WIRRAL

Code of Conduct
for Employees in Schools

Authority Guidelines on staffing procedures for Community, Voluntary Controlled, Community Special Schools and Early Years Centres (and those adopted by Governing Bodies of other maintained or non-maintained schools)

This code sets out the expected standards of behaviour for all employees working within schools.

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School:
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Code of Conduct for Employees in Schools

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1. Policy statement

1.1. The school seeks to provide a safe and supportive environment, which secures the well-being and very best outcomes for pupils in their care. This document clarifies what is expected in terms of professional behaviour.

1.2. In addition to this code, anyone employed under teachers' terms and conditions of employment has a statutory obligation to adhere to the 'Teachers' Standards' document. The relevant extract 'Part 2 – Personal and professional conduct' is contained below at Appendix 1.

1.3. Employees should be aware that failure to comply with the code of conduct could result in disciplinary action which may potentially include dismissal.

1.4. This code does not form part of the contract of employment and can be amended at any time.

1.5. The code shall apply to all staff including the Headteacher.

1.6. This code is supplemented by additional policies and guidance documents which are listed at Appendix 3.

2. Core principles

2.1. The welfare of pupils and employees is paramount.

2.2. Employees are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.

2.3. Employees should work, and be seen to work, in an open and transparent way.

2.4. Employees should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident, which may give rise to concern.

2.5. Records should be made of any such incident and of decisions made or further actions agreed.

2.6. All employees should know the name of their designated person for child protection, be familiar with child protection arrangements and understand their responsibilities to safeguard children.

2.7. Employees should be aware that breaches of criminal law and other professional guidelines could result in criminal or disciplinary action being taken against them.

2.8. In the case of a major health outbreak, employees are expected to follow Government and Public Health advice. Failure to do so could result in disciplinary action being taken against them.

3. Procedure

3.1. The Code of Conduct outlines examples of conduct that would be deemed appropriate for any member of staff employed in a school.

NB Failure to maintain the requirement of the code of practice may result in formal action under the school's Disciplinary and/or Capability Work Performance Policy and Procedure.

4. Setting an example

4.1. All employees who work in schools set examples of behaviour and conduct which can be copied by pupils and volunteers.

4.2. Employees must always avoid using inappropriate and/or offensive language.

4.3. Employees must act as role models, demonstrating high standards of conduct in order to encourage pupils and volunteers to do the same.

4.4. Employees should be aware of and adhere to the school's rules in respect of behaviour such as use of mobile phones, eating or drinking in corridors and classrooms, chewing gum etc.

4.5. Employees must avoid putting themselves at risk of allegations of abusive or unprofessional conduct.

NB For more information please refer to the section on Standards of behaviour in the Policy for Safer Working Practices.

5. Appointments

5.1. All employees involved in staff appointments should ensure that these appointments are based on merit.

5.2. All employees involved in staff tendering processes eg Supply Staff should ensure that these selections are based on merit.

6. Gifts and hospitality

6.1. Employees need to take care that they do not accept any gift that may be construed as a bribe by others or lead the giver to expect preferential treatment. It is acceptable to receive small tokens of appreciation from parents or pupils at the end of term eg any gift up to £25 such as box of chocolates, bottle of wine.

6.2. If a gift is high value eg over £25, or the employee is concerned that it may be construed as a bribe, then it should be reported to the Headteacher.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

7. Declaration of interests

7.1. All employees must declare on at least an annual basis, or where a potential conflict arises during the year, to the Headteacher any financial or personal interests which could conflict with the school's interests on the declaration of interest form, available on Wescom. ***NB Where an employee is unsure, they should discuss the matter with the Headteacher.***

7.2. Employees must not be directly involved in any staff appointment or decisions relating to discipline, pay, promotion or pay adjustments for any individual who is a relative or with whom they have a close personal relationship.

7.3. In this event they must inform their Headteacher as soon as they become aware of the application or matter in question.

7.4. Any external work that employees undertake must not bring the school into disrepute or conflict with the school's interests.

7.5. All relationships of a business or private nature with external contractors, or potential contractors should be made known to the Headteacher.

NB In the case of the Headteacher, any financial interests or relationships of a business or private nature must be declared to the Governing Body.

NB For more information please refer to the School's Conflict of Interest Policy and Procedure and Declaration Form.

8. Confidentiality of information

8.1. Information obtained in the course of employment should not be used to the detriment of the school, for personal gain or benefit, nor passed on to others who might use it in such a way.

