

# Code of Conduct

Academic Year 2022-2023



## **CODE OF CONDUCT**

### **FOR EMPLOYEES AND WORKERS IN MAINTAINED SCHOOLS, PRUs, ACADEMIES AND OTHERS**

	<b><u>**CONTENTS**</u></b>	<b><u>Page</u></b>
1.	INTRODUCTION	3
2.	GENERAL REQUIREMENTS AND EXPECTATIONS	3
3.	EQUALITY OF OPPORTUNITY	4
4.	MANAGEMENT AND EMPLOYEE RELATIONS	5
5.	SAFEGUARDING AND DEALINGS WITH PUPILS	6
6.	HEALTH AND SAFETY	9
7.	SECONDARY EMPLOYMENT	9
8.	GENERAL WORKING STANDARDS	10
	a) Hours of Work and Attendance	
	b) Sickness Absence	
	c) Appearance and Dress	
	d) No Smoking	
	e) Wellbeing	
9.	HONESTY AND INTEGRITY	12
	a) General	
	b) Conflicts of Interest and Pecuniary Interests	
	c) Bribery	
	d) Gifts and Hospitality	
10.	USE OF SCHOOL AND OTHER RESOURCES – INSIDE AND OUTSIDE WORK	14
	a) School/PRU Resources and Equipment - General	
	b) Sensitive Information and Confidentiality	
	c) E-mail and Internet Usage	
	d) Computer Security and Misuse	
	e) Internet Social Networking Sites	
11.	TRUST POLICIES AND PROCEDURES	19
12.	KEEPING WITHIN THE LAW	20
13.	DISQUALIFICATION UNDER THE CHILDCARE ACT 2006	20
14.	‘WHISTLEBLOWING’ (THE REPORTING MALPRACTICE AND IMPROPER CONDUCT)	21
15.	DISCIPLINARY ACTION	23
16.	CONCLUSION	23

**APPENDICES** (Misconduct Appendix 1, Gross Misconduct Appendix 2, Acceptable Use Agreement Appendix 3)

# CODE OF CONDUCT

## FOR EMPLOYEES AND WORKERS IN MAINTAINED SCHOOLS, PRUs, ACADEMIES AND OTHERS

### **1. INTRODUCTION**

The Board of Trustees expectations are that all pupils receive the highest possible quality of teaching and learning within a positive and respectful environment. It is important, therefore, that employees and workers understand that their own behaviour and the manner in which they conduct themselves with their colleagues, pupils, parents and other stakeholders sets an example and affects the school environment.

The Board of Trustees recognise that the majority of employees and workers always act in an appropriate, professional manner and treat others with dignity and respect. However, we consider it important to make clear the standards we expect so that breaches, misunderstandings and/or misinterpretation of rules are kept to a minimum. This Code is intended to set out our expected standards of conduct, our rules and values. It applies to all employees and workers, regardless of status. It is not an exhaustive compilation of what employees and workers can and cannot do but it is hoped that it will ensure everyone is clear about what is acceptable and what is not.

The Code is binding on all Trust employees. It is expected also that other workers deployed within the Trust who are employed by external Agencies or the London Borough of Enfield will adhere to its principles. Similarly, volunteers are also expected to adhere to the principles set out in the Code and should consider themselves to fall into the category of 'worker' whilst with the Trust for that purpose. Breaches of the Code and the standards expressed within it may result in disciplinary action against employees, including dismissal for serious offences. We hope, of course, that such action won't be necessary and that all employees and workers will ensure that they read the Code and act in accordance with its requirements, standards and expectations at all times.

It should be noted that it is the normal practice of this Trust to require all employees and workers to sign, on a regular basis, a declaration to confirm that their criminal record is unchanged, that there are no investigations or charges pending and, in relevant circumstances, that they are not disqualified from working in certain roles and/or provision under the Childcare Act 2006. The declaration also includes a requirement to confirm acceptance of the Code of Conduct and the rules contained within it. You are also signing to confirm that you agree to abide by the Trust policies.

**If there is anything in this Code that you do not understand, you should speak to your Line Manager or the Headteacher.**

### **2. GENERAL REQUIREMENTS AND EXPECTATIONS**

The Trust has high standards and expectations of all employees/workers and the health, safety and welfare of the pupils is the priority. Therefore, it is a requirement that you:

- provide a high standard of service in your dealings with trustees, governors, colleagues, pupils, parents and other stakeholders whether this is in person, by telephone, letter or e-mail. Always be polite, responsive and treat people with respect and consideration. Be as clear as possible about any decisions and actions you take and the reasons for them. Act in a professional manner at all times.

- always use appropriate language and never demean, distress or offend the decency of others. This may happen, for example, by displaying material or pictures that could be seen as offensive, or by making degrading, suggestive or insensitive comments or remarks.
- do not make derogatory comments or seek to undermine the Board of Trustees, Chief Executive Officer, the Headteacher or other employees/workers.
- respect the rights of others and treat them with dignity. Never threaten, bully, fight with or assault anyone
- never steal, take without permission or deliberately damage items that belong to others or to the Trust (see also 5. 'Safeguarding and Dealings with Pupils' in relation to confiscation of items from pupils). Hand lost property in to the Headteacher or Manager.
- do not discriminate against, harass or victimise anyone you meet in the course of your work, on any grounds (see also 3. 'Equality of Opportunity').
- raise any concerns about inappropriate behaviour by pupils, parents or colleagues, or about the internal workings of the Trust or the London Borough of Enfield, by following the appropriate procedure. (Members of a Professional Association/Trade Union should also observe any Code, or rules, it has in place in relation to dealings with colleagues). See also Section 14. below, 'Whistleblowing' (The Reporting of Malpractice and Improper Conduct).
- positively promote the Trust's vision, ethos and values
- comply with Trust policies and any other rules, regulations or codes that apply to your work and the workplace
- use electronic media communications appropriately, responsibly and legally at all times, whether within or outside the workplace/working hours
- do not make public statements to any person(s), Agencies, Bodies or organisations, nor on social media, about the Trust without first obtaining authorisation from the Headteacher or Chief Executive Officer
- avoid actions that may discredit the Trust or bring it into disrepute
- ensure that you are not under the influence of alcohol during working hours (the Headteacher or Chief Executive Officer will decide if it is appropriate for alcohol to be made available at staff parties/social events) and do not abuse drugs
- do not disclose or misuse confidential information
- do not engage in, or encourage, gossip, rumour or innuendo.

### **3. EQUALITY OF OPPORTUNITY**

This Trust is committed to providing equal opportunities in recruitment, employment and the workplace and to avoiding unlawful discrimination in all related practices.

Under the Equality Act 2010, there are certain ‘**protected characteristics**’ that qualify for protection against discrimination. These are **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation**.

