



# Employee Code of Conduct

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## 1. Purpose

The aim of this Code of Conduct for employees is to set out the standards of conduct expected of all employees and to provide further information for employees.

- This should be read in conjunction with LCT HR Policies, the LCT Disciplinary Policy, all HR and Finance Policies, Health & Safety Policy, Data Protection Policy - Teachers' Standards, and the statutory guidance Keeping Children Safe in Education.
- This Code should make it clear to employees the expectations the LCT 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 Principal/Headteacher/Line Manager or HR Advisor.

This Code does not form part of any employee's contract of employment, and it may be amended at any time.

Terminology: the use of the word 'pupil' applies to all children within our academies, regardless of phase or age. The use of children/young people includes young people up to the age of 25 with an EHC plan.

## 2. Scope

- The Code applies to all employees regardless of length of service including those in their probationary period. It also applies to consultants, contractors, casual and agency employees collectively referred to as employees in this Policy.
- 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 of work may be treated as a disciplinary matter if it is considered that it is relevant to the employee's employment. This includes school/academy visits, staff parties safeguarding, promoting the welfare of children, police arrests, and recognising low level concerns.
- 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.
- All teaching and support employees should be prepared to identify young people who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a young person's life.
- All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.
- All employees must be aware of low-level concerns, no matter how small - and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the academy, school or college may have acted in a way that:
  - is inconsistent with the employee Code of Conduct, including inappropriate conduct outside of work; and
  - does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).

## 3. Examples of low-level concerns:

- being over friendly with children;
- giving individual or groups of children preferential treatment;
- taking photographs of child

- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating, or offensive language.

Employees must have fully read and understood the Safeguarding Policies (including all statutory documentation), be aware of our systems for keeping children safe and must always follow the guidance in these policies.

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

## **4. Duty of Care**

### **All 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 the pupil's 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 including their own health & safety.

### **All employees must ensure that they:**

- Familiarise themselves with the Health and Safety Policy;
- Comply with Health and Safety Regulations or instructions and use any safety equipment and protective clothing which is supplied by the Academy or Trust;
- Comply with any hygiene requirements including appropriate use of PPE;
- 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.

## **5. Honesty and Personal Integrity**

Employees are expected to demonstrate consistently high standards of personal and professional conduct.

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

Employees must uphold public trust in LCT and maintain high standards of ethics and behaviour, within and outside the academy, by:

- Treating pupils with dignity, building relationships rooted in mutual respect, and always 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.

Employees must have proper and professional regard for the ethos, policies, and practices of the Learning Community 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.

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.

## **6. Tackling discrimination**

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 the policies, procedures, and guidance notes as appropriate.

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

Employees of the Learning Community Trust are in a position of trust in relation to Learning Community Trust 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) 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.

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.

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 pupil's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a member of staff towards any pupil is unacceptable and illegal.

Employees must ensure that professional boundaries are always maintained. This means that employees should not show favouritism to any pupil or groups of pupils 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.

Employees should be aware that it is not uncommon for pupils to become attracted to a member of staff or to develop an infatuation. If any member of staff becomes aware of an infatuation, they should discuss it with their Principal/Headteacher/Line Manager immediately so that they can receive support on the most appropriate way to manage the situation.

For employees who are in a relationship with a colleague, parent or carer, or any other person associated with LCT, we expect that they identify this to the Principal/ Headteacher/HR Advisor 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 Learning Community Trust reserves the right to consider the transfer of one or both employees to another role in the Learning Community Trust, following appropriate consultation with both employees to seek agreement to the transfer.

## 7. Confidentiality and Data Protection

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.

If an employee is ever in doubt about what information can or can't be disclosed, they should speak to the Head of IT and Data at Central Trust.

We comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations, and secondary legislation, as amended or updated from time to time.

Employees must 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 Head of IT and Data at Central Trust in order (where applicable) for relevant breaches to be reported to the Information Commissioners Office within 72 hours.

Employees must read and understand the Learning Community Trust 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 available from your Principal/Headteacher/Line Manager.

## 8. Physical Contact with Pupils

There are occasions when it is 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, and development of the pupils. Employees should always be able to explain why they have made physical contact with a pupil.

There may 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 Principal/Headteacher/Line Manager or HR.