8.2. Employees must take all reasonable steps to ensure that the loss, destruction, inaccuracy or disclosure of information does not occur as a result of their actions, including information relating to school business, staff and pupil data.

8.3. The storing and processing of personal information is governed by the Data Protection Act 2018 and General Data Protection Regulations 2017, and the school will give clear guidance to employees about their responsibilities under this legislation.

NB For more information please refer to the school's ICT Policy and Procedure.

9. Sharing of confidential information

9.1. There are circumstances where employees are expected to share information about a child, for example, when child protection issues arise. In such cases employees have a duty to pass information on without delay in line with school policy or local procedures.

9.2. If employees are in doubt about whether to share information or keep it confidential, they should seek guidance from a senior manager or person with designated child protection responsibilities.

9.3. Whilst employees who work with children and young people need to be aware of the need to listen to and support them, they must not make promises to keep secrets, neither should they request this of a child or young person under any circumstances.

9.4. Employees should not be discussing work related issues in public places, including when using mobile phones.

NB For more information please refer to the School's Information Sharing Policy and Procedure.

10. Use of school facilities, resources and time

10.1. The school's property and facilities (eg stationery, computers, photocopiers, and mobile phones) may only be used for school business unless permission for their private use has been explicitly granted.

10.2. Employees must ensure that they use school funds entrusted to them in a responsible and lawful manner.

10.3. Only duties relating to their employment at the school should be undertaken during work time unless the express permission of the Headteacher is sought.

11. Duty of trust and care

11.1. All employees have a duty to keep children and young people safe and to protect them from sexual, physical and emotional harm. This is exercised through the development of respectful and caring relationships between adults and children and young people and also through the behaviour of the adult, which at all times should demonstrate integrity, maturity and good judgement.

11.2. Employees must, at all times, act in accordance with the trust that the public is entitled to place in them as an employee of the school. Employees are expected to be ready and able, at the agreed times, to carry out their job.

12. Dignity at work

12.1. All members of the local community, clients and employees have a right to be treated fairly and equally and with dignity and respect.

12.2. Employees should be aware that their behaviour may inadvertently intimidate or offend other employees, parents, pupils or members of the public.

12.3. The school is opposed to and will not tolerate all forms of discrimination, harassment, victimisation, and bullying and has procedures in place to deal with complaints of this nature.

NB For more information please refer to the school's Dignity at Work Policy and Procedure.

13. Whistleblowing

13.1. Employees have a duty, without fear of recrimination, to report suspicions or knowledge of any wrongdoing they become aware of, for example:

- activities which they believe to be illegal, improper, unethical or otherwise inconsistent with the code
- anything which involves, or they think involves, irregularities with money or other property of the school
- school employees, or other individuals, being involved in potentially fraudulent or corrupt activities, or theft

13.2. Employees must report any alleged impropriety or breach of procedure to the Headteacher so that the matter may be investigated immediately. If any suspected wrongdoing involves the Headteacher then reports should be made to the chair of the governing body.

NB For more information please refer to the School's Whistleblowing Policy and Procedure.

14. Conduct outside of work

14.1. Employees must not engage in conduct outside of work which could damage the reputation of the school or the employee's own reputation or the reputation of other members of the school community.

14.2. Any employee facing criminal charges must notify their Headteacher as soon as possible, whether they feel the matter is relevant to their employment or not.

NB For more information please refer to Appendix 1, extract from Teachers' Standards document.

15. Communications with pupils

15.1. Employees must not give their personal contact details (including their mobile telephone number, home address and e-mail address) to pupils unless there are exceptional circumstances and the Headteacher has granted permission. They should not request any personal information from a pupil.

15.2. Communication with pupils must at all times take place within appropriate professional boundaries and must be transparent and open to scrutiny. Contact should only be made for appropriate professional purposes.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

16. Use of ICT

This includes the use of mobile phones, text messaging, instant messaging, e-mails, digital cameras, videos, webcams, websites, online gaming and blogs, and other similar technologies.

16.1. All employees should not be communicating with pupils outside school through the use of ICT, unless the purpose is solely to conduct their professional duties and has been agreed with your line manager/ Headteacher.

16.2. In exceptional circumstances, if an employee needs to contact a pupil through the use of ICT outside school hours, the communication must at all times be within appropriate professional boundaries and must be transparent and open to scrutiny.

NB Contact should only be made for appropriate professional reasons.

16.3. Internal e-mails should only be used to communicate in line with the protocols laid out within the school's policy on internet and e-mail usage.

