



Staff Code of Conduct
September 2021

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Statement of intent

Firs Primary School expects all pupils to receive high-quality teaching and learning in a positive and respectful environment.

Employees at the school should understand that their own behaviour, and the manner in which they conduct themselves with their colleagues, pupils, parents and other stakeholders, sets an example.

We recognise that the majority of staff members act appropriately and treat each other with dignity and respect; however, we consider it important to clarify the expected standards.

Failure to comply with this code of conduct and with associated school policies, may result in disciplinary action being taken, including legal action where this is warranted.

This document applies to all staff members who are:

- Employed by the school, including the headteacher and volunteers.
- Employed in units or bases that are attached to the school.

This document does not apply to:

- Peripatetic staff members who are centrally employed by the LA.
- Employees of external contractors.

These employees are governed by their employment contracts and any relevant laws pertaining to their activities within the school, for example, the GDPR.

In addition to this policy, all staff employed under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the 'Teachers' Standards' and in relation to this policy, Part 2 of the Teachers' Standards - Personal and Professional Conduct. This is available on the **Gov.uk** website or from the Headteacher

STANDARDS

- School employees are expected to give the highest possible standard of service to the public and to support Governors and fellow employees with impartiality. The highest standard of probity must apply and employees must report any suspected unlawfulness, mal-administration, impropriety or breach of procedure of which they are aware to their Headteacher or Chair of Governors.
- The School, for its part, considers it has a duty to protect employees against unjustified allegations of wrong doing. (See school policy "Managing Allegations against Staff").

Legal framework

This policy has due regard to all legislation including, but not limited to, the following:

The General Data Protection Regulation (GDPR)

The Data Protection Act 2018

The Education Act 2002

The Children Act 1989

The Working Time Regulations 1998 (as amended)

Sexual Offences Act 2003

This policy also has due regard to statutory guidance including, but not limited to, the following:

DfE (2019) 'Keeping children safe in education'

DfE (2018) 'Working Together to safeguard Children'

Working with pupils

Staff must not demean or undermine pupils, their parents or carers, or colleagues.

All staff who work in schools set examples of behaviour and conduct which can be copied by pupils. Staff must therefore avoid using inappropriate or offensive language or behaviour at all times.

Staff must co-operate and collaborate with colleagues and with external agencies where necessary to support the development of pupils.

Staff are expected to work with all pupils, irrespective of their individual needs and should never attempt to refuse to do so

Safeguarding pupils

In accordance with 'Keeping children safe in education', all staff members have a responsibility to safeguard pupils and protect their welfare.

All staff members have a responsibility to ensure that they provide a learning environment which pupils feel safe, secure and respected.

To effectively safeguard pupils, staff members are required to follow the procedures outline in this Staff Code of Conduct and the Child Protection and Safeguarding Policy, ensuring that they do not act in a way that may put pupils at risk of harm, or lead others to question their actions.

In accordance with the school's Child Protection and Safeguarding Policy, staff members will be prepared to identify pupils who may be subject to, or at risk of, abuse and neglect, and will follow the necessary reporting and referral procedures.

Staff need to be aware that incidents of sexual harassment and sexual violence should be taken seriously. Staff should be aware that this can happen between peers in all school settings.

The school has two Designated Mental Health Leads, either of whom can be approached by staff regarding concerns about their own mental health as well the mental health of a colleague, pupil or parent. Mental Health is part of safeguarding and staff wellbeing.

Any staff member that has concerns about a staff member's actions or intent that may lead to a pupil being put at risk of harm will report this in line with the Whistleblowing Policy to the headteacher immediately so appropriate action can be taken.

If the concern is regarding the headteacher, staff will report this to the chair of the governing body.

All staff will partake in the appropriate safeguarding and child protection training; additionally, all staff will receive regular safeguarding and child protection updates but at least annually.

Staff will be aware that confidentiality will never be promised to a pupil – staff will understand the procedure for if a pupil discloses a potential safeguarding issue, in accordance with the school's Child Protection and Safeguarding Policy.

Staff should be aware of low level concerns regarding the conduct of a colleague. These are concerns which, no matter how small, cause a 'nagging doubt' about the way an adult interacts children or colleagues.

