

## **Code of Conduct**

### **Incl Ethical Code of Conduct Policy 2019**

The Link Academy Trust is a company limited by guarantee and an exempt charity, regulated by the Education & Skills Funding Agency (ESFA). All Members of the Board of Directors are also Trustees of the exempt charity; the term 'Director' used in this Policy also means Trustee. This Policy applies to all staff employed by the Link Academy Trust.

### **Introduction, Scope and Principles**

This document is designed to give clear guidance on the standards of behaviour all employees are expected to observe. Employees working in schools are role models, are in a position of influence and must demonstrate behaviour that sets a good example to all the pupils within the Trust. As a member of a Multi Academy Trust, every employee has an individual responsibility to maintain their reputation and the reputation of the school/Trust, whether inside or outside working hours.

In adopting this policy the Trust is committed to working towards creating a working environment in which all employees are treated fairly, with dignity and respect and where unacceptable behaviour will not be tolerated.

This policy applies to all employees, but does not form part of the contract of employment.

Casual and self-employed workers, agency staff and volunteers working in the school/Trust would also be expected to observe the standards of behaviour set out in this document.

Employees should not use any information obtained in the course of their employment for improper personal gain or benefit, nor should they pass it on to others who might use it in such a way.

Any particular information received by an employee from a Member, Director, Governor or a fellow employee which is personal to them or the fellow employee and does not belong to the Trust/school, should not be divulged by the employee without the prior approval of the Member, Director, Governor or the fellow employee.

In addition to this Code of Conduct, all employees engaged to work under Conditions of Service for Schools Teachers have a statutory obligation to adhere to the most recent 'Teachers' Standards' and in relation to this policy, Part 2 of the Teachers' Standards - Personal and Professional Conduct.

To be read in conjunction with 'Guidance on Safer Working Practice for Adults who work with Children and Young people in education setting' document.

### **1. Compliance**

Employees must familiarise themselves and comply with all school/Trust policies and procedures.

Employees must complete and sign the Confirmation of Compliance form provided at the start of their employment to confirm they have read, understood and agreed to comply with the Code of Conduct.

## **2. Disciplinary Action**

Employees should be aware that a failure to comply with this Code of Conduct could result in disciplinary action including but not limited to dismissal.

## **3. Setting an Example**

- 3.1 This Code helps all employees to understand what behaviour is and is not acceptable. Regard should be given to the disciplinary rules set out in the Trust's Disciplinary Policy.
- 3.2 The Trust seeks to eliminate discrimination, advance equality and foster good relations.
- 3.3 The Trust is committed to the principle of equal opportunities in employment regardless of a person's age, disability, gender, re-assignment, marital or civil partnership status, pregnancy, maternity status, race (including colour, nationality and ethnic or national origins), religion or belief, sex and sexual orientation.
- 3.4 Employees must not discriminate, harass or victimise someone because they have or are perceived to have a protected characteristic as defined by the Equality Act 2010 or are associated with someone who has a protected characteristic. Protected characteristics are:-
  - age
  - disability
  - gender reassignment
  - marriage and civil partnership
  - pregnancy and maternity
  - race
  - religion or belief
  - sex
  - sexual orientation
- 3.5 Employees must set good examples of behaviour and demonstrate high standards of conduct in order to encourage our pupils to do the same. Standards expected of employees can be found in Appendix 1.
- 3.6 Employees must avoid using inappropriate or offensive language at all times.
- 3.7 Employees must avoid putting themselves at risk of allegations of abusive or unprofessional conduct.

## **4. Safeguarding Pupils**

- 4.1 Employees have a duty to safeguard pupils from physical abuse, sexual abuse, emotional abuse, verbal abuse and neglect.
- 4.2 The duty to safeguard pupils includes the duty to report concerns about a pupil or colleague to the school's Designated Safeguarding Lead (DSL) for Child Protection.
- 4.3 Employees must make themselves aware of the name of the school's current DSL. This information is available on notice boards in the staffroom and around the school.

- 4.4 Employees must take reasonable care of pupils under their supervision with the aim of ensuring their safety and welfare.
- 4.5 Employees must never promise a pupil that they will not act on information that they are told by the pupil.
- 4.6 Employees are provided with access to the Trust's Child Protection Policy and Whistleblowing Procedure (Public Interest Disclosure) and must become familiar with these documents.
- 4.7 Employees are provided with access to the DfE Statutory Guidance Document 'Keeping children safe in education' and must read the document.
- 4.8 Employees are provided with access to the 'Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings' and must read the document.

