are governed by their employment contracts and any relevant laws pertaining to their activities within the academy, for example, the Data Protection Act 1998.

Signed by:

_____	Headteacher	Date: _____
_____	Chair of governors	Date: _____

1. Legal framework

1.1. This policy has due regard to statutory legislation, including, but not limited to, the following:

- The Data Protection Act 1998
- The Education Act 2002
- The Children Act 1989
- The Working Time Regulations 1998 (as amended)

1.2. This policy also has due regard to statutory guidance, including, but not limited to, the following:

- DfE 'Keeping children safe in education' 2016
- DfE 'Working together to safeguard children' 2015

2. Related academy policies

2.1. This Staff Code of Conduct has due regard to the following academy policies and procedures:

- Child Protection and Safeguarding Policy
- Health and Safety Policy
- Data Protection Policy
- Whistleblowing Policy
- Use of Reasonable Force Policy
- E-safety Policy
- Acceptable Use Agreement
- Staff Leave of Absence Policy
- Photography at Academy Events Policy

3. Safeguarding pupils

3.1. In accordance with 'Keeping children safe in education' guidance, all staff members have a responsibility to safeguard pupils and protect their welfare.

3.2. All staff members have a responsibility to ensure that they provide a learning environment in which pupils feel safe, secure and respected.

3.3. In order to effectively safeguard pupils, staff members are required to follow the procedures outlined in this Staff Code of Conduct and the **Child Protection and Safeguarding Policy**, ensuring that they do not act in a way that may put pupils at risk of harm, or lead others to question their actions.

3.4. In accordance with the academy's Child Protection and Safeguarding Policy, staff members will be prepared to identify pupils who may be subject to, or at risk of, abuse and neglect, and will follow the necessary reporting and referral procedures.

3.5. Any staff member that has concerns about a staff member's actions or intent that may lead to a pupil being put at risk of harm will report this in line with the **Whistleblowing Policy** to the **headteacher** immediately so appropriate action can be taken.

4. Appearance and dress

4.1. The academy expects that staff members will:

- Ensure that their appearance is clean and neat when at work or representing the academy.
- Dress in a manner that is appropriate to their role.
- Remember that they are role models for pupils, and that their dress and appearance should reflect this.
- Not dress in a way that would cause embarrassment to pupils, parents/carers, colleagues or other stakeholders.
- Cover any tattoos or body art whilst in academy; small earrings are acceptable, but all other visible body piercing jewellery must be removed.

5. Attendance

5.1. The academy expects that staff members will:

- Attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days of work and holidays.
- Make routine medical and dental appointments outside of their working hours or during holidays, where possible.
- Refer to the academy's **Staff Leave of Absence Policy** if they need time off for any reason other than personal illness.
- Follow the academy's absence reporting procedure when they are absent from work due to illness or injury.

6. Professional behaviour and conduct

6.1. Staff members are expected to treat other colleagues, pupils, parents/carers, and external contacts with dignity and respect.

6.2. The use of foul and abusive language will not be tolerated.

6.3. Discrimination, bullying, harassment or intimidation, including physical, sexual and verbal abuse, will not be tolerated.

6.4. Staff members will not misuse or misrepresent their position, qualifications or experience, or bring the academy into disrepute.

6.5. Staff members will inform the **headteacher** if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution.

7. Conduct outside of work

- 7.1. Staff may undertake work outside the academy, either paid or voluntary, provided that it does not conflict with the interests of the academy. The nature of the work cannot be seen to bring the academy into disrepute, nor be at a level which may contravene the working time regulations or affect an individual's work performance.
- 7.2. Criminal offences that involve violence, possession or use of illegal drugs or sexual misconduct are unacceptable.
- 7.3. Staff will not engage in inappropriate use of social network sites which may bring themselves, the academy, academy community or employer into disrepute; this is explored further in [section 16](#).

8. Smoking, alcohol and other substances

- 8.1. Staff will not smoke on, or within a one mile radius of, the academy premises.
- 8.2. Staff will not smoke whilst working with or supervising pupils off-site, such as when on educational visits and trips.
- 8.3. The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. Staff members must never attend work under the influence of alcohol or illegal drugs.
- 8.4. If alcohol or drug usage impacts on a staff member's performance, the academy has the right to discuss the matter with the employee and take appropriate action in accordance with the academy's disciplinary procedures, including referral to the police.

9. Health and safety

- 9.1. Staff members will:
 - Be familiar with and adhere to the academy's **Health and Safety Policy**, and ensure that they take every action to keep themselves and everyone in the academy environment safe and well.
 - Comply with health and safety regulations and use any safety equipment and protective clothing which is supplied to them.
 - Comply with hygiene requirements.
 - Comply with accident reporting requirements.
 - Inform the **headteacher** of any paid work which is undertaken elsewhere, for compliance with The Working Time Regulations 1998 (as amended).