NB For more information please refer to the school's relevant policies.

17. Social media

17.1. Employees should not post any comments on social media or the internet that could potentially be defamatory to the school or damage the school's reputation.

***NB Comments must not disclose confidential information relating to the school, its pupils, governors, employees and local community*.**

17.2. Bullying, harassment and victimisation of employees, pupils or other persons affiliated with the school through online means will not be tolerated and may be subject to disciplinary action.

17.3. Photos and/or personal details of pupils must not be uploaded to any employee's personal social media account.

17.4. Employees must not allow current or recent pupils access to their social media accounts, including adding them as 'friends', except in cases where permission has been given by the headteacher (eg alumni groups). It is the employee's responsibility to ensure that their accounts and passwords are secure, and any potential breach should be reported to the Headteacher immediately.

17.5. It is advised that employees do not identify themselves with the school on their personal social media accounts. If they do identify themselves as an employee of the school, then they must behave appropriately and in line with the school's values.

17.6. It is advised that employees make all social media profiles ‘private’ so that pupils and parents do not have access to their personal details and images. Employees should be aware that they leave themselves open to a charge of professional misconduct if inappropriate images of them are made available on a public profile.

17.7. It is advised that employees exercise caution and do not accept friend requests from parents other than where close personal or familial relationships already exist.

17.8. Accessing, marketing and storing child pornography or indecent images of children is illegal and is likely to lead to a criminal conviction and the individual being barred from working with children and young people.

17.9. Under no circumstances should employees in schools use school equipment to access inappropriate images on the internet or access any other site which could call into question their suitability to work with children. The same rule applies to the use of the school’s equipment by members of staff at home eg laptops and tablets. Equipment containing such images or links must not be brought into the workplace.

17.10. If an employee becomes aware that they are in an online game with a pupil, they should cease the game immediately. Under no circumstances should employees seek out pupils or share identity tags or usernames with them to play online games.

NB For more information please refer to the School’s Social Media Policy.

18. Photography, video recordings and other creative arts

18.1. Some school activities may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity and safety of pupils. Informed written consent from parents or carers and, where possible, agreement from the pupil, should always be sought before an image is taken for any purpose.

18.2. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media or on the internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

18.3. It is not appropriate for employees to take photographs of children for their personal use.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

19. Curriculum

19.1. The curriculum can sometimes include or lead to discussion about subject matter of a sexually explicit or sensitive nature and employees may wish to seek guidance from a senior member of staff when responding to pupils’ questions.

19.2. Employees should not enter into or encourage inappropriate or offensive discussions about sexual activity.

NB The RSE curriculum should be age appropriate. Advice is available from Brook and PSHE Association.

20. Intimate care

20.1. A care plan should be agreed and drawn up with parents for all pupils who require intimate care on a regular basis. The views of the pupil should be actively sought where possible when drawing up a care plan. Depending on their age, maturity and ability, pupils should be encouraged to act as independently as possible. This plan should be reviewed regularly.

20.2. Where any changes to the agreed plan are required, consultation should take place with senior staff and parents or carers.

20.3. A record should be made of any variations from the agreed plan and the justification for this and this must be shared with the pupil's parents or carers.

20.4. When assistance is required, employees should ensure that another appropriate adult is in the vicinity and is aware of the task being undertaken.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

21. First aid and medication

21.1. Employees should be suitably trained before administering first aid. The school will have trained and named individuals to undertake first aid.

21.2. Employees should be suitably trained before administering any agreed medication.

21.3. Where possible, employees should ensure that another adult is aware of the action being taken. Arrangements will be in place to ensure that parental consent is obtained for the administration of first aid. Parents or carers should always be informed when first aid has been administered, and a record made.

21.4. In circumstances where pupils need medication regularly, a health care plan should be in place to ensure the safety and protection of the pupil and the adults working with them.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices and medication management policy.

22. Extra-curricular activities

This includes school trips, out of school clubs and overnight supervision.

22.1. Where activities take place off the school site or out of normal school hours, an additional appropriate adult should be present unless otherwise agreed with senior staff.

22.2. Parental consent must always be obtained for the activity.

22.3. Employees should ensure that their behaviour remains professional at all times during such activities and stays within clearly defined professional boundaries.

22.4. Where activities include overnight stays, careful consideration needs to be given to sleeping arrangements and pupils, adults and parents should be informed of these prior to the trip.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

23. Transporting children

23.1. It is advisable that private vehicles are not normally be used for transport of pupils. Where this is required there should normally be at least one additional adult to the driver acting as an escort. If private vehicles are being used, the Headteacher should be aware and the vehicle and the driver has no previous driving convictions.

