BATH & WELLS
Multi Academy Trust
'That they may have life, life in all its fullness' John 10:10

Code of Conduct for Employees and Volunteers

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1 Purpose

1.1 The aim of this Code of Conduct for employees is to set out the standards of conduct expected of all employees and volunteers to provide further information. This should be read in conjunction with our disciplinary procedure, Teachers' Standards and the statutory guidance Keeping Children Safe in Education. For the purposes of this policy, references to ‘employees’ also apply to volunteers where they are undertaking a role within the Trust. School governors are volunteers and must also abide by the Governor Code of Conduct.

1.2 This Code should make it clear to employees the expectations the Trust has of them. Employees should note that this Code is not exhaustive in defining acceptable and unacceptable standards of conduct and employees must use common sense in adhering to the underpinning principles. If any employee is ever unsure what the expectations are in any given circumstance they should speak to their line manager.

1.3 This Code does not form part of any employee's contract of employment, and it may be amended at any time. Employees are expected to regularly review and keep themselves up to date with this policy

2 Scope

2.1 The Code applies to all employees regardless of length of service including those in their probationary period. It also applies to agency workers and self-employed contractors although, unlike employees, breaches of the Code will not be managed through the disciplinary procedure.

2.2 As recognisable figures in the local community the behaviour and conduct of employees of the Trust outside of work can impact on their employment. Therefore, conduct outside work may be treated as a disciplinary matter if it is considered that it is relevant to the employee's employment [see disciplinary rules].

2.3 The Code of Conduct should also be read in conjunction with further reading and associated policies listed at the end including the seven principles of Public Life, known as the Nolan Principles.

3 Safeguarding and promoting the welfare of children

3.1 All employees are responsible for safeguarding children and promoting their welfare. This means that employees are required to take action to protect children from maltreatment, prevent impairment of children's health or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care. This will enable all children to have the best outcomes.

3.2 All employees should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.

3.3 All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.

3.4 To do this, employees must have fully read and understood our safeguarding policies, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times.

3.5 All employees must cooperate with colleagues and with external agencies where necessary.

4 Duty of care

Employees must:

- Understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- Always act, and be seen to act, in our pupils' best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
- Take responsibility for their own actions and behaviour

5 Health & Safety

All employees must ensure that they:

- Read and understand the Trust's Health and Safety Policy
- Comply with Health and Safety Regulations or instructions and use any safety equipment and protective clothing which is supplied to you by the Trust
- Comply with any hygiene requirements
- Comply with any accident reporting requirements
- Never act in a way which might cause risk or damage to any other members of the Trust community or visitors.
- Inform their line manager of any paid work undertaken elsewhere. This is to comply with the Working Time Regulations, which are a Health and Safety initiative.

6 Alcohol, Drugs and Smoking

6.1 Smoking or vaping on Trust sites is prohibited. Also, in consideration of children and adults accessing schools, it is requested that smoking or vaping outside the premises is not directly outside school gates.

6.2 The use, possession or distribution or sale of drugs in the workplace is totally prohibited. Employees in possession of illegal drugs or using illegal drugs whilst at work will be reported to the police and, in the case of employee’s subject to disciplinary action, this may result in dismissal.

6.3 Employees are prohibited from working whilst under the influence of non-prescribed drugs or alcohol. Employees who suspect a colleague of being under the influence of alcohol and/or drugs at work must report this to their manager or a more senior manager if it is their manager under suspicion.

6.4 Employees must bring to the attention of their manager any medication or illness which may affect their work performance or behaviour.

6 Honesty and personal integrity

7.1 Employees are expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct at our Trust.

7.2 Employees must comply with any lawful or reasonable instructions issued by managers or governors.

7.3 Employees uphold public trust in our Trust and maintain high standards of ethics and behaviour, within and outside school, by:

- Treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position
- Having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Showing tolerance of and respect for the rights of others
- Not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
- Ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

7.4 Employees must have proper and professional regard for the ethos, policies and practices of our Trust and maintain high standards in their own attendance and punctuality. Employees must treat all colleagues with respect, dignity, fairness and courtesy at all times.

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

7.6 All employees should be referred to using their title. (For example, Mr or Sir, Miss, Ms or Mrs when using a surname). Employees should be friendly and welcoming, helpful, polite and courteous to everyone connected with the school: parents, other employees and pupils etc. Where it has been a custom and practice that first names are used, this can continue at the discretion of the Head. Consideration can be given to nursery aged children.

7 Tackling discrimination

7.1 Employees are required to understand the types of discrimination and bullying that pupils and colleagues may be subject to. Employees are required to have read and understood our Equality and Diversity policy and Bullying and Harassment policy.