Unlawful discrimination can take a number of forms:

Direct discrimination occurs where a person is treated less favourably than another because of a protected characteristic they have, or are thought to have, or because they associate with someone who has a protected characteristic (also see below).

Indirect discrimination applies to age, disability, race, religion or belief, sex, sexual orientation, gender reassignment and marriage and civil partnership. It occurs where a rule, provision, criterion or practice is applied to everyone but has the effect of particularly disadvantaging people who share a protected characteristic. However, such indirect discrimination may be justified if it can be shown that the employer acted reasonably in managing the business, i.e. that it is ‘a proportionate means of achieving a legitimate aim’.

Perceptive Discrimination, applying to age, disability, race, religion or belief, sex, sexual orientation and gender reassignment, is direct discrimination against an individual due to the fact that others think, or perceive, that they possess a particular protected characteristic.

Associative Discrimination applies to age, disability, race, religion or belief, sex, sexual orientation and gender reassignment. It is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.” Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees/workers can complain about behaviour they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic him/herself. Employees and workers are also protected from harassment because of perception and association (see above).

Victimisation occurs when an employee/worker is badly treated because s/he has made or supported a complaint, or raised a grievance, or is suspected of doing so. However, s/he is not protected from victimisation if the complaint has been made or supported maliciously.

Pregnancy and maternity provisions afford protection against discrimination to women during the period of the pregnancy and any statutory maternity leave. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.

**Everyone is required to assist in meeting the commitment to providing equal opportunities and avoiding unlawful discrimination.** Employees and workers can be held personally liable as well as, or instead of, the employer for acts of unlawful discrimination. Anyone who commits a serious act of harassment may be guilty of a criminal offence. Acts of discrimination, harassment or victimisation against employees or customers are disciplinary matters and will be dealt with accordingly. Such acts may constitute gross misconduct and could lead to dismissal without notice.

#### **4. MANAGEMENT AND EMPLOYEE RELATIONS**

An atmosphere of mutual confidence, trust and respect between managers and employees/workers is essential to achieving the Trust’s aims and targets and providing a high quality of teaching and learning.

As an employee/worker you should:

- promote the Trust in a positive manner

- work reliably and in accordance with the Trust's policies and practices as well as any other rules and regulations that apply to your work and/or the workplace
- carry out any reasonable instructions given to you by your manager and/or Headteacher/ Chief Executive Officer
- recognise that you are part of a team and that everyone should be working together to achieve similar aims for the overall benefit of the pupils.

As a manager you should, in addition to the above:

- support and assist employees/workers to carry out their work properly
- in your dealings with employees, act in accordance with their relevant local and national conditions of employment/service
- in consultation with employees/workers, set standards of work and objectives, as appropriate to their role
- give feedback and advice on areas for further development to assist employees in meeting objectives
- aim to continually develop employees to meet current and future needs of the Trust
- ensure compliance with the Working Time Regulations 1998, as amended, recognise the need for employees/workers to pursue interests outside work and, therefore, be able to enjoy a reasonable work/life balance
- consider constructive suggestions for improvements to working practices and standards
- treat all employees/workers fairly, consistently and with dignity
- provide a working environment free from discrimination and harassment
- provide a safe and healthy working environment.

## **5. SAFEGUARDING AND DEALINGS WITH PUPILS**

All Trusts, maintained schools, PRUs and other Services within Enfield are committed to safeguarding and promoting the welfare of children and young people. Therefore, all employees and workers within this Trust are expected to share this commitment.

This Trust aims to create a safe and positive environment for pupils in order to protect and promote their health and general well-being, as well as to provide an atmosphere that encourages and enhances learning and all-round development.

**In particular, you are expected to:**

- **Work towards and encourage the highest possible level of achievement** for all pupils

- **Value and respect all pupils equally**, treating them in a polite, positive, responsive and considerate manner
- **Apply the Trust’s Policy on Behaviour and Discipline** as situations demand in order to encourage and develop appropriate behaviours
- **Ensure that items confiscated from pupils are left in a safe place, ideally labelled and locked away.** Parents/guardians should be informed about when items will be returned.
- **Ensure that you do not breach professional boundaries and do not act in a way that could be misinterpreted** or otherwise leave you vulnerable to allegations of inappropriate behaviour. In this respect you are advised to familiarise yourself with the non-statutory guidance document called '**Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings**'. This document was updated in 2019 by the Safer Recruitment Consortium from an original IRSC/DfE document and in partnership with the NSPCC, NASS and CAPE. *“The document seeks to ensure that the responsibilities of senior leaders of educational settings towards children and staff are discharged by raising awareness of illegal, unsafe, unprofessional and unwise behaviour.”*

In 2020 a non-statutory addendum was added as a temporary supplement to the Guidance for those working with children and young people in education settings 2019 as a response to Coronavirus (COVID-19). *“Whilst acknowledging the pressure that schools and colleges are under, it remains essential that as far as possible they continue to be safe places for children.”*

The document can be located at the following link:

<https://www.safeguardingschools.co.uk/guidance-for-safer-working-practice-for-adults-who-work-with-children-and-young-people-in-education-2019/>

In particular, in relation to contact with pupils, **you must NOT:**

- **establish, or seek to establish, social contact with pupils or aim to secure a friendship or strengthen a relationship**, for any reason. This includes ‘electronic’ contact, such as by e-mail or social networking sites
- **buy or give gifts to children** other than as part of a Trust rewards system
- **give to, or exchange with, pupils** any personal details such as home/mobile telephone number or home or personal e-mail address for any reason, unless a specific need to do so is agreed with their Line Manager or the Headteacher
- **offer or give lifts to pupils** in your own personal vehicle.
- **Ensure that you understand and comply with the Trust’s procedures and arrangements for the transportation of pupils offsite**, where this is necessary, for example to out-of-school activities.