10. Declaration of interests

- 10.1. Staff members are required to declare their interests, both personal and financial, where the group or organisation they are affiliated with would be considered to be in conflict with the ethos of the academy.

- 10.2. For the purpose of this policy, a financial conflict of interest is one where there is, or appears to be, opportunity for personal financial gain, financial gain for close relatives or friends, or where it may be reasonable for a third party to take the view that financial benefits may affect an individual's actions.
- 10.3. The term 'financial interest' means anything of monetary value, including:
- Payments for services
 - Equity interests
 - Intellectual property rights
 - Hospitality or gifts
- 10.4. Examples of financial interests that must be declared include, but are not limited to, equity interests in services considered for use by the academy.
- 10.5. Non-financial conflicts of interest can also come into conflict, or be perceived to come into conflict, with an individual's obligations or commitments to the academy. These interests may include any benefit or advantage, including but not limited to, direct or indirect enhancement of an individual's career, or gain for immediate family or someone with whom the individual has a close relationship.
- 10.6. Examples of situations that could give rise to non-financial conflicts of interest include the following:
- Pressure or temptation to accept gifts, inducements or hospitality
 - Participating in the appointment, hiring, promotion, supervision or evaluation of a person with whom the individual has a close personal relationship
 - Where a member of staff has or develops a close personal relationship with a colleague
- 10.7. Membership to a trade union or staff representative group does not need to be declared.
- 10.8. Staff members will also carefully consider whether they need to declare their relationship with any individual where this might cause a conflict with academy activities and declare such relationship where appropriate..
- 10.9. Failure to make a relevant declaration of interests is a very serious breach of trust and, therefore, if employees are in doubt about a declaration, they are advised to contact the academy or trade union.
- 10.10. All declarations, including nil returns, will be submitted in writing to the **headteacher** for inclusion on the Register of Business Interests.

11. Relationships with pupils

- 11.1. The academy expects that staff will:

- Maintain professional boundaries and relationships with pupils at all times, and will consider whether their actions are warranted, proportionate, safe and necessary.
- Act in an open and transparent way that would not lead to others questioning their actions.
- Ensure that they do not establish social contact with pupils for the purpose of securing a friendship, or to pursue or strengthen a relationship.
- Ensure that they do not develop personal or sexual relationships with pupils; this includes sexual remarks and discussing their own sexual relationships with, or in the presence of, pupils.
- Only contact pupils via the academy's established mechanisms. Personal phone numbers, email addresses or social media platforms will not be used to contact pupils.

12. Physical contact with pupils

- 12.1. The academy understands that there are circumstances in which it may be necessary for staff to have physical contact with pupils, e.g. when applying first aid and assisting with intimate care, but staff will only do so in a professional and appropriate manner in line with relevant academy policies.
- 12.2. When physical contact is made with pupils, it is imperative that it is conducted in a way which is responsive to the pupil's needs, is of limited duration and is appropriate to their age, stage of development, gender, ethnicity and background.
- 12.3. Staff will seek the pupil's permission, where possible, before initiating contact.
- 12.4. Staff will always use their professional judgement when determining what physical contact is appropriate, as this may differ between pupils. As such, the pupil's feelings and wishes will always be taken into account. In making their judgement, staff should consider if a pupil has previously suffered from abuse or neglect.
- 12.5. Staff will never touch a pupil in a way which is indecent, and will always be prepared to explain their actions.
- 12.6. Staff will be aware that even well-intentioned physical contact may be misconstrued by a pupil, an observer or by anyone to whom this action is described and, therefore, will be prepared to justify their actions.
- 12.7. Staff will not engage in rough play, tickling or fun fights with pupils.
- 12.8. Physical contact will never be secretive; if a member of staff believes an action could be misinterpreted, this will be reported to the **headteacher** and appropriate procedures will be followed.

- 12.9. Where it is necessary in PE classes for teachers to demonstrate use of equipment, this will be conducted with another member of staff if possible; if a pupil is required to participate, their consent will be given before doing so.
- 12.10. If a child is in distress and in need of comfort as reassurance, staff may use age-appropriate physical contact, such as placing their hand on the pupil's shoulder. Staff will remain self-aware of their actions at all times and ensure that their contact is not threatening, intrusive or subject to misinterpretation.
- 12.11. Staff may also use reasonable force as a means of physical contact with pupils for restraint purposes; such instances will always be in accordance with the academy's **Use of Reasonable Force Policy**.

13. Showering and changing

- 13.1. Pupils are entitled to respect and privacy whilst they are changing before/after PE; however a level of supervision is required to ensure that pupils are safe, and that they are not subjected to bullying.
- 13.2. The supervision will be appropriate to the needs and ages of the pupils, and sensitive to the potential for embarrassment.
- 13.3. Staff will announce their intention of entering the changing room to allow pupils to maintain their privacy.
- 13.4. Staff will never change or shower in the same area as pupils.