## **5. Relationships with Pupils**

- 5.1 Employees must declare any relationships that they may have with pupils outside of school; this may include mutual membership of social groups, tutoring, or family connections. Employees should not assume that the school/Trust are aware of any such connections. A declaration form is available at Appendix 2 of this document for declaration of such relationships.
- 5.2 Physical relationships with pupils, regardless of their age, are strictly forbidden and may lead to a criminal conviction. This may also apply to former pupils and advice must be sought before commencing any such relationship.
- 5.3 Employees must treat pupils with respect and dignity and must not demean or undermine them, their parents or carers, or work colleagues.
- 5.4 Employees must not behave in a way that may be perceived as sarcastic, nor should they make jokes at the expense of pupils, embarrass or humiliate pupils, discriminate against or favour pupils.

## **6. Professional Relationships with Colleagues**

- 6.1 Employees must help create a positive working environment and behave in a manner which ensures and promotes acceptable behaviour. Examples of acceptable behaviour and unacceptable behaviour can be found in Appendix 1.
- 6.2 Employees must strive toward and promote harmonious and professional relationships with all colleagues. It is understood that, at times, differences of opinions can occur and at such times it is expected that employees will attempt to resolve matters informally in the first instance unless they feel unable to do so in which case they should refer the matter to their line manager.

## **7. Honesty and Integrity**

- 7.1 Employees must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of school/Trust property and facilities.

- 7.2 Employees must comply with the Bribery Act 2010. A person may be guilty of an offence of bribery under this Act if they offer, promise or give financial advantage or other advantage to someone; or if they request, agree or accept, or receive a bribe from another person. If you believe that a person has failed to comply with the Bribery Act, you should refer your concerns to the attention of the CEO.
- 7.3 Employees must not accept gifts or hospitality from suppliers or associates of the school/Trust, with the exception of 'one off' token gifts from parents. Personal gifts from employees to pupils are inappropriate and could be misinterpreted and may lead to disciplinary action. A record will be kept of all gifts received. Employees must refer to the Trust's Gifts and Hospitality Policy for full details regarding the acceptance of gifts or hospitality.
- 7.4 Where an outside organisation wishes to sponsor or is sought to sponsor a school activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply.
- 7.5 Where the school wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the employee's Executive/ Academy Head (or in the case of the Executive/Academy Head, the CEO) of any such interest.
- 7.6 Similarly, where the school through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.
- 7.7 Employees must be aware that sponsorship may contravene the Bribery Act 2010 (see also 8. Bribery and Corruption).
- 7.8 Employees must make known to the Trust Business Manager all financial and non-financial interests that could bring them into conflict with the school's/Trust's interests.
- 7.9 All personal relationships with contractors, or potential contractors should be made known by the employee to the Executive/Academy Head/Trust Business Manager with responsibility for the contract.
- 7.9.1 Orders and contracts must be awarded on merit, by fair competition against other tenders, in accordance with financial procedures, and no favour should be shown to businesses run by, for example, friends, partners or relatives.
- 7.9.2 Employees who engage or supervise contractors or have an official business with contractors and have previously had or currently have a relationship in a private or domestic capacity with the contractor, should declare that relationship to their line manager or an appropriate Director/ senior manager/the Executive/Academy Head or Trust Business Manager.
- 7.10 Employees must not be involved in any recruitment process if they have a personal relationship with the applicant inside or outside of work.
- 7.10.1. Where, for operational reasons, this is not practical, the employee concerned should make the relationship known to the rest of the selection panel and seek further legal advice, before any interviews are held.
- 7.10.2. Similarly, Executive/Academy Heads/the CEO/Directors/Trust Business Manager should not be solely involved in decisions relating to discipline, promotion or pay

adjustments for any other employee to whom they are related or with whom they have, or have had, a personal relationship. In such cases, legal advice should be sought.

- 7.11 Without fear of recrimination, employees can report any impropriety or breach of procedures using the process laid out within the Trust's Public Interest Disclosure Policy.

## **8. Bribery and Corruption**

- 8.1. All employees must be aware that it is a criminal offence for them as individuals to contravene the Bribery Act 2010 in their official employment capacity. (The Trust may also face criminal liability for unlawful actions taken by its employees, or associated persons, in some circumstances).

- 8.2 The Bribery Act 2010 details four types of offence:

**8.2.1. Bribing another person, which includes:**

- offering, promising or giving financial or other advantage to someone to induce them to perform a relevant function improperly or to reward them for performing the function improperly, and
- offering, promising or giving financial or other advantage to someone where the briber knows or believes that the acceptance of the bribe would itself constitute the improper performance of a relevant function or activity.