- **Be aware that one-to-one meetings with individual pupils may leave you vulnerable to allegations.** In circumstances where a confidential interview or one-to-one meeting is necessary, wherever possible this should be conducted in a room with visual access, or with the door open, or in a room or area frequented by other people and another pupil or adult should be nearby. Where such conditions cannot apply, you should ensure that another adult knows that the meeting is taking place.
- **Ensure that you take particular care when supervising pupils in the less formal atmosphere of an educational visit,** particularly in a residential setting, or after-school activity. You remain in a position of trust and, even though a more informal approach may be appropriate, the same standards of conduct apply. You are expected to familiarise yourself with, and adhere to, school procedures and rules relating to school trips.
- **Exercise your professional judgment in making an appropriate response if a pupil seeks to establish social contact with you,** either by electronic or other means, or if contact should occur accidentally.
- **Be aware and understand that all employees and workers, whatever their role, have a responsibility for safeguarding and promoting the welfare of children.** If you are unclear about your responsibilities in this area or if you do not know where to find the relevant policy(ies) or the information you need in this respect, you should speak to your Line manager or to the Headteacher/Chief Executive Officer.
- **Be aware and understand that you have a duty to report any suspicion of child abuse.** Ensure that you act in accordance with the DfE statutory guidance on ‘Working Together to Safeguard Children’ and that you have read and fully understand the Trust’s Child Protection Policy and act in accordance with the principles and procedures set out within it at all times
- **Ensure that you have read, understand and act in accordance with the Department for Education’s statutory guidance document ‘Keeping Children Safe in Education’ (KCSIE), ‘Part One: Safeguarding Information for All Staff’.** School leaders and those employees/workers who work directly with children **must also read and act in accordance with Annex A of KCSIE.**
- **Ensure that you understand what you should do if you have concerns about another staff member, as referred to in Part One of KCSIE.** (For this purpose, ‘staff member’ should also be taken to include any other trainees, workers, volunteers, governors or others providing services to the Trust). If you have any such concerns, you should refer to **the Trust’s Whistleblowing Policy** which sets out the action that you must take. (See also 14. below)
- **Be aware of, and understand, your specific responsibilities under the Sexual Offences Act 2003.** The Act sets out the law on sexual offences committed by those in a **position of trust.**

It is an offence for a person aged 18 or over in a position of trust (e.g. teacher or any other category of employee/worker in a school) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. A situation where a person is in a position of trust could arise where the child is in full-time



education and the person looks after children under 18 in the same establishment as the child, even if s/he does not teach the child.

**Note for information:** If an allegation of abuse is made against an employee or worker, the relevant national and local safeguarding guidelines and procedures will then be followed. **These are designed to ensure the safeguarding and welfare of the child/children and to protect the best interests of the individual employee/worker.**

The Department for Education's (DfE's) statutory guidance 'Keeping Children Safe in Education' (KCSIE) includes information and guidance on managing allegations and is set out in Part Four 'Allegations made against/Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors.' Accordingly, this will be used, along with relevant local procedures, where it is alleged that an individual 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; or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children.
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

Part Four 'Allegations made against/Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors' has been divided into two parts:

1. Allegations that may meet the harms threshold.
2. Allegation/concerns that do not meet the harms threshold – referred to for the purposes of this guidance as 'low level concerns'.

These procedures will be used along with relevant local procedures.

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold of harm. A low-level concern is:

- any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:
- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such 'low-level' concerns which 'could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their personal mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

Staff must report low-level concerns in line with the Trust Safeguarding and Child Protection policies and procedures.

In accordance with the above, the local Enfield Safeguarding Children Board's (ESCB) own 'Protocol for the Management of Allegations of Abuse Against an Adult Working with Children' can be located on its website at: [http://www.enfield.gov.uk/enfieldlscb/info/8/professionals\\_and\\_volunteers/281/allegations\\_against\\_adults\\_working\\_with\\_children\\_lado](http://www.enfield.gov.uk/enfieldlscb/info/8/professionals_and_volunteers/281/allegations_against_adults_working_with_children_lado)

## **6. HEALTH AND SAFETY**

All establishments are responsible for producing a Health and Safety statement and policy relevant to its own premises, practices and people. It is important, therefore, that you read and familiarise yourself with the content of the relevant documents in place within the Trust and, in particular, any specific duties assigned to you as part of the policy.

You are required to comply with Safety Regulations and to use any safety equipment and protective clothing which is supplied to you by the Board of Trustees, London Borough of Enfield, as well as any hygiene and accident reporting requirements.

You must never act in a way which might cause risk or damage to any other members of the Trust community, or visitors. In general, all employees/workers are required to take due care for their own safety and the safety of their fellow employees at all times.

## **7. SECONDARY EMPLOYMENT**

The Working Time Regulations 1998, as amended, are a Health and Safety initiative and cover all work undertaken. To enable the Board of Trustees, to comply with the Regulations and maintain the health and safety of all employees, you must inform your Line Manager of ALL work undertaken, or applied for, elsewhere (should you be engaged in, or intending to be engaged in, other paid or unpaid work). In addition, it is important you are aware that there should be no conflict of interest, nor any contractual conflict\*, between your work for the Trust and/or the Council and your work elsewhere. Approval to undertake, or continue with, secondary employment can only be granted in circumstances where there is no conflict with the provisions of the Working Time Regulations nor any other conflict of interest or contractual conflict. (\*Note that a 'contractual conflict' may arise where any employment contract or arrangement for carrying out work elsewhere interferes with, or could potentially interfere with, your contract with this Trust).

Note in particular that support staff on Scale 6 and below will not unreasonably be refused permission to undertake secondary employment unless there is a clear conflict of interest, contractual conflict or a potential breach of the working time regulations.

Any employee asked to undertake private tutoring of pupils within this Trust must first discuss the situation with the Headteacher/ Chief Executive Officer.

All declarations must be put in writing and formally agreed in writing.

## **8. GENERAL WORKING STANDARDS**

### **a) Hours of Work and Attendance**

It is important that all employees and workers are in the workplace at their agreed starting time and do not leave before their agreed finishing time. Bad timekeeping and poor attendance increases costs, causes disruption for others and has an adverse effect on pupils' education.

The Board of Trustees recognise that the majority of employees are punctual and do not take time off without good cause or obtaining prior permission.

Our expectations are that, as an employee:

- you attend work in accordance with your contract of employment and associated terms and conditions in relation to hours, days of work and holidays

- wherever possible, you make routine medical and dental appointments outside of your working hours or during holidays. The only exceptions to this requirement will normally be in the event of an emergency, particular difficulty in relation to hospital appointments (which are rarely negotiable) or to attend for ante-natal care if you are pregnant. Pregnant employees are entitled to paid time off for ante-natal appointments. In any circumstances, however, you should agree time off with your manager at the earliest opportunity to ensure that adequate cover arrangements can be made
- prior to making any request, you refer to the Trust's policy on special leave if you need time off for any reason other than personal illness. It is important to note that, except in cases of serious urgency no employee may, without prior permission, be absent from duty for any cause other than personal illness.

#### **b) Sickness Absence**

All staff are expected to follow the Trust's Absence Reporting when they are absent from work due to illness or injury.

This procedure includes notification as early as possible on the first day of absence, keeping the school informed where absence continues, requirements for the provision of 'Statements of Fitness for Work' and procedures on return to work.

#### **c) Appearance and Dress**

It is expected that:

- when at work, or representing the Trust, you ensure that your appearance is neat and clean
- you always dress in a manner which is appropriate to your role and the circumstances or setting in which you work
- you remember that you are a role model for pupils and your appearance and dress should reflect this important and unique position
- you do not dress in a way that may cause embarrassment to pupils, parents, colleagues, governors, other stakeholders or visitors.

