

CODE OF CONDUCT

High standards of professional conduct are particularly important in schools and educational establishments and the image and ethos of a school have a vital effect on the success of its activities. The duty of care towards children and students imposes particular demands on staff in schools and educational establishments to conduct themselves in a proper manner observing the health, safety and welfare of others at all times. It is therefore important that all employees observe the standards of conduct that pupils, parents and the public are entitled to expect.

Any member of school staff who breaches the Code described in this document will be liable to disciplinary action. The nature of action taken in any case will depend on:

- (a) the seriousness and nature of the breach;
- (b) the employee's previous record;
- (c) mitigating circumstances;
- (d) in some cases, the nature of the post.

Some breaches of the Code will be treated as gross misconduct and in such cases dismissal (possibly without notice) may be the appropriate form of disciplinary action. It is difficult to define gross misconduct specifically, but basically, it is conduct or behaviour of such a nature that the school is justified in no longer tolerating the continued presence of the employee who commits such an offence. Gross misconduct can include acts committed outside working hours (as long as it has a direct and fundamental impact on the suitability of an employee to work in the school), as well as those committed at work.

The sorts of breaches of conduct which are likely to be deemed gross misconduct and lead to dismissal, without warnings having been given, are:

- (1) unauthorised removal or misuse of school or Council property.
- (2) dishonesty or falsification of expenses/pay claims.
- (3) theft and/or fraud.
- (4) physical assault, including corporal punishment and child abuse.
- (5) sexual offences, including improper relationships with children.
- (6) improperly using one's position for personal gain.
- (7) drunkenness or drug abuse at work.
- (8) endangering the health and safety of staff or pupils.
- (9) unlawful discrimination or harassment.
- (10) bullying and harassment
- (11) breach of confidentiality
- (12) breaches of the ICT policy

This list is neither exclusive nor exhaustive. Ignorance of the Code of Conduct will not be accepted as a mitigating circumstance.

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1. General Conduct

- 1.1 You will be expected to comply with reasonable management instructions, and to observe and follow any operational regulations and standing orders of the Authority. This includes observing all procedural and statutory requirements, e.g. in the provision of advice and information; in appointing staff; in complying with health and safety rules; in the use of public funds.
- 1.2 You will be expected to treat colleagues or members of the public with respect and not to misuse your authority.
- 1.3 You must not behave in a manner likely to cause offence to pupils, parents, staff, governors or members of the public or likely to offend decency.

- 1.4 You must not fight with or physically assault colleagues or managers or clients or members of the public. Nor must you mistreat persons in the care of the school/Authority. If you are physically assaulted by a member of the public, you are permitted only to defend yourself from the attack.
- 1.5 Under no circumstances should you make physical contact with a child or student which could be interpreted as corporal punishment, i.e. "any intentional application of force as punishment... this includes...forms of physical chastisement, e.g. slapping, throwing missiles and rough handling." (Education [No. 2] Act 1986 section 47[2]). Unnecessary use of force in dealing with a child/pupil, e.g. in restraining them, may also be unlawful and staff should follow the Authority's advice on handling of pupils.
- 1.6 In any context involving a member of staff and a pupil, with whom they are required to have a professional relationship, any kind of sexual contact or outside/intimate friendship is unacceptable and would be deemed to be gross misconduct (even if the pupil is aged over 16).
- 1.7 You should not drink alcohol during working hours. You should not present yourself at school or at work under the influence of alcohol or drugs such that your performance is diminished or otherwise unacceptable. This includes committing a drink or drug offence which could endanger anyone's safety or diminish confidence in your suitability for continued employment.
- 1.8 You must be honest in completion of all claim forms, expenses etc.
- 1.9 You must be aware that to accept a gift or gratuity from anyone who deals with the Council can place you in a compromising position. Where a personal service is provided, you can accept a small personal gift of token value where to refuse would impair your relationship with the person concerned. However, all gifts (not cards or thank you letters) must be reported to the Headteacher to enable her/him to enter it into the hospitality register. If the gift is substantial, you should politely refuse and explain that you are not permitted to accept a personal gift. If you are in any doubt, you must discuss the matter with your manager. This does not apply to donations which benefit the school, e.g. library books.
- 1.10 The receipt of hospitality, as with gifts or gratuities can potentially place you in a compromising position. Hospitality can be accepted when it is reasonably incidental to the occasion and not extravagant. If you are offered hospitality you should ask yourself the question "if I accept this hospitality, could I be open to the suggestion that I was being improperly influenced?" Headteacher's and senior staff in schools should be aware of this if they are responsible for entering into contracts, e.g. with employment agencies.
- 1.11 You must not solicit gifts, gratuities or bribes, nor must you accept bribes. If anyone attempts to bribe you, you must report this immediately to your manager or Headteacher.
- 1.12 You must not knowingly place yourself under an obligation to anyone where to do so may compromise you (or might be seen by others to compromise you) in the correct performance of your duties.
- 1.13 Your off duty hours are your personal concern, but you should not put yourself in a position where duty and such private interests conflict, or undertake any private work which conflicts with or in any way weakens public confidence in the conduct of the Council or school's business. Where an employee is pursuing work for another organisation, e.g. OFSTED, in normal working hours, this must be with the approval of the Headteacher, or in the case of the Headteacher with the approval of the governing body and all income (excluding expenses) in respect of this employment shall be passed on to the school by the employee. Where there is any doubt as to the implications of any private work or additional employment, the matter should be discussed with the Headteacher/Chair of Governors and permission sought before commencing employment. If you decide to take up additional employment or any other business, no outside work of any sort should be undertaken in the workplace and use of facilities such as telephones, photocopiers etc. for private use is not permitted.

