



GUIDANCE FOR CONDUCT

Endeavour Learning
Trust

Approved by:

Date:

Last reviewed on:

Next review due by:

1. INTRODUCTION

As public servants paid from the public purse, the public is entitled to expect the highest standards of conduct from all Endeavour Learning Trust (ELT) staff. This guidance reflects relevant legislation and expectations applying to all working in the Trust.

This Guidance for Conduct should be read in conjunction with ELT's Disciplinary Policy. The aim of this document and the Disciplinary Policy is to set out the standards of conduct expected of all employees and to provide a framework within which ELT can work with employees to maintain those standards and encourage improvement where necessary.

This Guidance for Conduct does not form part of any employee's contract of employment and it may be amended by the Trust at any time.

In this policy references to personnel/bodies are to the personnel/bodies present within the Trust at which the particular member of staff reviewing the policy is engaged.

This guidance 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 Children Act 2004
- 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 (2022) 'Keeping children safe in education'
- DfE (2018) 'Working Together to Safeguard Children'
- DfE (2018) 'Staffing and employment advice for schools'

This policy also has due regard to the non-statutory guidance produced by the Safer Recruitment Consortium:

- Guidance for Safer Working Practice 2022

The Trustees have overall responsibility for the effective operation of this Guidance for Conduct and for ensuring compliance with the relevant statutory framework. The Trust has delegated day-to-day responsibility for operating the Code of Conduct to the Chief Executive Officer (CEO), Executive Headteachers /Heads of School and Headteachers (collectively 'Heads').

2. NOLAN PRINCIPLES

The following general principles apply to ELT staff and are embodied within the requirements of this document. Staff must at all times practice and exhibit the seven principles of public life:

- Selflessness
- Objectivity
- Openness
- Leadership
- Integrity
- Accountability
- Honesty

3. STATUS OF THE GUIDANCE

This document sets out the minimum standards that should apply and is not exhaustive.

4. APPLICATION OF THE GUIDANCE

This guidance applies to all ELT staff at all levels and grades. Inevitably some of the issues covered affect senior, managerial and professional staff more than others. However, any member of staff who considers that he/she is not affected by any provision must seek written confirmation of this from the CEO before not complying with any requirement of this guidance. Non-compliance or claimed ignorance of the guidance will result normally in disciplinary action being considered.

Whilst this policy does not directly apply to agency staff, self-employed contractors or volunteers, the expectations of good conduct detailed herein are equally applicable to such categories of workers and appropriate action may be taken where such workers fail to meet the reasonable expectation of the Trust in this respect.

5. GENERAL REQUIREMENTS AS AN EMPLOYEE OF ENDEAVOUR LEARNING TRUST

As a member of staff of ELT you must and you are required to: -

1. Fulfil the obligations placed upon you under the terms of your contract of employment, i.e.
 - Be ready and willing to work as specified in your role definition/Job Description
 - Conduct your work in a co-operative manner
 - Attend work
 - Be punctual in time keeping
 - Be honest and trustworthy
 - Obey reasonable management instructions
 - Take care of yourself, your colleagues and others while at work
 - Take care of ELT property
2. Familiarise yourself with, and follow the Health and Safety rules applicable in your particular area of work/location, including compliance with ELT's Smoking at Work Policy, which can be found on the Trust portal.
3. Accept and adhere to ELT and Academy policies and procedures, which include but are not limited to Health and Safety, Equality, Recruitment and Selection, Safeguarding and Child Protection, Guidelines for Safe Working Practices, GDPR and Data Protection and the Acceptable Use Policy, which can be found on the trust portal.
4. Display commitment to [ELT's Ethos and Vision](#) and conduct yourself in a manner consistent with these at all times.
5. Undertake your duties and responsibilities effectively, efficiently and diligently.
6. Show respect for all people (students, parents, the public, fellow members of staff, staff from other agencies etc.) you come into contact with in the course of your duties by being polite and

courteous. Demonstrate continually whilst at work your commitment to ensuring equality for all in the community of the Trust.

7. Maintain the confidentiality of confidential information obtained in the course of your employment. You must also not use any information obtained in the course of your employment for personal gain or benefit, nor should you pass it on to others who might use it in the same way. Guidance on the management of confidential information is available from the Chief Operating Officer (COO) and the appropriate levels of confidentiality as outlined in the Safeguarding and Child Protection Policy.