Ultimately, it will be for the Headteacher/ Chief Executive Officer to decide whether an employee's/worker's appearance and/or dress is appropriate or not.

The Board of Trustees and the Headteacher/ Chief Executive Officer must ensure that the rights of employees to dress as they please, and in accordance with their principles and beliefs, is balanced with the need for the Trust to promote a suitable image to its stakeholders. At all times, care will be taken not to discriminate in relation to appearance and dress requirements.

#### **d) No Smoking**

Exposure to secondhand smoke increases the risk of lung cancer, heart disease and other serious illnesses. Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.

In these circumstances, you should note, in particular, the following in relation to the Smoke Free Regulations introduced in 2007 under the Health Act of 2006 and act accordingly at all times.

- It is an offence, punishable by a fine and possible criminal prosecution, to smoke (or allow smoking) in 'enclosed' or 'substantially enclosed' public places and workplaces.
- Public transport and work vehicles used by more than one person must be smoke free at all times, regardless of whether others are in the vehicle at the same time.

Note that, in any event, it has been illegal, since October 2015, to smoke in a vehicle where anyone under 18 is present.

- Employee smoking rooms and/or indoor smoking areas are not allowed.
- **All employees, workers and others must respect the law on smoking at all times. You must understand and be clear that smoking is strictly prohibited in all areas within the Trust premises and Trust vehicles.** Areas of the premises include classrooms, sports areas, dinner halls/restaurants, staff rooms, meeting rooms/Committee rooms, workshops, rest areas, stairs, corridors, lifts, toilets, reception and storage areas whether they are permanent, moveable or temporary (including, for example, tents and marquees).
- The Smoke Free Regulations do not affect private homes. However, common courtesy requires that employees and workers do not smoke while carrying out home visits. (Similarly, employees and workers carrying out duties relating to their employment can request that parents, other family members or persons within the household do not smoke while they are visiting otherwise the visit may be terminated and alternative arrangements made).

**Employees and workers should also be aware and understand that the school's no smoking policy and arrangements apply similarly to the use of electronic cigarettes (e-cigarettes, also known as 'vaping').**

Employees/workers are responsible for informing a member of the Senior Leadership Team of any breaches of the Trust's smoking arrangements.

#### e) **Wellbeing**

##### **All staff should take care of their physical and mental wellbeing**

All staff are encouraged to look after their physical and mental wellbeing. This includes maintaining a health work-life balance. We take issues of stress very seriously, and look to provide appropriate support and help in these cases.

##### **All staff should have access to counselling and support**

Staff needing support are encouraged to discuss issues and concerns with the Headteacher Chief Executive or line manager in confidence. Support can be provided both internally (e.g. through the provision of a mentor), or externally through the Occupational Health Service. Trade Unions also provide help, support and advice for their members, and membership of Trade Unions is strongly encouraged.

## **9. HONESTY AND INTEGRITY**

### **a) General**

The Board of Trustees expect and Trust all employees and workers to be scrupulously honest in their work. Colleagues, pupils, parents and the public in general are entitled to have absolute confidence in the trustworthiness and honesty of everyone working at the Trust.

### **b) Conflicts of Interest and Pecuniary Interests**

The business of the Trust should be conducted, and be seen to be conducted, in an objective and unbiased manner. There may be occasions when there is scope for conflict between an employee or worker's own interests and those of the Trust. It is important that such interests are clearly documented. Therefore, to avoid any difficulties arising from a potential clash of interests you must:

- notify your Manager or the Headteacher/ Chief Executive Officer if you have links, of any sort, with an outside organisation which may carry out work for the Trust, or supply it with goods or services (or is tendering or preparing to do so);
- not participate in any recruitment process to the Trust's service, where you are related to, or have a close personal relationship with an applicant;
- not participate as part of any recruitment process or other panel (e.g. as a staff governor on a Pay Panel) if you may be in a position to benefit from the outcome;
- avoid acting as a professional representative on behalf of a friend, partner or relative in any business or commercial dealings they have with the Trust;
- report **any** possible conflict of interest to your manager or the Headteacher/ Chief Executive Officer.

### **c) Bribery**

There are four possible offences under the **Bribery Act 2010**:

- offering, promising or giving a bribe;
- requesting, agreeing to receive or accepting a bribe;
- bribing a foreign official to obtain or retain business; and
- failure by an organisation to prevent bribery by those acting on its behalf.

There are some people who believe they will receive better service or more favourable treatment if they offer payment, goods, services or favours. It is, therefore, important that all employees are alert to such behaviour and be aware that it is a criminal offence to request or receive a bribe, as well as to give or offer one.

### **d) Gifts and Hospitality**

In relation to bribery, as referred to in c) above, the general principle is that employees/workers should not receive or ask for any gift, reward or advantage for duties carried out as part of their work or role.

It is well-established practice within the education in environment that employees/workers may be presented with small tokens of appreciation, for example at festivals or at the end of a school year and this is acceptable. However, it is unacceptable to receive gifts on a regular basis from the same person or family, or to receive gifts that are of a significant value. There may be other occasions when it's

appropriate to accept gifts (e.g. where refusal may offend) or where it may be difficult to return (e.g. if it is from an anonymous source). Therefore, it can sometimes be difficult to decide which offers can be accepted and which cannot.

In these circumstances, any employee or worker must only accept occasional, token gifts that are clearly a small gesture of appreciation. If gifts from the same source become frequent (monthly or more) and/or are significant in value (over £25) this must be reported to the Headteacher/ Chief Executive Officer and recorded within the Trust's Register of Gifts and Hospitality.

The same principles apply to offers of hospitality as well as to gifts.

## **10. USE OF SCHOOL AND OTHER RESOURCES – INSIDE AND OUTSIDE WORK**

### **a) Trust Resources and Equipment - General**

All Trust equipment and communications systems, including (for example) photocopiers, scanners, printers, as well as electronic systems such as email and internet access and any associated hardware and software and any other resources belonging to the Trust are for official and authorised purposes only, and controlled by a third party.

Many employees and workers within the Trust have access to a wide range of electronic communication and information exchange systems. When using the resources available to them, they are in a position of trust and are, therefore, expected to act responsibly and appropriately at all times.

At any time and without prior notice, the Trust maintains the right and ability to examine any systems and inspect and review any and all data recorded in those systems as authorised by the Headteacher and Executive Team, including after an employee ceases employment, for a specified period of time. Any information stored on a computer, whether the information is contained on a hard drive, computer disk or in any other manner, may be subject to scrutiny. Such examination helps ensure compliance with internal policies and the law. It supports the performance of internal investigations and assists the management of information systems. Monitoring software may be used to check on the content and use of the Trust's information systems, Internet access or email use. Monitoring may result in intercepting and deleting inappropriate materials. Any monitoring carried out will be for legitimate purposes only.