NB This excludes driving offences resulting in points on the driver's licence and no further action.

23.2. At all times the driver must ensure that they have appropriate insurance and that maximum capacities are not exceeded in vehicles.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

24. One-to-one situations

24.1. Employees working in one-to-one situations with pupils are more vulnerable to allegations and therefore should plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both employees and pupils are met.

24.2. Meetings should be conducted in an area where there is visual access or with an open door.

24.3. A colleague should be informed about the meeting beforehand, assessing the need to have them nearby.

24.4. Employees should always report to a senior member of staff when a pupil has become distressed or angry during a one to one meeting.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

25. Behaviour management and use of reasonable force

25.1. The use of physical intervention should be avoided wherever possible and should only ever be used in line with the guidance issued within the school's behaviour management policy.

25.2. Under no circumstances should physical force or intervention be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence.

25.3. In settings where restrictive physical interventions may need to be employed regularly eg there will be a clear policy in place on the use of such intervention as part of a wider behaviour management policy. Risk assessments should be carried out and individual care plans should be in place in consultation with parents or carers and, where appropriate, pupils.

25.4. In all cases where physical intervention is employed, the incident and subsequent actions must be recorded. This includes written and signed accounts from all those involved (including the pupil). Parents or carers must be informed of the incident on the same day.

25.5. Training will be provided to employees in respect of behaviour management and the use of physical intervention.

NB For more information please refer to the School's Behaviour Management Policy and the relevant section in the Policy for Safer Working Practices.

26. Sexual conduct

26.1. Any sexual contact between an employee and a pupil is both inappropriate and illegal. This does not just refer to physical contact but also to non-contact activities such as causing children to engage in or watch sexual activity or the production of pornographic material.

26.2. Employees must not pursue sexual relationships with children and young people either in or out of school.

26.3. Employees should avoid any kind of behaviour which could be construed as 'grooming' a pupil such as singling out pupils for special attention and buying gifts for pupils.

26.4. Employees must avoid any form of communication with a pupil which could be interpreted as sexually suggestive or provocative ie verbal comments, letters, notes and physical contact. This includes making sexual remarks about, or to, pupils, and discussing personal sexual relationships within their presence.

NB For more information please refer to the School's Behaviour Management policy and to the relevant section in the Policy for Safer Working Practices.

27. Social contact

27.1. Employees should not seek to have social contact with pupils or their parents or carers unless the reason for this contact has been firmly established with a senior manager or Headteacher.

27.2. If a pupil or parent attempts to establish social contact or if this occurs coincidentally then the employee should exercise their professional judgement in making a response and must make their manager and the parent of the pupil aware of the situation.

27.3. Where the nature of the employee's role involves work in the community or the employee lives in the community, care should be taken to maintain appropriate personal and professional boundaries.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

28. Physical contact

28.1. There will be circumstances where physical contact between employees and pupils is entirely appropriate, for example as an integral part of some lessons such as PE, drama and music. Employees should use their professional judgement at all times about the appropriateness of physical contact with pupils and, where feasible, seek the child's permission before initiating contact.

28.2. Physical contact should only be initiated for the minimum time necessary; it should be appropriate to the age and stage of the pupil and appropriate to the employee's role and the needs of the child.

28.3. Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority.

28.4. If an employee thinks that an incident of physical contact may have been misinterpreted, they must report this immediately to the Headteacher.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

29. Personal care

29.1. Pupils are entitled to respect and privacy at all times and especially when changing clothes, washing, showering or undertaking any form of personal care. Supervision may be required to safeguard young people or satisfy health and safety considerations. This should be appropriate to the needs and age of the pupils concerned.

29.2. Employees must not have any physical contact with pupils when they are in a state of undress, change in the same room as pupils or shower or bathe with them.

29.3. Employees should announce their intention to enter rooms where pupils are changing and avoid any visually intrusive behaviour whilst in the room.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

30. Personal living space

30.1. No pupil should be in or invited into the home of an employee unless the reason for this has been firmly established and agreed with parents or carers and a senior manager or Headteacher.

30.2. If there are exceptional circumstances (eg family connections or friendships between the employee's children and the pupil) then a senior manager or Headteacher and the pupil's parent or carer must be made aware and the employee should avoid being alone with the pupil at home.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

31. Pupils in distress

31.1. There may be occasions when a distressed pupil needs comfort and reassurance. Employees should remain self-aware at all times, ensuring that their contact is not threatening, intrusive or subject to misinterpretation.