8. Follow ELT's procedures governing:

- Trade Union/Professional Association activities (as appropriate for members of Trades Unions/Professional Associations)
- Your personal responsibility as an employee for reporting absence/changed circumstances, recording attendance at work, notifying use of the Trust's facilities, claiming payments/expenses/allowances etc.
- Your professional responsibilities in respect of the service provided to students, parents and/or other customers.
- Contracts/the ordering of services or materials ensuring you at all times exercise fairness and particular where dealing with all customers, suppliers, other contractors and sub-contractors. You must ensure no special favour to current/former staff or partners/relatives or associates. All staff must adhere to the Trust's Financial Regulations which can be obtained from the COO.
- The acceptance of gifts in cash or kind and hospitality – please ensure that you abide by the Gifts and Hospitality Policy, which can be found on the Trust portal.
- Sponsorship or being sponsored in an ELT activity.
- Your involvement in any financial interests that may be considered as being in conflict with ELT's interests (Interests must be declared).
- Involvement in any non-financial interests that could be considered to bring about conflict with ELT's interests and involvement in the activities of voluntary organisations or other external bodies. (Advice must be sought from HR)
- Personal relationships at work.
- Outside employment (Staff of ELT should not take outside employment which is considered in conflict with ELT's interests. Advice about this should always be obtained from HR with CEO approval).
- Any Managerial responsibilities you may have, including those relating to operational, financial and personnel matters and statutory obligations.
- Membership of any organisation which is not open to the public without formal membership and which has a commitment of allegiance or which has secrecy about rules of membership or conduct.

9. Use the appropriate lines of communication (i.e. via your line management, wellbeing survey's and/or if necessary via the Whistleblowing Policy) to express your views/issues relating to your employment.

10. Follow ELT's arrangements in relation to contact with the media. You must acknowledge and accept that as an ELT employee all press enquiries concerning the business of ELT should be channelled through the CEO.

11. Notify your line manager* of any known or suspected breaches of the Law or ELT's policies, procedures and regulations, and co-operate with any investigation of such breaches. (*if you feel unable to approach your immediate line manager on a specific matter, you should notify a more senior manager responsible for the area of the service in which you work.)

12. Disclose to ELT as required on appointment, or at any time, any civil/criminal charges/convictions/orders. (being charged or in possession of a conviction may not necessarily debar you from appointment or lead to disciplinary action; however, failure to disclose where required will be considered as a serious act of misconduct).

As the work at ELT will have regular contact with children and is exempt from the Rehabilitation of Offenders Act 1974. You are required to declare any convictions, cautions, bind-overs or prosecutions pending you may have, even if they would otherwise be regarded as 'spent' under this Act.

13. Disclose any pecuniary interests whether direct or indirect as required under the ELT register of relevant business and pecuniary interests.

14. Be receptive to and participate in, training courses provided which ensure the safety and well-being of all, the maintenance of quality services and which also provide personal development opportunities.

15. Ensure you use public funds/equipment/resources entrusted to you in a responsible and lawful manner ensuring value for money to the local community and avoiding legal challenge to ELT.

16. Notify the CEO (via your line manager) of any personal relationship in or outside of work which may result in your honesty/objectivity/integrity being challenged in your role with ELT.

17. Notify the CEO (via your line manager) of any change in your personal circumstances which could affect your ability to fulfil your contracted role with ELT.

18. If supplied with a uniform or clothes/overalls for your role with ELT you must wear these whilst carrying out your duties. All other staff are required to dress in a way which is appropriate to the work they have to do as determined by their line manager or recognised conventions.

19. Take care to ensure that your personal hygiene and also your personal appearance is respectful of the conventions of your workplace and internal/external working environment.

20. Declare any interest/involvement with any outside organisations which may benefit financially or contractually from decisions taken by ELT. Refrain from direct participation in any decisions on any items which may directly benefit any such organisation and ensure your relationship with any such organisation is declared and understood whenever you contribute to any discussion which may have a material effect on its business with ELT and under no circumstances lobby staff of ELT for support on behalf of any such organisation.

21. Only use school/Trust equipment to take photographs or videos. Using personal mobile phones for this purpose is prohibited, in accordance with the Trust's policy. Careful consideration should 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.

In addition to complying with the above, you are also expected to conduct yourself, both on and off duty, in a manner compatible with your employment status with ELT.

Particular staff also have Professional Association Codes of Conduct applicable to their professional role. Any breach of this guidance (where applicable) is not acceptable under this Guidance for Conduct.

If you fail to meet the standards of conduct as set out this may be regarded as a breach of discipline and may be dealt with under the terms of ELT's disciplinary procedures.

6. DRESS CODE

We work hard within our communities to provide positive role models for our students. To this end it has been agreed that all staff should adopt a smart professional dress code.

- Staff should dress smartly and professionally at all times and wear clothing, which is suitable for the performance of their specific role and appropriate to their level of visibility to pupils or the general public.