Employees may legally physically intervene with pupils to prevent them from committing a crime, injuring themselves or others, causing damage 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. The Use Of Reasonable Force Guidance from the DfE defines in more detail what reasonable force is, when it can be used, who can use reasonable force and how this should be communicated at Academy level.

On the rare occasion that Restrictive Physical Intervention (RPI) may be used to support a pupil in crisis, employees must be trained to provide that support.

Some of our settings or curriculums involve close physical contact which may include but is not limited to:

- Therapeutic or sensory support allied to a health or care plan;
- Personal care allied to a health or care plan;
- Pupil/teacher contact to support Health and Safety within curriculum activities.

Activities must always be completed following a risk assessment and parental consent as appropriate. Where multiagency work is taking place, the lead agency must complete the risk assessment and provide appropriate training and supervision to education employees.

All education employees who have planned or responsive physical contact with pupils must ensure they adhere to their Academy Dress Code and wear clothing/PPE appropriate to the care they are giving.

Sexual or sexualised contact, including grooming patterns of behaviour, with pupils is illegal.

## **9. Behaviour Management**

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 unacceptable.

Where pupils display difficult or challenging behaviour, employees should follow the Academy or Trust Behaviour Policy, using strategies appropriate to the circumstance and situation.

## **10. Social Contact with Pupils**

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 they should report this to their Principal/Headteacher/Line Manager or Trust HR.

The Trust's Social Media Policy outlines that employees should not connect to pupils, including past pupils, via social media or other communication channels.

LCT is part of the community, and we recognise that, as members of the community, employees will encounter pupils and their families outside of the Trust. We expect employees to use their professional judgement in such situations and to report to Principal/Headteacher/Line Manager or Trust HR any contact that they have had with a pupil or their family outside of work, that they are concerned about or that could be misinterpreted by others.

## **11. Employees should read and understand our Social Media Policy.**

Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement, and/or 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.

Employees should only use ICT systems and resources (email and phone) for all LCT business in line with what is allowed. Employees should read and understand our Acceptable Use Policy.

Employees should use the Learning Community Trust ICT systems and resources for all the Learning Community Trust business except in exceptional circumstances, or with the prior agreement of their manager. Any photographs/video footage must be taken using LCT equipment. Employees must only save images on LCT ICT hardware/computers.

Employees working in the presence of pupils should not use personal mobile phones in the academy during their directed/paid hours of employment unless there are exceptional circumstances, and they have requested and been given explicit permission to do so by their Headteacher/Line Manager.

Outside of these times, mobile phones should only be used in areas of the academy where pupils are not present.

Employees should refer to the *Personal Use of Social Media by Staff* section of the Trust's Social Media Policy. It is essential that all staff read and understand their responsibilities as Trust employees. Any breach of this policy may result in action under the Trust's disciplinary procedures.

## **12. Alcohol and Substance Misuse**

Employees are expected to arrive at work fit to carry out their job and to be able to perform their duties safely without any limitations due to the use or after-effects of alcohol or drugs.

In this Policy, drug use includes the use of controlled drugs, psychoactive (or mind-altering) substances formerly known as "legal highs", and the misuse of prescribed or over-the-counter medication.

Alcohol and drug-related problems may develop for a variety of reasons and over a considerable period of time.

Therefore, LCT will seek, where appropriate, to treat these problems in a similar way to other health issues.

Support may be provided at this point, to aid a full recovery, allowing a return to work/effective performance and the full range of duties.

Where alcohol and substance misuse raises safeguarding concerns or issues the Trust will need to respond in accordance with Safeguarding policies.

## **13. Working one to one with pupils**

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 against them. Please discuss with your designated safeguarding lead if you have any concerns before Working one to one.

It is important that employees:

- Avoid meeting on a one-to-one basis in secluded areas of the academy;
- 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 student becomes distressed or angry.

## **14. Curriculum**

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 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., PSHE, Drama.

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

## **15. Dress and appearance**

Employees are role models to pupils and how they present themselves is important. Our expectation is that employees are decently, appropriately, and professionally dressed in work at all times. LCT does 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 speak to their line manager or a senior member of staff if they are unsure. Where it is identified that an employee is wearing clothing that is not acceptable, they will be informed and requested to dress in appropriate clothing.