Any concerns regarding practice relating to safeguarding should be reported to the Head teacher or the Chair of Governors. Staff who prefer to do this anonymously can ring the NSPCC whistleblowing helpline on 0800 0280285 or email help@nspcc.org.uk. All staff have a moral and statutory obligation to act on any concerns relating to safeguarding

Reporting a Concern

"Whistleblowing" by employees of the School is fully supported and encouraged. Where concerns arise these should be brought to the attention of the Headteacher at all times. If the employee feels they can't tell their employer they should contact the Chair of Governors or Derby Diocese Academy Trust, as detailed in the school Whistleblowing Policy. This is for staff who wish to report serious concerns relating to any suspicions or allegations of fraud and corruption or any malpractice or maladministration. Staff who would like to report a concern of malpractice relating safeguarding may use any of the channels outlined above or may do this anonymously by ringing the NSPCC whistleblowing helpline on 0800 0280285 or emailing help@nspcc.org.uk

Appearance and dress

The school expects that staff members will:

- Ensure that their appearance is clean and neat when at work or representing the school.
- Dress in a manner that is appropriate to their role.
- Remember that they are role models for pupils, and that their dress and appearance should reflect this.
- Not dress in a way that would cause embarrassment to pupils, parents, colleagues or other stakeholders.

- Staff should be aware of Health and Safety with regard to their choice of footwear, clothing and jewellery
- Flip-flops should be avoided and closed toe shoes are advised. Skirts should be of an appropriate length and tops appropriate, not low or revealing. Leggings may be worn under a dress. Denim should not be worn, with the exception of cleaning staff. If a member of the cleaning team chooses to wear denim, this should be dark and not be ripped. Tracksuit bottoms or training shoes should only be worn for PE/Games/Swimming and Educational Visits, or following the advice of medical professionals. Clothing on Educational Visits should be smart as staff will be representing the school in the community. Shorts may be worn in Summer but these should be knee length formal shorts.

Attendance

The school expects that staff members will:

- Attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days of work and holidays.
- Make routine medical and dental appointments outside of their working hours or during holidays where possible.
- Refer to the school's Staff Leave of Absence Policy if they need time off for any reason other than personal illness.
- Follow the school's absence reporting procedure when they are absent from work due to illness or injury. These are as follows;

In the case of a member of staff needing to be absent from school due to illness, this must be telephoned through to the Headteacher as early as possible but no later than 7:30am on the first day. If the Headteacher does not answer, leave a voicemail message and the Headteacher will message acknowledgement of receipt back. If the Headteacher has not responded by 7.30am try again or contact the Deputy Headteacher. This will give the best chance for suitable cover arrangements to be made.

On each day of absence, the member of staff must contact the Headteacher by 4:00pm to say whether or not they will be in school the next day. The only exception to this is if there is a medical Fit Note specifying the length of the absence. In this case, the member of staff must contact the School Business Manager to state their intention to either return to work or return to the doctor for an extension of a Fit Note **PRIOR** to the expiry of the Fit Note. Fit Notes should not be back dated.

Professional behaviour and conduct

Staff members are expected to treat other colleagues, pupils, parents, and external contacts with dignity and respect.

The use of foul and abusive language will not be tolerated.

Discrimination, bullying, harassment or intimidation, including physical, sexual and verbal abuse, will not be tolerated.

Staff members will not misuse or misrepresent their position, qualifications or experience, or bring the school into disrepute.

Staff members will inform the headteacher if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution.

Staff will be aware that professional behaviour and conduct is expected to be extended to extra-curricular trips and visits too. All staff attending a trip or visits will act in accordance with this policy.

Conduct outside of work

Staff may undertake work outside school, either paid or voluntary, provided that written permission from the Trust is obtained and it does not conflict with the interests of the school. The nature of the work cannot be seen to bring the school into disrepute, nor be at a level which may contravene the working time regulations or affect an individual's work performance.

Staff will not engage in outside work which could seriously damage the reputation and standing of the school or the employee's own reputation, or the reputation of other members of the school community. In particular, criminal offences that involve violence, possession or use of illegal drugs or sexual misconduct are unacceptable.

Staff will not engage in inappropriate use of social network sites which may bring themselves, the school, school community or employer into disrepute. This is explored further in [section 15](#).

Staff and Governors should NOT post anything, on a social website or text, about the school community including about incidents, pupils, staff or governors. This includes social media such as Tiktok, Instagram, Twitter, FaceBook and SnapChat

Images of pupils taken during school time or on educational visits must never be posted on personal social media.

Images of work colleagues or governors should not be posted without their permission, even if the photograph was taken in a social rather than work situation. Alternatively, online albums may be made that are only accessible to those who are in the photographs.