Staff should not wear casual, gym or beach wear to work. This includes track suits,

- sweat-shirts, casual or sports t-shirts or shorts (unless for physical education lessons), combat trousers, jogging bottoms, denim or leggings. Clothing should not be dirty, frayed or torn. Tops should not carry wording or pictures that might be offensive or cause damage to ELT's reputation. It is inappropriate to wear clothing such as cut-off shorts, crop tops, skirts which are above the knee, low cut tops, see through material or clothes that expose areas of the body normally covered at work.
- Footwear must be safe and clean and take account of health and safety considerations.
- Staff should not wear clothing or jewellery that could present a health and safety risk.
- Earrings, piercings and visible tattoos should be discreet and in line with professional dress.
- All staff must wear their name badges / ID ensuring the photo card is visible at all times.

7. REPORTING CONCERNS OVER PROFESSIONAL ADULTS

It is acknowledged that safeguarding is paramount, and all ELT staff should know the procedures for reporting concerns over professional adults/adults in positions of trust (including supply staff, volunteers and contractors).

ELT references the guidance on reporting concerns and allegations as outlined in the latest iteration of Keeping Children Safe in Education. Further information on the management of allegations can be found in the ELT's Whistleblowing Policy.

Reporting concerns/allegations that may meet the harm threshold:

If staff have a safeguarding concern or an allegation is made about another member of staff (including supply staff, volunteers, and contractors) harming or posing a risk of harm to children, then:

- This should be referred to the Head.

Where there is a concern/allegation about the headteacher or head of school:

- This should be referred to the CEO.

Where there is a concern about the CEO:

- This should be referred to the Chair of Trustees.

Where there is a concern about the Chair of Trustees:

- This would be referred to the Local Authority Designated Safeguarding Officer (LADO).

Where there is a conflict of interest in reporting the matter to the CEO, this should be reported directly to the Local Authority Designated Officer(s) (LADOs).

Reporting low level concerns:

As part of our whole school approach to safeguarding ELT ensure that an open and transparent culture is promoted in which all concerns about all adults working in or on behalf of the Trust (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately dealt with.

ELT recognises that creating a culture in which all concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should:

- enable schools to identify inappropriate, problematic or concerning behaviour early
- minimise the risk of abuse
- ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

ELT acknowledges that a low-level concern does not mean the concern is insignificant. A low-level concern is anything that breaches the staff code of conduct but does not meet the threshold of harm. Staff are encouraged to report any concern where there is a sense of unease or a 'nagging doubt' about the behaviour of an adult working for or on behalf of ELT.

Some examples of low-level concerns might be:

- Staff using personal devices to take pictures of children, contrary to ELT policy
- Staff treating some children differently or displaying favouritism
- Online behaviour contrary to ELT policy
- Being over-friendly with children
- Humiliating children

This is not an exhaustive list of concerns.

ELT reminds all adults working for or on behalf of ELT that any low-level concern should be reported as soon as the concern emerges. The process for reporting low-level concerns is set out below:

- Low-level concerns involving an adult working/volunteering in one of the ELT schools should be reported to the Head in the first instance. Depending on the nature of the low-level concern, the Head may consult with the Designated Safeguarding Lead (DSL) or Central Team Safeguarding Lead to take a collaborative approach with decision making.

GUIDANCE FOR CONDUCT ENDEAVOUR LEARNING TRUST

- Low-level concerns regarding the Head should be reported to the CEO. The CEO may consult with the Chair of Trustees and/or Central Team Safeguarding Lead to take a collaborative approach to decision making.
- Any low-level concerns involving a member of the ELT Central Team should be reported to the Director of HR, who may consult with the CEO and Central Team DSL (where the concern does not involve the CEO, in which case the Chair of Trustees) throughout the decision-making process.
- Low-level concerns relating to contractors/supply staff/professionals from other agencies should be reported to Head (or Chief Operating Officer if central) where the concern was identified. These concerns will then be shared with Central Team who will ensure the information is shared directly with the employer.

ALL staff are encouraged to report any concern they have over an adult working for or on behalf of ELT. This includes staff self-reporting if they have found themselves in a position where they may have breached the staff code of conduct or behaved in a way which might be interpreted as a concern.

Where there is any doubt on whether a concern is low-level or whether the concern meets the threshold of harm, the senior safeguarding lead should be involved and the LADO should be consulted by the senior safeguarding lead.

In order to effectively respond to low-level concerns, the person to whom the report is made will gather as much information as possible in order to inform the decision-making process and any actions. They will do this by speaking to the person who has raised the concern (unless it has been raised anonymously) and any other individual involved/witnesses. Other sources of information may be reviewed where they exist and are relevant e.g. CCTV (in line with associated policies).

All concerns will be recorded in writing and include details on a rationale for decision making. Records will be confidential and stored securely in line with the GDPR and Data Protection Act 2018.

Records will be reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, ELT will decide on a course of action, either through disciplinary procedures or where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, in which case it will be referred to the LADO.