31.2. Where a situation gives rise to concern, employees should always tell a colleague when and how they offered comfort to a distressed pupil and make a record of the incident. If an employee is unsure about how to offer comfort to a distressed pupil then they should seek advice from a senior staff member.

NB For more information please refer to the relevant section in the Policy for Safer Working Practices.

32. Sharing concerns and recording incidents

32.1. All employees should be aware of the school's procedures for safeguarding children and for dealing with allegations against members of staff. Employees who are subject to allegations are advised to contact their union or professional association.

32.2. In the event of any allegation being made, information should be clearly and promptly recorded and reported to a senior manager without delay.

32.3. In cases where a pupil develops an infatuation, there is a high risk of words or actions being misinterpreted and for allegations to be made against employees. Employees should report to a senior manager any concerns that a pupil may be infatuated with them.

32.4. All accidents and incidents should be reported appropriately in line with the school's health and safety policy.

NB For more information please refer to the relevant section in the 'Policy for safer working practice' and health and safety policy.

33. Appearance and standard of dress

33.1. All staff are models for the learners in the school, therefore they have a responsibility to model appropriate dress and appearance.

33.2. All employees' appearance must be professional at all times both within the workplace and when representing the organisation.

33.3. The employee dress code reflects the high expectations of the school in terms of teaching and learning, behaviour and student uniform.

33.4. It is recognised that staff within the school perform a variety of different roles and the dress code takes this into account.

33.5. The school recognises the diversity of cultures and religions of its employees and will take a sensitive approach when this affects dress and uniform requirements. However, priority will be given to health and safety, security and other similar considerations.

NB For more information please refer to Code of Practice on Appearance and Standard of Dress in School.

Code of Conduct for Employees in Schools

Appendices

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Appendix 1

Extract from Teachers' Standards

Part Two: Personal and professional conduct

A teacher is 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 throughout a teacher's career.

Teachers uphold public trust in the profession 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 a teacher's 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

Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach and maintain high standards in their own attendance and punctuality.

Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

Appendix 2

Potential gross misconduct list

Examples as listed in the Disciplinary Procedure

Examples of conduct that may be considered to constitute gross misconduct include:

- unauthorised removal of the school's property
- stealing from the school, its members, members of staff, or the public and other offences of dishonesty
- sexual offence
- sexual misconduct
- conduct at work likely to offend common decency
- fighting
- physical assault including the imposition of any form of corporal punishment and the use of unreasonable force to control or restrain pupils
- consuming alcohol during working time
- being on duty under the influence of drink or drugs, other than those which have been medically prescribed
- deliberate falsification of documentation
- falsification of qualifications which are a stated requirement of employment
- malicious damage to the school's property
- serious breaches of safety regulations endangering other people, including deliberate damage to, neglect of, or misappropriation of safety equipment
- criminal conduct
- improper disclosure of information and misconduct in relation to official documents
- failure to act or comply with a reasonable instruction
- serious neglect of duty
- breaches of the school's Equal Opportunities Policy including racial and sexual discrimination / harassment
- inappropriate use of social media, as defined in the Social Media Policy.
- bullying / harassment
- serious failure to uphold public trust and maintain high standards of ethics and behaviour within and outside school
- serious failure to maintain proper and professional regard for the ethos, policies and practices of the school
- serious misuse of the school's email, internet and other electronic facilities
- failure to adhere to Safer Working Practices document (in the case of safeguarding / professional conduct allegations, failure to do so may lead to dismissal)

Appendix 3

Supplementary policies, procedures and guidance

School HR policies and procedures

- Whistleblowing
- Disciplinary
- Dignity at Work
- Social Media
- Managing Allegations
- Safer Working Practices for Adults Working in Schools Settings
- Code of Practice on Appearance and Standard of Dress in School
- Conflict of Interest

School policies and procedures

- Behaviour Management
- Physical Intervention
- Intimate Care
- Administration of Medicines
- Child Protection / Safeguarding Policy and Procedures
- Data Protection
- Health and Safety
- IT Usage

Statutory guidance

Teachers' Standards
www.gov.uk/government/publications/teachers-standards

Keeping Children Safe in Education
www.gov.uk/government/publications/keeping-children-safe-in-education--2

Use of Reasonable Force in Schools
www.gov.uk/government/publications/use-of-reasonable-force-in-schools