POLITICAL AND RELIGIOUS NEUTRALITY

Employees of the School must not allow their own personal opinions, religious beliefs or political views to interfere with their work. Such views must not be portrayed to the pupils as the views of the school. Employees of the School should not openly criticise the work of the school or any other employees in relation to their work at the school.

Smoking, alcohol and other substances

Staff will not smoke on, or around the school premises, this includes the use of electronic smoking devices (e-cigarettes).

Staff will not smoke (including e-cigarettes) whilst working with or supervising pupils off-site, such as when on educational visits and trips.

The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. Staff members must never attend work under the influence of alcohol or illegal drugs.

If alcohol or drug usage impacts on a staff member's performance, the school has the right to discuss the matter with the employee and take appropriate action in accordance with the school's disciplinary procedures, including referral to the police.

Health and safety

Staff members will:

Be familiar with and adhere to the school's Health and Safety Policy and ensure that they take every action to keep themselves and everyone in the school environment safe and well.

Comply with health and safety regulations and use any safety equipment and protective clothing which is supplied to them.

Comply with hygiene requirements.

Comply with accident reporting requirements.

Inform the headteacher of any paid work which is undertaken elsewhere, for compliance with The Working Time Regulations 1998 (as amended).

All staff must wear their photo identity name badge, where it can be seen, at all times. This is to comply with the school safeguarding requirements and also to enable free movement around the building.

All staff must sign in and out of the building via Inentry in the entrance reception area **and** on the IN/OUT board each and every time they enter or leave the building. This is to enable an accurate fire register to be maintained at all times.

Declaration of interests

Staff members are required to declare their interests, both personal and financial, where the group or organisation they are affiliated with would be considered to be in conflict with the ethos of the school.

For the purposes of this policy, a financial conflict of interest is one where there is, or appears to be, opportunity for personal financial gain, financial gain for close relatives or

friends, or where it may be reasonable for a third party to take the view that financial benefits may affect an individual's actions.

The term 'financial interest' means anything of monetary value, including the following:

Payments for services

Equity interests

Intellectual property rights

Hospitality or gifts

Examples of financial interests that must be declared include, but are not limited to, equity interests in services considered for use by the school.

Non-financial conflicts of interest can also come into conflict, or be perceived to come into conflict, with an individual's obligations or commitments to the school. These interests may include any benefit or advantage including, but not limited to, direct or indirect enhancement of an individual's career or gain for immediate family or someone with whom the individual has a close relationship.

Examples of situations that could give rise to non-financial conflicts of interest include the following:

Pressure or temptation to accept gifts, inducements or hospitality

Participating in the appointment, hiring, promotion, supervision or evaluation of a person with whom the individual has a close personal relationship

Where a member of staff has or develops a close personal relationship with a colleague

Membership to a trade union or staff representative group does not need to be declared.

Staff members will also carefully consider whether they need to declare their relationship with any individual where this might cause a conflict with school activities.

Failure to make a relevant declaration of interests is a very serious breach of trust and, therefore, if employees are in doubt about a declaration, they are advised to contact the school or trade union.

Relationships with pupils

The school expects that staff will:

Maintain professional boundaries and relationships with pupils at all times, and will consider whether their actions are warranted, proportionate, safe and necessary.

Act in an open and transparent way that would not lead to others questioning their actions.

Ensure that they do not establish social contact with pupils for the purpose of securing a friendship, or to pursue or strengthen a relationship.

Ensure that they do not develop personal or sexual relationships with pupils: this includes sexual remarks and discussing their own sexual relationships with, or in the presence of, pupils.

Only contact pupils via the school's established mechanisms: personal phone numbers, email addresses or social media platforms will not be used to contact pupils.

All mobile phones should be switched off when staff are working with children, unless in an emergency and with prior agreement of the Headteacher

Under the Sexual Offences Act 2003, it is an offence for a person aged 18 or over to have a sexual relationship with a child under 18 where that person is in a position of trust in respect to that child, even if the relationship is consensual.

Physical contact with pupils

The school understands that there are circumstances in which it is entirely necessary for staff to have physical contact with pupils, e.g. when applying first aid and assisting with intimate care, but staff will only do so in a professional and appropriate manner in line with relevant school policies.

When physical contact is made with pupils, it is imperative that it is conducted in a way which is responsive to the pupil's needs, is of limited duration and is appropriate to their age, stage of development, gender, ethnicity and background.

Staff will seek the pupil's permission, where possible, before initiating contact.

Staff will always use their professional judgement when determining what physical contact is appropriate, as this may differ between pupils. As such, the pupil's feelings and wishes will always be taken into account.