Electronic media must not be used for knowingly transmitting, retrieving, copying, sharing or storing any communication or information that is:

- discriminatory or harassing
- derogatory to any individual or group
- obscene or pornographic
- defamatory or threatening
- engaged in any purpose that is illegal or contrary to the Trust's or the London Borough of Enfield's rules, regulations, policies or interests.

Headteachers/Managers may authorise personal use of Trust resources, including electronic systems which:

- do not interfere with the performance of professional duties
- are of reasonable duration and frequency

- serve a legitimate Trust interest, such as enhancing professional interests or education
- do not compromise security or safety requirements, or adversely affect the performance or work of the Trust, the pupils or the individual employee/worker
- do not overburden Trust systems, create difficulties for others and/or result in additional expenditure for the Trust.

As a general rule, any approved personal use of resources should be carried out outside of working hours. Managers must, therefore, consider carefully allowing discretionary use for other purposes not directly related to the work of the Trust.

Employees and workers are expected to act in an honest and appropriate manner in relation to the use of Trust resources.

Responsibility for the safe-keeping and proper use of any equipment issued lies with the individual employee/worker. Reasonable steps should be taken to prevent theft or damage to equipment, e.g. not leaving equipment visible in an unattended vehicle. Employees/workers should not remove equipment or resources belonging to the Trust without the express permission of their Line Manager or the Headteacher/ Chief Executive Officer.

Employees and workers should not bring personal laptops, iPads, tablets or other electronic devices into the workplace without the specific permission of their Line Manager or the Headteacher/ Chief Executive Officer. In specific circumstances, where permission may have been granted, the equipment must be held securely at all times and not left unattended where it may be accessed by pupils or other persons.

Personal mobile phones may be brought onto the premises for practical purposes but must similarly be used responsibly and appropriately and not left unattended where they may be accessed by pupils or other persons.

Please note that the Trust does not accept any responsibility for personal belongings brought onto the premises, or elsewhere in relation to work or during working time.

## **b) Sensitive Information and Confidentiality**

Information held relating to the work of the Trust is a resource belonging to the Trust. This applies whether information is held manually or electronically.

It is expected that all employees and workers will use sensitive information properly and have due respect for confidentiality. If you have access to such information, you should ensure that you:

- know what information the Trust treats as confidential (check with your manager if you are unsure)
- know who is entitled to have access to what information (check with your manager if you are unsure)
- are responsible and professional in using and allowing access to personal information on pupils, parents, staff, governors and any others
- use personal information/data in line with the principles of the Data Protection Acts (DPA) and subsequent legislation under the General Data Protection Regulation (GDPR) effective from May 2018. Under the DPA, such data must:

- be used fairly and lawfully
- be used for limited, specifically stated purposes
- be used in a way that is adequate, relevant and not excessive
- be accurate
- be kept for no longer than is absolutely necessary
- be handled according to people's data protection rights
- be kept safe and secure
- not be transferred outside the UK without adequate protection.

Note that, as with the DPA, the GDPR also applies to 'personal data' held about employees. However, the GDPR's definition is broader. It applies to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. Any data that can be used to identify an individual is considered to be personal data. It can include things such as genetic, mental, cultural, economic or social information, and IP addresses. Even data that has been 'pseudonymised' – e.g. key-coded - may fall within scope depending on how difficult it is to attribute the pseudonym to a particular individual.

There is stronger legal protection within the DPA for 'sensitive personal data' such as ethnic background, political opinions, religious beliefs, health, sexual health and criminal records. The GDPR refers to sensitive personal data as 'special categories of personal data'. These categories are broadly the same as those in the DPA, but there are some changes. For example, the special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual.

Confidentiality requirements apply whether relevant data is held manually or electronically.

Notwithstanding confidentiality requirements, as set out above, employees and workers have an obligation to share with the Trust's Designated Senior Person any information which gives rise to concern about the safety or welfare of a pupil. Employees/workers must NEVER promise a pupil that they will not act on information that they are told by him or her.

If you are unsure about the use of any information which is, or may be, deemed to be sensitive and/or confidential, you should consult your Line Manager or the Headteacher for clarity. Any GDPR breach by members of staff will be taken seriously and may result in disciplinary action and serious breaches may result in dismissal. Breach of the GDPR may expose the School to enforcement action by the Information Commissioner's Office (ICO), including the risk of fines. Furthermore, certain breaches of the Act can give rise to personal criminal liability for the School's employees. At the very least, a breach of the GDPR may damage our reputation and have serious consequences for the Trust and for our stakeholders.

For further information regarding the privacy and security of personal data, please refer to the Trusts Privacy Notices.

### **c) E-mail and Internet Usage**

The use of e-mail and the Internet within the Trust is encouraged as it facilitates communication, enhances our work and improves efficiency. However, inappropriate use may lead to problems ranging from issues relating to productivity to legal claims against the employer. Therefore, all employees/workers are expected to:



- adhere to any requirements in place within the Trust relating to use of the systems for work-related and any permitted private use (if applicable)
- assist in reducing email overload and aid productivity wherever possible by (for example) sending email messages only to those for whom they are relevant, send blind (bcc) copies wherever possible, not automatically reply to all names on a “cc” list (it may be inappropriate in some cases or irrelevant for some recipients). Only send attached files where necessary
- be aware that although email encourages rapid communication, the contents of email messages should be written with care. Messages sent without proper consideration can cause unnecessary misunderstandings. Email should not be used as a substitute for face-to-face communication
- be aware that offers or contracts transmitted via email are as legally binding as those sent on paper
- be aware that emails and email contact lists contained on the Trust’s system are the property of the Trust, even though created by an individual employee/worker
- use the Web as and when appropriate for work purposes. Even when being used for work-related activities, browsing can be highly time-consuming
- use the Web and the email systems responsibly. Use of the Internet for illegal or inappropriate activities will not be tolerated. Such activities include (but are not limited to) online gambling, accessing offensive, obscene or indecent material, including pornography, or downloading or distributing copyright information, sending or posting abusive, rude or defamatory messages about people or organisations. The systems may not be used for sending or forwarding any message that could constitute bullying or harassment, unauthorised non-business use, including personal messages, jokes, cartoons or chain letters or posting confidential information about other employees/workers, trustees, parents, pupils, the Trust, the London Borough of Enfield or anyone associated with them
- respect the copyrights, software licensing rules and property rights, and in general the privacy and prerogatives of others
- use social networking sites responsibly and appropriately (see below).