7.2 Employees must not ignore any form of discrimination. This includes inappropriate jokes and banter. Employees must positively promote equality and diversity and inclusion at all times.

8 Professional boundaries and relationships

8.1 Employees in our Trust are in a position of trust in relation to our pupils which means that the relationship between an employee and a pupil is not one of equals. It is a specific offence for a person aged 18 or over (e.g. teacher, youth worker) 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.

8.2 Employees must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with pupils.

8.3 Employees must not make sexual remarks to any pupil or discuss their own sexual relationships with, or in the presence of pupils. Employees must not discuss a pupils's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by an employee towards any pupil is unacceptable and illegal.

8.4 Employees must ensure that professional boundaries are maintained at all times. This means that employees should not show favouritism to any pupil and should not allow pupils to engage in any type of behaviour that could be seen to be inappropriate. Pupils are not employees' friends and should not be treated as such.

8.5 Employees should be aware that it is not uncommon for pupils to become strongly attracted to an employee or to develop an infatuation. If any employee becomes aware of an infatuation they should discuss it with line manager immediately so that they can receive support on the most appropriate way to manage the situation.

8.6 For employees who are in a relationship with a colleague, parent or carer, or any other person associated with the Trust we expect that they identify this to the Head or Line Manager and ensure that this does not create a conflict of interest or affect their professional judgement or responsibilities in any way. Where an employee has managerial authority over another employee with whom they are in a close personal relationship, the Trust reserves the right to transfer one or both employees to another role in the Trust following appropriate consultation with both employees in order to seek agreement to the transfer.

9 Confidentiality and data protection

9.1 Employees may have access to confidential information about pupils, colleagues or other matters relating to the Trust. This could include personal and sensitive data, for example information about a pupil’s home life. Employees should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Employees should never disclose this information unless this is in the proper circumstances and with the proper authority.

9.2 The Trust uses a variety of methods to communicate with its employees, pupils, volunteers, agency Employees, parents and the community and to deliver services. Communications using Trust facilities may be intercepted, recorded and monitored for business use and where appropriate for the detection and prevention of crime. This includes, but is not limited to, telephone calls, internet use, e mail and post.

9.3 If an employee is ever in doubt about what information can or can't be disclosed they should speak to their line manager and if any doubt remains the line manager should contact the Trust’s data protection officer (I-West)

9.4 We will comply with the requirements of **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018). Employees are expected to comply with the Trust's systems as set out in our Data Protection Policy. If any employee becomes aware that data is at risk of compromise or loss, or has been compromised or lost they must report it immediately to the Data Protection Officer, in order (where applicable) for relevant breaches to be reported to the Information Commissioners Office within 72 hours.

~~9.5~~ Employees must read and understand our Data Protection Policy and other relevant policies including in relation to criminal records information, recruitment and safer recruitment, internet, email and communications, information security, copies of which are on SharePoint .

9.6 Employees should not discuss sensitive Trust matters (unless they are clearly likely to be uncontroversial) with the press or public or disclose information or documents on Trust business. Employees must not speak, write or give interviews to the media and, if approached by the media, should refer the enquiry to their manager/headteacher.

10 Physical contact with pupils

10.1 There are occasions when it is entirely appropriate and proper for employees to have physical contact with pupils. Employees must ensure that they only do so in ways that are appropriate to their professional role and in response to the pupil's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the pupil. Employees should always be able to explain why they have made physical contact with a pupil. Employees should ensure that they have read and understood the schools Physical Contact policy.

10.2 There may also be occasions where a pupil is in distress and needs comfort and reassurance which may include age appropriate physical contact. If an employee is in this position then they should consider the way in which they offer comfort, ensuring that it is not open to misinterpretation and is always reported to the school Designated Safeguarding Lead ~~.~~

10.3 Employees may legally physically intervene with pupils to prevent them from committing a crime, injuring themselves or others, causing damage e to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Physical force should never be used as a form of punishment.

10.4 Sexual contact, including grooming patterns of behaviour, with pupils is unlawful and unacceptable in all circumstances.

11 Behaviour management

11.1 Employees should not use any form of degrading or humiliating treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is completely unacceptable.

11.2 Where pupils display difficult or challenging behaviour, employees should follow the Trust's local behaviour policy using strategies appropriate to the circumstance and situation.

12 Social contact with pupils

12.1 Employees should not establish or seek to establish social contact, via any channels (including social media), with pupils for the purposes of securing a friendship or to pursue or strengthen a relationship. Employees should use their work provided equipment only for communicating electronically with pupils. If there are any circumstances in which an employee has had to provide their personal contact details, including phone numbers, email address etc, to any pupil then they should report this to their line manager.