**8.2.2. Receiving a bribe, which includes:**

- requesting, agreeing to accept or receiving financial or other advantage with the intention that a relevant function be performed improperly or as reward for the improper performance
- performing a relevant function improperly in anticipation of requesting, agreeing to receive or accepting a financial or other advantage, and
- requesting, agreeing to accept or receiving financial or other advantage where that in itself constitutes the improper performance of a relevant function or activity.

**8.2.3. Bribing a foreign official, which is an offence that occurs:**

- where a person offers, promises or gives, directly or through a third party, financial or other advantage to a foreign public official with the intention of obtaining or retaining an advantage in the conduct of business.

**8.2.4 Failure of commercial organisations to prevent bribery. A commercial organisation is guilty of an offence:**

- if a person associated with it bribes another person intending to obtain or retain business or an advantage in the conduct of business for the organisation. The person making the bribe need not be prosecuted for this section to have effect which will apply if their actions would make them guilty of bribery.

- 8.3. All forms of bribery are strictly prohibited. If an employee is in any doubt as to whether or not a potential act constitutes bribery and/or corruption, the matter should be referred to the Trust Business Manager/CEO, in the first instance.

- 8.4. If an allegation is made, it is for the employee to demonstrate that any such rewards have not been obtained through bribery or corruption.

- 8.5. In addition, all employees must ensure that they use any public funds entrusted to them in a responsible and lawful manner. They must strive to ensure value for money to the local community, avoiding legal challenge to the Trust.
- 8.6 Any employee in breach of these rules on bribery will face disciplinary action, which could result in dismissal for gross misconduct.

## **9. Conduct Outside of Work**

- 9.1 Employees must not engage in conduct outside work which could damage the reputation and standing of the school or the Trust or the employee's own reputation or the reputation of other members of the school or Trust community.
- 9.2 Criminal offences that involve violence or possession or use of illegal drugs or sexual misconduct will be regarded as unacceptable and dealt with under the Trust's Disciplinary Policy.
- 9.3 Behaviour or activities that have the potential to make employees unsuitable for the role they are employed to perform will be dealt with under the Disciplinary Policy.

## **10. Employment outside of School**

- 10.1 Employees may undertake work outside the Trust, either paid or voluntary, provided that it does not conflict with the interests of the school/Trust nor be to a level which may contravene the working time regulations or affect an individual's work performance in the school/Trust.

## **11. Online Safety and Internet Use**

- 11.1 Employees must exercise caution when using information technology and be aware of the risks to themselves and others. Regard should be given to the Trust's Online Safety and ICT Acceptable Use Policy at all times both inside and outside of work.
- 11.2 Employees must not use equipment belonging to the Trust to access pornography; neither should personal equipment containing pornographic images or links to them be brought into the workplace. Doing so will raise serious concerns about the suitability of the employee to continue to work in the Trust.
- 11.3 Employees must not engage in inappropriate use of social network sites which may bring themselves, the school, Trust, community or employer into disrepute. Employees should ensure that they adopt suitably high security settings on any personal profiles they may have.
- 11.4 Employees must exercise caution in their use of all social media or any other web based presence that they may have, including written content, videos or photographs, and views expressed either directly or by 'liking' certain pages or posts established by others. This may also include the use of dating websites where employees could encounter pupils either with their own profile or acting covertly.
- 11.5 Employees must not link themselves with the school or Trust on any social network site they use unless with prior consent of the CEO.
- 11.6 Employees must not respond to negative comment posted online but bring this to the attention of the CEO.

- 11.7 Employees must only contact pupils via school/Trust authorised mechanisms. At no time should personal telephone numbers, email addresses or communication routes via personal accounts on social media platforms be used to communicate with pupils.
- 11.8 Employees must report to the Executive/Academy Head/CEO any contact by a pupil by an inappropriate route.
- 11.9 Photographs/still images or video footage of pupils should only be taken using school/Trust equipment, for purposes authorised by the school/Trust. Any such use should always be transparent and only occur where parental consent has been given. The resultant files from such recording or taking of photographs must be stored in accordance with the school's/Trust's procedures on school equipment.

## **12. Confidentiality**

- 12.1 Employees must not reveal confidential information about pupils or their parents or carers except to those colleagues who have a professional role in relation to the pupil.
- 12.2 Employees are likely at some point to witness actions which need to be confidential. For example, where a pupil is bullied by another pupil (or by another employee), this needs to be reported and dealt with in accordance with the appropriate Trust procedure. It must not be discussed outside the school/Trust, including with the pupil's parent or carer, nor with colleagues in the Trust except with a senior member of staff with the appropriate authority to deal with the matter.