#### **d) Computer/ Cyber Security and Misuse**

In addition to any requirements set out elsewhere in this Code, all employees and workers must ensure that they adhere to any instructions and/or procedures provided to them in relation to computer and cyber security. This applies on first joining the Trust and/or first being issued with computer equipment, during employment and on leaving.

In general, all employees/workers should note that:

- Those with access to personal data are in a particularly sensitive position and must be aware of the provisions of the Data Protection Act and subsequent General Data Protection Regulation.
- All Internet sites accessed, as well as other applications, should be closed when finished with and computers switched off. Computers should never be left open and unattended.
- All log-ins/passwords must be kept confidential. They must not be given to any other person inside or outside the Trust. Neither should any employee/worker use someone else’s log-in or password.
- No external software may be used without the prior permission of your Line Manager, the Headteacher or person within the Trust responsible for computer security.
- All electronic data must be held in an encrypted manner.

Misuse of computers is a serious disciplinary offence. The following are examples of misuse:

- fraud and theft
- system sabotage
- introduction of viruses
- obtaining unauthorised access
- using the system for private work or unauthorised game playing
- breaches of the Data Protection Act and/or General Data Protection Regulation
- sending abusive or defamatory messages or statements about people or organisations, or posting such messages or statements on any websites or via e-mail
- attempting to access prohibited sites on the internet
- hacking
- breach of the Trust's or London Borough of Enfield's security procedures.

The above list is not exhaustive. Depending on the circumstances, misuse of the computer system may be considered to be gross misconduct. Misuse amounting to criminal conduct may be reported to the police.

#### e) Internet Social Networking Sites

**Use of work-related social networking sites** is restricted to any arrangements, rules and/or protocol established by the Trust. You should first refer to your Line Manager or to the Headteacher/ Chief Executive Officer if you are unclear about the use of these sites.

Work-related social networking sites must not at any time be used for personal communications.

**When using a social networking site, either for work-related purposes or outside of working time for personal use, you must:**

- make sure that you understand your online privacy settings and use them responsibly and appropriately
- not divulge any confidential information about, or belonging to, the Trust, London Borough of Enfield, Trustees, employees/workers or pupils associated with them and/or personal data/information which could be in breach of the Data Protection Act and/or General Data Protection Regulation
- not disclose any information which is not yet in the public arena
- not post any illegal material, e.g. images of child abuse or material which incites racial hatred
- not make any offensive, defamatory, discriminatory or other inappropriate comments about the Trust, London Borough of Enfield, governors, employees/workers or pupils
- not claim to be representing the Trust or the London Borough of Enfield when using social networking sites in a personal capacity (note that stating you are employed by the Trust or London Borough of Enfield, does infer 'representation'). You must make it clear when posting information or comments that any personal views expressed do not represent the views of the Trust or the Council. (Use a disclaimer such as "The views expressed here are my own and do not represent the views of the Trust or the London Borough of Enfield.")
- not misrepresent the Trust or the London Borough of Enfield by posting false or inaccurate statements about their work

- not link your own blogs/personal web pages to the school's, Trust's or London Borough of Enfield's website
- not use the Trust, school or the London Borough of Enfield's logo on any personal page, or without the specific consent of your Line Manager or the Headteacher/ Chief Executive Officer for work-related purposes
- not publish any material or comment that could undermine public confidence in you as an employee/worker in a position of trust.

The above list is not exhaustive. **More information about the expectation of staff whilst using technology can be found in the Acceptable Use Agreement at appendix 3 of this document.**

## **11. SCHOOL POLICIES AND PROCEDURES**

All employees and workers, as appropriate, must comply with the Trust's policies and procedures in the areas set out below, as appropriate.

- Admissions Arrangements
- Register of Pupils' Admission to School
- Register of Pupils' Attendance
- Teacher Appraisal
- School Behaviour and Behaviour Principles Written Statement
- Register of Business Interests of all Trustees, Governors and staff
- Staff Capability
- Central Record of Recruitment and Vetting Checks
- Charging and Remissions
- Child Protection Policy and Procedures
- Complaints Procedure Statement
- Data Protection
- Staff Discipline
- Equality Information and Objectives (public sector equality duty) statement for publication
- Early Years Foundation Stage (EYFS)
- Freedom of Information
- Governors' Allowances (schemes for paying)
- Staff Grievances
- Health and Safety
- Home School Agreement Document
- School Information Published on a website
- Instrument of Government
- Supporting Pupils with Medical Conditions
- Minutes of, and papers considered at, meetings of the Governing Body and its Committees
- Teachers' Pay
- Premises Management Documents
- Sex Education
- Special Educational Needs
- Whistleblowing
- Management of records Guidance & Information
- Employee Privacy Notice

If you do not know where to locate the relevant policies and procedures, or if you are unclear about them and how they relate to you, you should consult your Line Manager or the Headteacher/ Chief Executive Officer.

In addition, **teachers** are expected to uphold and adhere to the standards of 'Personal and Professional Conduct' as set out in part Two of the 'Teachers' Standards' as published by the Department for Education.

Full details of the 'Teachers' Standards' are available from the Department for Education's website:

<https://www.gov.uk/government/publications/teachers-standards>

## **12. KEEPING WITHIN THE LAW**

Employees and workers are expected to operate within the law. Unlawful or criminal behaviour, at work, or outside work, may lead to disciplinary action, including dismissal, being taken against employees.

You must ensure that you:

- uphold the law at work
  
- never commit a crime away from work which could damage public confidence in you or the Trust, or which makes you unsuitable for the work you do. This includes, for example:
  - submitting false or fraudulent claims to the Local Authority or other Council's or public bodies (for example, income support, housing or other benefit claims)
  - breaching copyright on computer software or published documents
  - sexual offences, violence or any other form of abuse which will render you unfit to work with children or vulnerable adults
  - crimes of dishonesty which render you unfit to hold a position of trust.
  
- write and tell the Headteacher/ Chief Executive Officer (Chair of Trustees if you are the Chief Executive Officer) immediately if you are being investigated for, are charged with, convicted of, or cautioned for, any crime whilst you are employed at the Trust. This includes outside of your working hours. (You do not need to inform the Headteacher/Chief Executive Officer of offences that do not involve the police such as a parking or speeding fine). The Headteacher and/or Board of Trustees would then need to consider whether any investigations, charges or convictions damage public confidence in the Trust or makes you unsuitable to carry out your duties.

## **13. DISQUALIFICATION UNDER THE CHILDCARE ACT 2006**

The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009 place particular requirements on Trusts and schools for carrying out checks on those working with children under eight to ensure that they are not disqualified from:

- **Working in Early Years Provision** – This includes those who provide any care for a child up to and including reception age (from birth to 1<sup>st</sup> Sept. following the child’s 5<sup>th</sup> birthday). Such care includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years’ age range;
- **Working in Later Years Provision (for children under 8)** – This includes those who are employed and/or work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school’s choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision;
- **Management** - This includes those involved in the management of such early or later years provision detailed above.