12.2 The Trust's advice to employees is not to connect to pupils via social media or other communication channels unless this is for professional purposes and that the employee can demonstrate that this is the case.

12.3 Our Trust is part of our community and we recognise that, as members of the community, employees will come into contact with pupils outside of the school. We expect employees to use their professional judgement in such situations and to report to their line manager any contact that they have had with a pupil, outside of school, that they are concerned about or that could be misinterpreted by others.

12.4 Employees should read and understand our Social Media policy.

12.5 Employees should also follow the policy regarding the Use of Personal mobile Devices, mobile devices should not be used in any area where children are present. Use of mobile devices should be limited to non-contact time and only in designated areas where children are not present.

13 Photography, videos and other images/media

Many educational activities involve recording images. These may be undertaken or displays, publicity, to celebrate achievement and to provide records of evidence of the activity. Under no circumstances should employees use their personal equipment to take images of pupils at or on behalf of the Trust.

14 Working one to one with pupils

14.1 There will be times where an employee is working one to one with a pupil and this is acceptable. Employees need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore, it is important that employees:

- Avoid meeting on a one to one basis in secluded areas of the school
- Ensure that the door to the room is open or that there is visual access into the room
- Inform a colleague or line manager of the meeting, preferably beforehand
- Reports to their line manager if the pupil becomes distressed or angry

15 Curriculum

15.1 Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This can be supported by developing ground rules with pupils to ensure sensitive topics can be discussed in a safe learning environment. This plan should highlight particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied e.g. Health and Social Care, PSHE, Drama.

15.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political or otherwise sensitive nature. Responding to children's questions requires careful judgement and employees should take guidance in these circumstances from the Designated Safeguarding Lead.

16 Dress and appearance

Working in our Trust employees are role models to our pupils and how they present themselves is important. Our expectation is that employees are decently, appropriately and professionally dressed in work at all times. We do not permit the wearing of clothes that are revealing, allow underwear to be seen, have offensive logos or writing, or are ripped or torn at any times. If an employee is unsure whether any item of clothing is inappropriate then they should not wear it to work. Employees can always speak to their line manager if they are unsure. Where we identify that an employee is wearing clothing that we do not find acceptable, they will be informed.

17 Gifts and hospitality

18.1 For many of our employees there will be a limited opportunity to accept gifts and hospitality, but all employees must be aware that it is not acceptable for employees to accept bribes. Therefore any gift, promotional offer or hospitality, intended either for the employee or for the school that exceeds a nominal value of £50.00 must be declared to their line manager and permission must be obtained before accepting. If an employee is ever unsure, then the best course of action is to politely decline the offer.

18.2 It is traditional for pupils and their parents or carers to give gifts as a small token of appreciation or as a thank you to employees at certain times throughout the academic year. This Code of Conduct is not designed to stop that practice. Employees may accept gifts from pupils and their parents or carers provided that they meet this definition. Any employee receiving an individual gift with a value of greater that £50.00 / £100 collective should inform their line manager and copy to the HR Director so it can be reported one the Gift and Hospitality record – see Appendix 1 and 2. Employees should make their line manager aware of any pupil who is giving them gifts on a regular basis, or any pupil or parent or carer who expects something in return for a gift, as this would not be acceptable.

18.3 Employees should not give gifts to pupils unless this is part of a recognised practice in line with our behaviour policy.

18 Keeping within the law

18.1 Employees 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. However, being investigated by the police, receiving a caution or being charged will not automatically mean that an employee's employment is at risk.

18.2 Employees must ensure that they:

18.2.1 Uphold the law at work.

18.2.2 Never commit a crime away from work which could damage public confidence in them or the Trust, or which makes them unsuitable for the work they do. This includes, for example:

- submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)
- breaching copyright on computer software or published documents
- sexual offences which will render them unfit to work with children or vulnerable adults
- crimes of dishonesty which render them unfit to hold a position of trust.

18.2.3 Write and tell the Headteacher (or Chair of Governors if they are the headteacher) immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed at the Trust (this includes outside of their working hours). The Headteacher and/or governors will then need to consult with a senior member of central HR team and consider whether this charge or conviction damages public confidence in the Trust or makes the employee unsuitable to carry out their duties.

19 Conduct outside of work and at work related functions

19.1 Unlike some other forms of employment, working at our Trust means that an employee's conduct outside of work could have an impact on their role.

19.2 Employees must not engage in conduct outside work which could seriously damage the reputation and standing of the Trust or the employee's own reputation or the reputation of other members of the Trust community. Employees should be aware that any conduct that we become aware of that could impact on their role within the school or affect the school's reputation will be addressed under our disciplinary procedure.

19.3 We therefore expect employees to make us aware immediately of any such situations that have happened outside of the school.