2. Absences and timekeeping

- 2.1 You must attend work/school when required and not absent yourself without permission and knowledge of your Headteacher/manager.
- 2.2 You should notify the Headteacher or other senior manager of any unplanned absence from work and reason for absence in good time before the start of the working day on the first day of absence, unless it is not reasonably practicable to do so.
- 2.3 You must not display poor or bad timekeeping, including lateness for school or classes.
- 2.4 You should comply with the school's leave of absence and sickness reporting procedures.

3. Misuse of school/Council materials/equipment/property/resources

- 3.1 You must not steal, misuse or misappropriate school/Authority materials or equipment or property of pupils or staff.
- 3.2 You must not maliciously damage school/Authority property or cause waste or loss of or damage to property through neglect.
- 3.3 You must not use any school facilities for private purposes without the express consent of the Headteacher/governing body.
- 3.4 Private telephone calls outside the London area may not be made at the school's expense. Reasonable use of the telephone for urgent local personal calls is permitted but this should be kept to an absolute minimum.
- 3.5 Misuse of the internet to look at websites containing illegal or unsuitable material. Refer to the Use of ICT Policy for further guidance.

4. Neglect of duty/unprofessional conduct

- 4.1 You are required to comply with all obligations in accordance with a statute or your contract of employment, including observing standards and requirements for pupil examinations and testing.
- 4.2 You must not be negligent or wilfully produce inadequate standards of work.
- 4.3 You must maintain the accepted standards of the profession.
- 4.4 Your conduct outside work must not conflict with your official conduct at work.
- 4.5 You must always comply with the Council and school's financial regulations.
- 4.6 You must not defraud the Council or other authorities in any way, e.g. fraudulent claims for income support or housing benefits (whether or not these lead to a court prosecution.)

5. Misuse/falsification of information

- 5.1 You must not supply false or inaccurate information in support of an application for a post with the authority and you must disclose any known relationship with a governor, member or senior officer of the Council.
- 5.2 You are required not to make false and/or misleading statements, whether orally or in writing, in respect of official business.
- 5.3 You must not disclose official business to the press or media unless authorised to do so.
- 5.4 You must report any matter where you are required to do so.
- 5.5 You must not destroy, remove or wilfully damage any document that is still required by the school or the Council.
- 5.6 You must not disclose confidential information and/or documents relating to the business of the school, its employees or any member of the public with whom it has dealings, unless authorised to do so.
The only exception to this rule would be in situations where there was suspected malpractice and individuals should refer to the Whistleblowing Policy for guidance.
- 5.7 You should observe confidentiality in respect of any discussions with other staff about their professional problems and difficulties and not misuse confidential information about pupils or families. (Staff must use their professional judgment regarding the confidentiality of information, bearing in mind the requirements of the law and the best interests of pupils).
- 5.8 Adverse criticism of colleagues (including comments about the conduct, competence or efficiency of other teachers) in the presence of third parties, including pupils, is unacceptable except in the context of agreed procedures.
- 5.9 Improper use of an official position for private gain or the private gain of some other person. Accepting gifts, gratuities or bribes, which may compromise you or the school in any way.

6. Discrimination

- 6.1 Failure to comply or act in accordance with the Council and / or school's equal opportunities policy is unacceptable, which means you must not discriminate against or show unfairness, bias or prejudice towards any person because of their race, culture, ethnicity, religion, gender, sexuality, age, marital status, or disability.

6.2 Discrimination against an employee of the Council or a client/member of the public on grounds of sex, sexuality, age, disability, race, color, creed, nationality, ethnic origin or religion is unlawful and any employee who is found to have discriminated unlawfully will be liable to disciplinary action.

7. Criminal conduct

7.1 You must not commit a criminal offence at work.

7.2 If you commit a criminal offence outside working hours, this may have an impact on your work. The Governing Body/Authority will consider the nature of the offence, the duties of your post and damage to the reputation and integrity of the school/Council.

7.3 You must disclose all police cautions or convictions for a criminal offence (unless under the terms of the Rehabilitation of Offenders Act 1974 the conviction is 'spent') and your post is not exempt from these provisions. This includes any cautions or convictions you acquire whilst working for the school/Authority which you must report immediately to your Headteacher.

8. Health and safety

8.1 At all time you must conduct yourself in such a way that you do not create a potential risk or injury or danger to yourself or anyone else.

8.2 You must comply with the procedure for reporting an accident. If you are uncertain about what to do, you should seek the advice of your manager or the Authority's Health and Safety Advisers.

8.3 Where there are specific health and safety rules made known to you, you must comply with them at all times, including fire regulations and any restrictions on smoking in the workplace or during working hours.

8.4 You must maintain general hygiene standards.

8.5 Where safety clothing or equipment is necessary to carry out a particular task, you must use this at all times in carrying out this task.

8.6 You must comply with any local regulations regarding smoking in the workplace.

8.7 You must only carry out activities which have a potential risk to health if you are competent and authorised to do so.