The criteria for disqualification under the 2006 Act and 2009 Regulations include:

- inclusion on the Disclosure and Barring Service (DBS) Children’s Barred List;
- being found to have committed certain violent and sexual criminal offences against children and adults which are referred to in regulation 4 and Schedules 2 and 3 of the 2009 Regulations (note that regulation 4 also refers to offences that are listed in other pieces of legislation);
- certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations;
- refusal or cancellation of registration relating to childcare(\*), or children’s homes, or being prohibited from private fostering(#) as specified in Schedule 1 of the 2009 Regulations;
- living in the same household where another person who is disqualified lives or is employed (disqualification ‘by association’) as specified in regulation 9 of the 2009 Regulations;
- being found to have committed an offence overseas which would constitute an offence regarding disqualification under the 2009 Regulations if it had been done in any part of the United Kingdom.

(\*) Except if the refusal or cancellation of registration is in respect of registration with a child minder agency or the sole reason for refusal or cancellation is failure to pay a prescribed fee under the 2006 Act (Regulation 4(1) of the 2009 Regulations).

(#) Pursuant to legislation references in paragraph 17 of Schedule 1 to the 2009 Regulations.

In these circumstances, if you are, or think you may be, in a relevant role, and any of the above criteria apply to you, you must tell the Headteacher/ Chief Executive Officer (Chair of Trustees if you are the Chief Executive Officer) immediately.

#### **14. ‘WHISTLEBLOWING’ (THE REPORTING OF MALPRACTICE AND IMPROPER CONDUCT)**

Most problems and concerns within the workplace can be fairly easily resolved, often informally. Sometimes it is necessary to use a more formal route, such as the Trust's Grievance Procedure.

Very occasionally, however, more serious issues may arise involving, for example, unlawful conduct, financial malpractice, corruption, serious health and safety issues, damage to the environment, safeguarding or child protection matters or other actions, which are not in the best interests of the Trust, its pupils or the public.

Employees or workers bringing information about wrongdoing to the attention of their employers or a relevant organisation are protected in certain circumstances under the Public Interest Disclosure Act 1998 (PIDA). This is commonly known as 'blowing the whistle'. The law that protects whistleblowers is for the public interest – so people can speak out if they find malpractice in an organisation. Blowing the whistle is more formally known as 'making a disclosure in the public interest'. For a Disclosure to be protected by the provisions of the PIDA 1998, as amended, and including also provisions implemented under the Enterprise and Regulatory Reform Act 2013, it must relate to matters that 'qualify' for protection.

The Board of Trustees are committed to developing and maintaining the highest possible standards of behaviour and a culture encouraging openness, probity and accountability of all employees and workers. The Trust's 'Whistleblowing Policy' is a framework that is in place to enable and encourage any employee or worker to raise and report, or 'disclose', genuine concerns regarding any relevant aspect of the Trust's work. The Policy aims to reassure you that you will be protected from possible reprisals or detriment if you have a reasonable belief that any disclosure you make is true.

'Qualifying Disclosures', or the reporting of serious concerns that afford an employee/worker protection in law, are disclosures of information where the employee/worker reasonably believes that one or more of the following is either happening, has taken place, or is likely to happen in the future and that disclosure is in the public interest:

- The unauthorised use, or misuse, of public funds
- A failure to comply with a legal obligation
- Conduct which is an offence or breach of the law
- Possible fraud and corruption (e.g. financial fraud or mismanagement, public examination fraud)
- Possible acts of bribery
- Serious Health and Safety risks, including risks to pupils and the public, as well as other employees/workers
- Damage to the environment
- Safeguarding or Child Protection matters
- Any conduct which may damage the Trust's reputation
- Miscarriages of justice
- Other unethical conduct
- Deliberate concealment of information relating to any of the above.
- Low-level concerns

This list is not necessarily exhaustive. (See also below).

The wrong doing, or malpractice, being disclosed **must be 'in the public interest'**. There is no specific definition of what is meant by 'in the public interest'. However, the matter cannot relate solely to the individual who is raising it. It must adversely affect, or threaten, others. This could mean pupils, parents or the public in general, for example. It could also be interpreted as including other employees/workers depending on all the factors involved.

This may be the case only if a significant number are affected and will depend also upon the nature of the interests affected, the nature of the wrongdoing disclosed, even the identity of the alleged wrongdoer may be relevant - the more prominent s/he is, the more likely it is that the disclosure will be in the public interest. All the circumstances of the case would need to be considered to decide if the matter is in the public interest generally.

However, a **Disclosure may not be made for purely private matters, such as a problem with the individual's own employment terms or contract**, or the general behavior of another employee (i.e. behaviour that does not fall within the types of malpractice listed above). An employee making a complaint of this nature should normally refer the matter to his/her Line Manager or a more senior Manager, as appropriate. Otherwise, if necessary, the matter can be pursued through the Grievance Procedure, or any other relevant Procedure in place for the particular purpose.

The Whistleblowing Policy sets out how you should raise a relevant concern at an early stage and in the right way. Provided that you are raising what you reasonably believe to be a genuine concern under the Policy, in the public interest, you will be protected from possible reprisal or victimisation. In these circumstances, it does not matter if you are mistaken, no action will be taken against you. Of course, we do not extend this assurance to someone who maliciously raises a matter they know is untrue. If you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you. However, by reporting or raising a genuine concern you will be doing your duty to your employer and those for whom you are providing a service.

The Whistleblowing Policy is available from/by on the shared drive at each school and on the Trust website.

**PRIOR to raising a concern under the Whistleblowing Policy, please note:**

1. The Trust's Whistleblowing Policy, to which you should refer if you have a relevant concern, sets out separately:

- The action you should take **if you have a concern about the behaviour of another employee/worker in relation to a child protection matter**

**OR OTHERWISE**

- The action you should take **if you have a concern that is NOT about the behaviour of another employee/worker in relation to a child protection matter.**

2. **If you are a member of a Professional Association or Trade Union**, it may have in place a Code, or rules, which set out how members should behave in relation to raising concerns involving colleagues and/or in relation to dealings with colleagues in general. You are advised, in these circumstances, to familiarise yourself with any such Code or rules, or contact your Professional Association or Trade Union for further advice. In any event, you may wish to consult your Professional Association/Trade Union for advice and support prior to raising a concern.

## **15. DISCIPLINARY ACTION**

Failure to meet the standards and requirements set out in this Code of Conduct and any other related policies and procedures may result in disciplinary action being taken against you. Misconduct may result in dismissal, including summary dismissal for any act constituting gross misconduct. Acts that may constitute 'misconduct' and 'gross

misconduct' are attached as Appendices to this Code at Appendix 1 and Appendix 2 respectively.