Staff will never touch a pupil in a way which is indecent and will always be prepared to explain their actions.

Staff will be aware that even well-intentioned physical contact may be misconstrued by a pupil, an observer or by anyone to whom this action is described and, therefore, will be prepared to justify their actions.

Staff will not engage in rough play, tickling or play fights with pupils.

Extra caution will be taken where it is known that a pupil has previously suffered from abuse or neglect.

Physical contact will never be secretive; if a member of staff believes an action could be misinterpreted, this will be reported to the headteacher and appropriate procedures will be followed.

Where it is necessary in PE classes for teachers to demonstrate use of equipment, this will be conducted with another member of staff if possible. If a pupil is required to participate, their consent will be given before doing so.

If a child is in distress and in need of comfort as reassurance, staff may use age-appropriate physical contact, such as placing their hand on the pupil's shoulder. Staff will remain self-aware of their actions at all times and ensure that their contact is not threatening, intrusive or subject to misinterpretation.

Staff may also use reasonable force as a means of physical contact with pupils for restraint purposes, such instances will always be in accordance with the school's Use of Reasonable Force Policy.

Transporting pupils

When it is necessary to transport pupils off-site, staff will ensure that the transport arrangements of the vehicle meet all legal requirements, they have an appropriate licence and the vehicle is roadworthy, has a valid MOT certificate and is insured.

Staff and Governors should never give lifts to pupils without clearing it with a member of the Senior Leadership Team.

Staff will gain consent from parents before transporting pupils and will be aware that the welfare of all pupils in the vehicle is their responsibility.

Two or more staff will be present in the vehicle to avoid any discrepancy regarding safeguarding concerns.

Financial inducements

Staff members will:

Familiarise themselves and comply with the school's financial regulations.

Declare to the governing board, in writing, any gifts received, with the exception of:

- Low cost, functional items suitable for business rather than personal use and displaying the supplier's logo – these items may be accepted.
- Gifts offered by parents or pupils to school staff to express their gratitude, but staff members should always refuse monetary gifts.
- Hospitality in the form of meals and drinks where it is part of a normal business meeting.
- Authorised visits to exhibitions, demonstrations, conferences, business meals and social functions in connection with the school's business, which shall be at the school's expense.
- Not accept a personal gift, payment, or other incentive from a business contact – any such gifts should be returned.

- Declare any gift that cannot be returned to the governing board, who will decide how it will be used.
- Only accept offers to specific events after authorisation from the governing board.

Use of mobile phones

All mobile phones should be switched off when staff are working with children, unless in an emergency and with prior agreement of the Headteacher.

Staff should not give out personal mobile phone numbers or email addresses to parents. If, in an emergency a member of staff has had to give out their personal phone number, the Headteacher should be informed and reassurances sought that the number has been removed as soon as possible. Any concerns regarding this should be shared with the Headteacher.

Should any staff see a reason where a mobile phone will be needed, for example during extra-curricular events or residential visits, wherever possible they should use the school mobile 'phone. If for any reason this cannot be used, the Headteacher should be informed and a personal mobile can be used.

Should a member of staff need to use their own 'phone to contact a parent, they should withhold their number prior to calling by dialling 141 before the number.

E-safety

Staff will adhere to the procedures outlined in the school's E-safety Policy at all times.

Staff are required to employ the highest security settings on any personal profiles they may have and to check these regularly.

Staff will not engage in inappropriate use of social networking sites including contacting pupils or their family members, accepting or inviting friend requests from pupils or their family members, or following pupils or their family members on social media.

The school understands that some staff members are also parents of pupils at the school and, therefore, may wish to contact other parents. When doing so, staff will exercise their professional judgement and will not contact family members on social media if this would lead to a conflict of interest.

Staff will remain mindful of their use of social media and their web-based presence including written content, videos or photographs, and views expressed directly or indirectly which may bring themselves, the school or the school community into disrepute. This includes any personal comments about colleagues or staff that may be deemed offensive or isolating.

Premises, equipment and communication

School equipment and systems are available only for school-related activities and will not be used for the fulfilment of another job or for personal use, unless specifically authorised by the headteacher.

Illegal, inappropriate or unacceptable use of school equipment or communication systems may result in disciplinary action and, in serious cases, could lead to an employee's dismissal.

Employees receiving inappropriate communication or material, or who are unsure about whether something he/she proposes to do might breach this policy, should seek advice from the headteacher.

The school reserves the right to monitor emails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems.