## **16. Gifts and Hospitality**

The Learning Community Trust employees may not accept gifts from parents above the monetary value of £30.00. Employees must not accept gifts or hospitality from suppliers or associated organisations above the monetary value of £30.00 without obtaining approval from the Chief Operating Officer.

Any gift, hospitality, award, or prize accepted must be recorded in the Learning Community Trust gift register and advised to the Chief Operating Officer. Acceptance of gifts, hospitality, awards, prizes, and any other benefit that might be seen to compromise the judgement or integrity of the Trust should be avoided.

Approval must be sought from the Chief Financial Officer for purchasing gifts from public funds, which might be seen to compromise the judgement or integrity of the Trust for example, gifts, awards, prizes.

Approved funding of gifts to trustees, governors, employees, pupils, or suppliers, will be documented by the Principals/Headteachers and Chief Operating Officer for Trust central staff and have regard to propriety and regularity. The purchase of alcohol using public funds is considered irregular use of public funds and must not be undertaken.

## **17. Keeping within the Law**

Employees must 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; it depends on the nature of the investigation/charge.

## **18. Disqualification under the Childcare Act**

The 2018 regulations are made under section 75 of the Childcare Act 2006. They set out the circumstances in which an individual will be disqualified for the purposes of section 75 of the act.

Schools and Academies are prohibited from employing a disqualified person in connection with relevant childcare provision unless the individual in question has been granted a waiver by Ofsted for the role they wish to undertake.

Employees are covered by this legislation if they are employed or engaged to provide early years childcare (this covers the age range from birth until 1 September following a child's fifth birthday, that is up to and including reception year) or later years childcare (this covers children above reception age but who have not attained the age of 8) in nursery, primary or secondary school settings, or if they are directly concerned with the management of such childcare.

Childcare disqualification is an additional requirement to the general child safeguarding arrangements provided under the Disclosure and Barring Service (DBS) regime, which apply to all children.

Applicants to roles covered under the legislation will be asked to declare if they are disqualified in line with Disclosing offences – Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)

Those already in post in relevant childcare roles are required to inform their Principal/Headteacher immediately if their circumstances change during their employment. In addition, employees in such roles will be required to make an annual declaration.

Further details can be found - <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006>

Employees must ensure that they:

- Uphold the law at work;
- 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;
- Breaching Academy/School policies relating to legal compliance around attendance at school of children whose parents are members of staff. Please note employees who are parents may face prosecution over non-school attendance of their children.

Within this Trust employees must inform HR and the following 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 Chair of Trustees for the Chief Executive Officer
- The relevant Directors of Education and Chair of LGB for Principal/Headteacher
- The relevant Principal/Headteacher will decide for employees within their academy.
- The relevant line manager for staff employed within the central team.

The appropriate line manager in consultation with HR will then need to consider whether this charge or conviction damages public confidence in the Trust or makes the employee unsuitable to perform their duties

## **19. Conduct Outside of Work and at Work Related Functions**

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

Employees must not engage in conduct outside work which could 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 the Trust becomes aware of that could impact on their role within the Academy/School/Trust or affect the Academy/School/Trust's reputation will be addressed under our Disciplinary Procedure.

The Learning Community Trust therefore expects employees to make us aware immediately of any such situations that have happened outside of the Trust.

Employees must 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 LCT's reputation.

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 the Learning Community Trust become aware of any such incident or behaviour, the Trust 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 is considered inappropriate, that could have impact on an employee's suitability to work with children, will be addressed under LCT Disciplinary Procedure and may lead to a referral to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (where appropriate).

The Learning Community Trust therefore expects employees to make it aware immediately of any such situations that have happened outside of the Trust.

## **20. Agency Workers**

The Learning Community Trust will investigate allegations made against agency workers with the cooperation of the agency. Whilst it may decide to cease using the services of an agency worker, this will not prevent it from investigating allegations and liaising with the Local Authority Designated Officer (LADO) to determine a suitable outcome. The Trust expects agency workers and agencies to cooperate with its investigations and with external agencies where applicable.

The Learning Community Trust will discuss with the agency whether it may be appropriate for them to consider suspending an agency worker, or whether it is prepared to redeploy an agency worker during an investigation.