## **16. CONCLUSION**

### **Conclusion**

All staff are expected to demonstrate consistently high standards of personal and professional conduct. By adhering to this code of conduct staff can be assured that they are playing their part in safeguarding pupils and protecting themselves. It is our expectation that all staff should sign a copy of this code of conduct.

**If there is anything in this Code that you do not understand, you should speak to your Line Manager or the Headteacher/ Chief Executive Officer.**



**MISCONDUCT**

Misconduct includes, but is not limited to, the following:

- failure to conform to agreed working practices, where these are reasonably and properly required
- refusal or failure to carry out a reasonable instruction
- failure to complete contractual hours
- failure to observe policies and procedures, including, for example:
  - the correct recording of working time and attendance,
  - the reporting of sickness, and
  - requirements relating to time off work or release from duties (e.g. annual leave or domestic emergency)
  - the Trust's Code of Conduct.
- persistent lateness
- unaccountable absences from the workplace or area
- failure to comply with appearance and dress codes or requirements
- failing to take reasonable care of Trust property
- using Trust property, equipment, transport or other resources for private purposes without authorisation, or misuse of such property whether inside or outside of the workplace or working hours
- disclosing confidential information without authorisation
- failure to comply with the Trust's 'No Smoking' policy or requirements
- failure to participate in or follow instructions during fire drills/practices
- any actions or inactions leading to a loss of trust and confidence, or which bring the Trust into disrepute

**Note:**

- (1) The above list is neither exclusive nor exhaustive.
- (2) If sufficiently serious, or if repeated, the above may, in some cases, constitute gross misconduct.

### GROSS MISCONDUCT

Gross Misconduct includes, but is not limited to, the following:

- serious abuse
- corrupt practices
- where an employee is charged with a criminal offence inconsistent with his/her position
- serious breaches of regulations, policies or procedures (e.g. the Trust's Safeguarding Policy)
- theft, fraud and deliberate falsification of records (e.g. expenses claims)
- physical violence, threats, fighting, assault on another person
- serious bullying, harassment or discrimination
- deliberate damage to Trust property or another person's property
- removal or disposal of any Trust property without permission
- serious insubordination
- interference with safety devices or equipment putting other employees/workers, pupils, governors or any visitors at risk at the workplace
- serious infringement of health and safety regulations, rules or practices
- serious misuse of the Trust's property or name
- misuse of a disabled person's blue badge
- incapability whilst on duty brought on by alcohol or illegal drugs, the misuse of drugs or the possession of illegal drugs whilst at work
- the supply and trafficking of drugs, money laundering activities, or the use, sale or distribution of illegal substances
- negligence which causes or might cause unacceptable loss, damage or injury
- serious breach of duty of confidence (subject to the Public Interest Disclosure Act 1998 and any amendments)
- deliberate or reckless damage, misuse or interference with or unauthorised use of the Trust's software or unauthorised entry to computer records
- serious misuse of electronic systems

## APPENDIX 2

- conviction of a criminal offence that is relevant to the employee's employment
- failure to adhere to Regulations and/or internal procedures or protocols governing public or other examinations, coursework and/or other assessment methods. This includes in relation to planning, preparation, invigilation, marking and storing of examination papers and coursework.
- deliberate falsification of a qualification that is a stated requirement of the employee's employment or results in financial gain to the employee
- undertaking private work in working hours without express prior permission
- bringing the Trust into serious disrepute, and/or any actions/inactions leading to a serious breach of trust or confidence.

The above list is neither exclusive nor exhaustive

### **Staff & Volunteer Acceptable Use Agreement**

Technology has transformed learning, entertainment and communication for individuals and for all organisations that work with young people. However, the use of technology can also bring risks. All users should have an entitlement to safe internet access at all times.

I understand that I must use school ICT systems in a responsible way, to ensure that there is no risk to my safety or to the safety and security of the ICT systems and other users. I will, where possible, educate the young people in my care in the safe use of ICT and embed online safety in my work with young people.

#### **For my professional and personal safety:**

- I understand that the trust/ school may monitor my use of the ICT systems, email and other digital communications
- I understand that the trust/ school ICT systems are primarily intended for educational use
- I will not disclose my username or password to anyone else, nor will I try to use any other person's username and password
- I will immediately report any illegal, inappropriate or harmful material or incident of which I become aware, to the appropriate person
- I will be professional in my communications and actions when using trust/ school technology
- I will not access, copy, remove or otherwise alter any other user's files, without their express permission
- I will ensure that when I take and/or publish images of others I will do so with their permission and in accordance with the trust/ school's policy on the use of digital images
- Where images are published (e.g. on the trust/ school website/ social networking platforms) I will ensure that it will not be possible to identify by name those who are featured
- I will only communicate with pupils and parents using official trust/ school systems. Any such communication will be professional in tone and manner
- I will not engage in any on-line activity that may compromise my professional responsibilities
- I will not open any attachments to emails, unless the source is known and trusted, due to the risk of the attachment containing viruses or other harmful programmes
- I will not download or access any materials which are illegal (child sexual abuse images, criminally racist or radical material, adult pornography) or inappropriate or may cause harm or distress to others. I will not try to use any programmes or software that might allow me to bypass the filtering/ security systems in place to prevent access to such materials. I am aware that this is also in the staff code of conduct
- I will not disable or cause any damage to school equipment, or the equipment belonging to others
- I understand that where personal data is transferred outside the secure trust/ school network, it should be kept safely and securely and will be encrypted when needed
- I understand that any staff or pupil data to which I have access, will be kept private and confidential, except when it is deemed necessary or that I am required by law or by the trust/ school policy to disclose such information to an appropriate authority
- I will immediately report any damage or faults involving equipment or software, however this may have happened
- I will report to the IT lead or SLT if I have damaged or lost my devices, whether accidental or otherwise
- I am aware that a charge may be incurred if a school owned ICT equipment is damaged by improper use. A charge may also be incurred if the ICT equipment that I have been loaned is lost or stolen due to insufficient security
- I understand that I am responsible for my actions in and out of work hours

- I understand that this Acceptable Use Agreement applies not only to my work and use of trust/ school ICT equipment whilst at work, but also applies to my use of trust/ school ICT systems and equipment out of the school and to my use of personal ICT equipment in the workplace or in situations related to my employment by with the trust/school
- I understand that if I fail to comply with this Acceptable Use Agreement, I could be subject to disciplinary action. This could involve a warning, a suspension or report to the trustees
- I have read and understand the above and agree to use the school ICT systems (both in and out of the workplace) within these Online and Safety Guidance and the Acceptable Use Agreement.