Courses of action will include, but not be exclusive to, consideration over disciplinary procedures as well as further support through training and monitoring of professional practice through management structures.

Records of low-level concerns will be retained for the duration of the employee's employment/association with ELT.

Low-level concerns will not be included in a reference, unless the concern relates to unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) will not be referred to in a reference.

8. MONITORING

Trusts Approach to Monitoring

Employees have legitimate expectations that they can keep their personal lives private and that they are also entitled to a degree of privacy in the work environment. The Trust will be clear about the purpose of any monitoring and satisfied that the particular monitoring arrangement is justified by real benefits that will be delivered. Employees should be aware of the nature, extent and reasons for any monitoring, unless (exceptionally) covert monitoring is justified. The Trust will identify who within the organisation can authorise the monitoring of workers and ensure they are aware of the employer's responsibilities under the Data Protection Act 2018. In particular, any data collected will be kept secure and access will be limited to authorised individuals.

The Trust will not use personal information collected through monitoring for purposes other than those for which the monitoring was introduced unless it is clearly in the individual's interest to do so or it reveals activity that no employer could reasonably be expected to ignore.

Extent of Monitoring in the Workplace

For educational and people management reasons, and in order to carry out legal obligations in our role as an employer, use of our systems including the computer systems, use of the internet and any personal use of them, may be continually monitored by automated software or otherwise. In addition, the premises are monitored by CCTV, which records data inside and outside all The Endeavour Learning Trust premises.

Monitoring is only carried out to the extent permitted or as required by law and as necessary and justifiable for educational and people management purposes.

CCTV Monitoring

The Trust's operation of its CCTV system is in compliance with the Data Protection Act and the UK General Data Protection Regulations.

Parts of Trust premises which are monitored by CCTV are clearly identified by prominently placed signs. CCTV has been installed in those areas for the purposes the detection and prevention of crime, safeguarding and for the safety of visitors and employees. It may be necessary to use information recorded on CCTV to assist with a disciplinary investigation in cases where there is a clearly justifiable business case to do so.

Misconduct

The Trust may use information gathered through employee monitoring as the basis for disciplinary action against employees. If disciplinary action is proposed as a result of information gathered through monitoring, employees will be given the opportunity to see or hear the relevant information in advance of the disciplinary meeting.

Covert Monitoring

If the Trust has reason to believe that certain employees are engaged in criminal activity, the Trust may use covert monitoring to investigate that suspicion. In such instances, any monitoring will take place under the guidance of the police and will be carried out in accordance with Data Protection legislation.

Additional Monitoring

Prior to introducing any monitoring not already covered by this policy, the Trust will:

- identify the purpose for which the monitoring is to be introduced
- ensure that the type and extent of monitoring is limited to what is necessary to achieve that purpose
- where appropriate, consult with affected employees in advance of introducing the monitoring
- weigh up the benefits that the monitoring is expected to achieve against the impact it may have on employees.

The Trust will ensure employees are aware of when, why and how monitoring is to take place and the standards they are expected to achieve.

9. GROSS MISCONDUCT

You should note that a breach of certain standards will be regarded as gross misconduct and could result in your dismissal from employment for a first offence. Gross misconduct will be dealt with under ELT's disciplinary procedures and will normally lead to dismissal without notice pay in lieu of notice (summary dismissal).

Examples of gross misconduct include but are not restricted to: -

- Stealing from the employer, staff, clients or the public, other offences of dishonesty
- Sexual Misconduct at work
- Racial Harassment of other staff, clients or members
- Any form of harassment of students, parent's other staff, clients or members including Bullying
- Fighting, Physical Assault
- Serious Violation of ELT's policies relating to conduct at work, e.g. anti-bullying policy, computer security policy, data protection policy etc
- Falsification of a qualification or employment record which is a stated requirement of employment or which results in financial gain
- Deliberate damage to or misuse of the employer's property
- Drunkenness or being under the influence of drugs at work
- Falsification of records or claims for personal gain
- Wilful disregard of Health and Safety regulations/rules
- Serious negligence which causes unacceptable loss, damage or injury
- Serious violation of Catering Hygiene regulations
- Intimidation of 'whistle-blowers' or witnesses to hearings (internal/external)
- Other similar acts of misconduct which are regarded as misconduct of such a nature that they fundamentally breach the contractual relationship between the employee and the

GUIDANCE FOR CONDUCT ENDEAVOUR LEARNING TRUST

employer

- Misconduct outside working hours in instances such as criminal prosecution and or conviction/caution for such actions where there is a relevance to your duties and/or an effect on your contractual relationship with ELT and on clients/colleagues (note disciplinary measures will not automatically be appropriate in these instances)

If you are in any doubt about what is required or expected of you, you should raise the matter with your line manager.

Copies of the ELT's policies and procedures are available to you for reference on the staff portal.