Communication systems may be accessed when the school suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity. Access will be secured by the ICT Lead only with the permission of the governing board.

Any web based data information system such as Integris must only be accessed outside of school when necessary. Employees should be mindful to adhere to data protection rules when accessing such data and make sure passwords are protected and screens are never left unattended. Passwords for such sites should never be saved and should be changed regularly. Always sign out of these sites properly prior to turning off the computer

Passwords should not be shared and access to computer systems must be kept confidential except on the express request of the headteacher or ICT Lead. Breaches of this confidentiality may be subject to disciplinary action.

All personal data must be kept secure. The storage of data on a hard disk or memory stick is insecure and the school advises all staff to store pupil sensitive data on the school learning platform and shared network.

School equipment that is used outside the premises, e.g. laptops, will be returned to the school when the employee leaves employment or if requested to do so by the headteacher.

Photography and videos

Photographs and videos will only be taken using school equipment – using personal mobile phones for this purpose is prohibited.

Consent for taking photographs will be obtained from parents, or the pupil themselves, if they are deemed old enough and able to make the decision for themselves.

The age of consent that is legislated is 13 and above; however, this is only applicable for online services provided directly to children. For everything else, an appropriate age for consent is considered on a case-by-case basis by the DPO, headteacher and a pupil's parents (where appropriate).

Pupils who have not provided consent, either personally or via their parents, to have their photograph taken or be filmed will have their wishes respected.

The headteacher will be notified of the proposed use of the imagery or video and the equipment and ensure that the use of such is included in lesson plans where this is necessary.

All photographs and videos will be available for scrutiny, and staff will be prepared to justify the images or footage taken.

Careful consideration will always be given to the activities which are being filmed or photographed, to ensure that images or videos are not indecent and cannot be misused.

Data protection and confidentiality

Regarding personal and sensitive data, staff members are required, under the GDPR, to:

Consider the legal basis for collecting the data, ensuring that this is documented.

Ensure that the data is stored on a GDPR-compliant server, and that the data is not held for any longer than necessary.

Securely dispose of the data when the relevant retention period ends.

Staff members will not disclose sensitive information about the school, its employees or the LA to other parties.

The only exception whereby it is acceptable for a staff member to disclose information that would otherwise be considered confidential is when the confidential information gives rise to concerns about the safety or welfare of a pupil.

Staff members have the right to request access to data that is held about them. Such requests will be made to the headteacher in writing in accordance with the school's Data Protection Policy.

Probity of records

The deliberate falsification of documents, such as references, academic qualifications or legal documents, is unacceptable. Where a staff member falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

Contacts

Staff members will not use school business contacts for acquiring materials or services at trade/discount prices for non-school activities, unless participating in concessionary schemes arranged by trade unions or other such groups.

Monitoring and review

This policy will be reviewed on an annual basis by the headteacher and any changes made will be communicated to all members of staff.

All members of staff are required to familiarise themselves with this policy as part of their induction programme and on a annual basis at the start of the new school year.

BREACHES OF THE CODE OF CONDUCT

Any suspected breach of this Code must:

be immediately reported to the Headteacher and to the Chair of Governors (or in the case of the Headteacher to the Chair of Governors);

OR

be reported through the confidential reporting procedure for employees.

Where a suspected breach has been reported, a formal investigation into that suspected breach will be undertaken.

Failure to comply with any of the standards detailed in this Code may result in formal disciplinary action, following the School's Disciplinary Policy, including possible dismissal.

This Code of Conduct was reviewed and updated by the Headteacher on 1/09/21 and will be reviewed annually prior to the start of the new academic year.

Appendix 1

Related School Policies and Further Advice

The following list of school policies provide further guidance and link to the Code of Practice:

- Terms and Conditions of Employment
- Confidentiality Policy
- Staff Discipline Policy
- Acceptable Use of IT Policy
- Equal Opportunities Policy
- Staff Grievance Policy
- Complaints Policy
- Managing Allegations against School Staff Policy
- Physical Restraint Policy
- School Transport Policy
- Data Protection and Freedom of Information
- Financial Procedures Manual
- Scheme of Financial Delegation
- Child Protection Policy
- Teachers' Standards
- School Teachers Pay and Conditions 2014
- School Pay Policy 2014
- School Emergency Booklet

Appendix 2

Teachers' Standards 2014

The section from the document relating to conduct, as opposed to teaching practice, is copied below.

Preamble

Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct.

Teachers act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills as teachers up-to-date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their pupils.

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 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.