## **13. Dress and Appearance**

- 13.1 Employees must dress in a manner that is appropriate to a professional role and promotes a professional image.
- 13.2 Employees must not dress in a manner that could be regarded by others as offensive, revealing or sexually provocative.
- 13.3 Employees must not wear clothes with political or other contentious slogans or symbols.

This Policy is reviewed by the Remuneration Committee on a 2-yearly cycle.

**Approved by the Board of Directors: 7 October 2019**

## **Appendix 1**

### **This section of the policy should be read in conjunction with the Disciplinary policy and supplements that policy.**

#### **Examples of Acceptable Behaviour**

People behave acceptably when they:

- Afford dignity, trust and respect for everyone and themselves;
- Have awareness of the effects of their behaviour on others and only make reasonable and manageable demands;
- Communicate honestly and openly, clearly stating what they need and expect of others;
- Provide and are receptive to honest feedback based on evidence; and
- Challenge discriminatory language and behaviour in an appropriate way.

#### **Examples of Unacceptable Behaviour:**

- Using aggressive language, threatening, ridiculing, ignoring people or repeatedly shouting;
- Telephoning people at home unnecessarily (for example, demanding work when the person is absent due to sickness or ill health);
- Focusing only on weaknesses;
- Bringing up details of someone's private life inappropriately;
- Leaving impossibly long lists of tasks and making unreasonable demands;
- Criticising people or maliciously gossiping about them in their absence;
- Ridiculing or demeaning someone – picking on them or setting them up to fail;
- Comments or jokes, about distinctive peoples and nationalities;
- Frequent comments about aspects of physical appearance or using forms of address that are demeaning;
- Threatening or implying, without reason, that, as a colleague, you will cause the person to lose his/her job or fail to get a promotion or suffer some other form of career difficulty or financial disadvantage;
- Coercing someone to join the harassment/bullying of another person;
- Excluding or marginalising someone or refusing to engage with them appropriately.

This list is not exhaustive. It is simply a guide to help individuals consider their own and others behaviour and gain understanding of what behaviours are unacceptable in the workplace.

#### **Standards Expected of Employees**

The standards expected of all employees include but are not limited to:

- maintaining standards of behaviour in keeping with the interests and standing of the school or Trust. This includes behaviour outside of working hours and in any form that is visible to the public, including social networking or any other electronic medium
- devoting full attention while at work to the duties of their position and in doing so acting with responsibility, good judgement and in good faith
- carrying out any reasonable instructions given by those with authority to do so
- not divulging to any unauthorised person or making personal use of confidential information connected with the school or Trust, either intentionally or through negligent behaviour
- observing the rules, regulations and instructions adopted by the school or Trust



- following appropriate safeguarding procedures
- participating fully in any investigation into alleged incidents and/or allegations including attending meetings as directed
- using electronic communications appropriately
- ensuring that information brought to light as a result of any investigation is treated with discretion
- carrying out their role consistently with any standards set by their appropriate professional body
- taking steps to address any unacceptable behaviour
- treating colleagues and third parties with dignity and respect.

In addition to the above, the expectations of those employed in management roles are to:

- ensure the standards expected from all employees are role-modelled, monitored and managed effectively
- effectively manage all applicable statutory and non-statutory obligations
- appropriately manage all alleged incidents and/or allegations.

This list is not exhaustive.

## Appendix 2

### **Relationships with pupils outside of work declaration**

It is recognised that there may be circumstances whereby employees are known to pupils outside of work. Examples include membership of sports clubs, family connections, or private tutoring.

Employees must declare any relationship outside of school that they may have with pupils.

Employee's Name	Pupil Name	Relationship

I can confirm that I am fully aware of the code of conduct relating to contact out of school with pupils in line with this policy.

If I am tutoring a pupil outside of school I am aware that the following must be adhered to:-

- I do not, at any point, teach the child in question as part of my daily timetable - this is a stipulation of such tutoring
- I emphasise to parents that this is done completely independently of the school
- No monies come through the school at any point, informally (e.g. via the child) or formally
- No private tutoring is to take place on the school premises

I confirm that if these circumstances change at any time I will complete a new form to ensure the school are aware of any relationships.

Signed .....

Date .....

**Once completed, signed and dated, please return this form to the HR Officer, Sue Howard, [hr@thelink.academy](mailto:hr@thelink.academy)**