19.4 Employees are required to demonstrate responsible behaviour at work-related functions and work-related social events that take place outside normal work hours and to act in a way that will not have a detrimental effect on our reputation.

19.5 Employees must not behave in a way outside work that may impact on their suitability to work with children. This includes behaviour which does not directly involve a child/children. Should we become aware of any such incident or behaviour, we may treat the issue as a safeguarding matter and manage it in accordance with the Keeping Children Safe in Education statutory guidance document. Employees should be aware that any behaviour that we consider may impact on an employee's suitability to work

with children will be addressed under our disciplinary procedure and may lead to a referral to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (where appropriate).

19.6 We therefore expect employees to make us aware immediately of any such situations that have happened outside of the school.

20 Agency workers

20.1 We will investigate allegations made against agency workers with the cooperation of the agency. Whilst we may decide to cease using the services of an agency worker, this will not prevent us from investigating allegations and liaising with the Local Authority Designated Officer (LADO) to determine a suitable outcome. We expect agency workers and agencies to cooperate with our investigations and with external agencies where applicable.

20.2 We will discuss with the agency whether it may be appropriate for them to consider suspending an agency worker, or whether we are prepared to redeploy an agency worker during an investigation.

21 Additional Work

22.1 It is not the intention of the Trust to prevent employee's from undertaking additional employment unless that employment conflicts with or detrimentally affects the Trust's interests. Employees are expected to declare to their line manager if they plan to undertake additional employment. The Trust expects all employees to fulfil their obligations to the pupils and reserves the right to make a judgment as to whether undertaking additional work would be prejudicial to that outcome or bring the school into disrepute. A discussion with the manager before seeking additional employment should always precede the attempt to find an additional job/post. If on appointment an employee already has a further post, this should be declared at the interview.

22.2 The Trust recognises that every individual has a right to seek alternative employment. Since the school will generally be asked for a reference, it is both courteous and sensible to inform Managers should be informed in advance of a reference is being sought.

22 Review

This Code of Conduct is reviewed and amended annually by the central HR team. We will monitor the application and outcomes of this code of conduct to ensure it is working effectively.

Appendix 1

Specific Guidance regarding Gifts, Hospitality & Entertainment –

What is a gift, hospitality or entertainment?

This includes a gift, hospitality or entertainment, monetary or otherwise and not limited to:

- goods and other items;
- services
- attendance at cultural sporting and other events
- meals, drinks and other hospitality and
- accommodation

Some exceptions do exist, such as items provided at conferences that are provided to all delegates.

The following applies if you are offered gifts, hospitality or entertainment:

1. **Accept, reject or return the gift and hospitality**

   As a general principle hospitality or entertainment of any sort should not be accepted and that you should not accept significant personal gifts as defined in paragraph 11.

   a) Entertainment – e.g. sports events, theatre tickets – should not be accepted and any exceptions are likely to be rare and will require prior approval by manager/headteacher.
   b) Hospitality – the Trust allows for modest hospitality. Where hospitality is accepted this should wherever possible be approved in advance and recorded in the Register of Gifts, Hospitality, and Entertainment.
   c) Gifts – gifts should not be accepted except where it is recognised that it is common for parents/carers/pupils to give gifts to school employees as a sign of appreciation. Items of value considered for the purposes of the guidance to be of less than £50 individual/£100 collective estimated retail value, may be accepted and do not need to be recorded in the Register.
   d) Collective gifts presented by colleagues can occur when a person is unwell, reaches a particular milestone, or is leaving the Trust. In such circumstances the retail value of a gift may exceed the limits defined in this guidance but must be recorded in the Hospitality & Gift Register as a collective gift.

   Exceptionally, if returning a gift would cause offence, your manager can arrange for it to be received by the Trust and passed on to be used for fundraising.

2. **Record the item within the Register of Gifts, Hospitality and Entertainment**
   The Trust will keep a register of gifts, hospitality and entertainment offered dependent on the values set out above. A pro forma or record of all the required information in an e mail, see Appendix 2 should be submitted to the HR Director.

Appendix 2

Code of Conduct – Record for Register of Gifts, Hospitality & Entertainment

Employee name:

Job Title

Name of business/person offering gift/hospitality/entertainment……...

Gift/hospitality offered	
Reason for the offer where known	
Offered by	
Reason for refusal	
Date of offer	
Was the gift/hospitality accepted or refused?	
Business reason for acceptance	
Estimated Value	

Line Manager signature …….

Date …….

Please return to the HR Director, Bath and Wells Multi Academy Trust, c/o St Nicholas Church School, Kilmersdon Road, Radstock, Bath BA3 3QH or hr@bwmat.org