14. Transporting pupils

- 14.1. When it is necessary to transport pupils off-site, staff will ensure that the transport arrangements of the vehicle meet all legal requirements, they have an appropriate license, and the vehicle is roadworthy, has a valid MOT certificate and is insured.
- 14.2. Staff will gain consent from parents/carers before transporting pupils, and will be aware that the welfare of all pupils in the vehicle is their responsibility.
- 14.3. **Two** or more staff will be present in the vehicle for safeguarding reasons.

15. Financial inducements

- 15.1. Staff members will familiarise themselves and comply with the academy's **Gifts and Hospitality Policy**.

16. E-safety

- 16.1. Staff will adhere to the procedures outlined in the academy's **E-safety Policy** and **Acceptable Use Agreement** at all times.
- 16.2. Staff are required to employ the highest security settings on any personal profiles they may have.
- 16.3. Staff will not engage in inappropriate use of social networking sites; this includes contacting pupils or their family members, accepting or inviting friend requests from pupils or their family members, or following pupils or their family members on social media.
- 16.4. The academy understands that some staff members are also parents/carers of pupils at the academy and, therefore, may wish to make contact with other parents/carers. When doing so, staff will exercise their professional judgement and will not contact parents/carers or other family members on social media if this would lead to a conflict of interest.
- 16.5. Staff will remain mindful of their use of social media and their web-based presence; this includes written content, videos or photographs, and views expressed directly or indirectly which may bring themselves, the academy or the academy community into disrepute.

17. Premises, equipment and communication

- 17.1. Academy equipment and systems are available only for academy-related activities and will not be used for the fulfilment of another job or for personal use, unless specifically authorised by the **headteacher**.
- 17.2. Illegal, inappropriate or unacceptable use of academy equipment or communication systems may result in disciplinary action and, in serious cases, could lead to an employee's dismissal.
- 17.3. Employees receiving inappropriate communication or material, or who are unsure about whether something he/she proposes to do might breach this policy, should seek advice from the **headteacher**.
- 17.4. The academy reserves the right to monitor emails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems.
- 17.5. Communication systems may be accessed when the academy suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity. Access will be secured by the **systems manager**, only with the permission of the **headteacher**.

- 17.6. Passwords should not be shared and access to computer systems must be restricted to the named account user except on the express request of the **headteacher** or **systems manager**. Breach of this may be subject to disciplinary action.
- 17.7. Academy equipment that is used outside the premises, e.g. laptops, will be returned to the academy when the employee leaves employment, or if requested to do so by the **headteacher**.

18. Photography and videos

- 18.1. Photographs and videos will only be taken using academy equipment – using personal mobile phones for this purpose is prohibited, in accordance with the academy's **Photography at Academy Events Policy**.
- 18.2. Consent will be obtained from parents/carers and pupils in the event of any images or videos of pupils which the academy wishes to use, e.g. to publish on the website.
- 18.3. The wishes of the pupil will also be taken into account when taking images or videos, ensuring that those who do not wish to have their photograph taken or be filmed are respected.
- 18.4. The **headteacher** will always be notified of the proposed use of the imagery or video and the equipment, and ensure that the use of such is included in lesson plans where this is necessary.
- 18.5. All photographs and videos will be available for scrutiny, and staff will be prepared to justify the images or footage taken.
- 18.6. Careful consideration will always be given to the activities which are being filmed or photographed, in order to ensure that images or videos are not indecent and cannot be misused.

19. Data protection and confidentiality

- 19.1. Staff members are required, under the Data Protection Act 1998, to collect, maintain and dispose of sensitive or personal data in a responsible manner.
- 19.2. Staff members will not disclose sensitive information about the academy, its employees or the LA to other parties.
- 19.3. The only exception whereby it is acceptable for a staff member to disclose information which would otherwise be considered confidential is when the confidential information gives rise to concerns about the safety or welfare of a pupil. In such situations the information can only be shared on a need to know basis with the appropriate individuals in line with the Safeguarding Policy.

19.4. Staff members have the right to request access to data that is held about them; such requests will be made to the **headteacher** in writing, in accordance with the academy's **Data Protection Policy**

20. Probity of records

20.1. The deliberate falsification of documents, such as references, academic qualifications or legal documents, is unacceptable. Where a staff member falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

21. Contacts

21.1. Staff members shall not use academy business contacts for acquiring materials or services at trade/discount prices for non-academy activities, unless participating in concessionary schemes arranged by trade unions or other such groups.

22. Monitoring and review

22.1. This policy will be reviewed on an **annual** basis by the **headteacher** and any changes made will be communicated to all members of staff.

22.2. All members of staff are required to familiarise themselves with this policy as part of their induction programme.