



# **St. Nicholas School Canterbury**

## **STAFF CODE OF CONDUCT POLICY**

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| <b>Governing Body Committee</b>        | <b>Finance and Resource Committee</b> |
| <b>SLT responsibility</b>              | <b>Stephen King</b>                   |
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## STAFF CODE OF CONDUCT POLICY

### INTRODUCTION (INCLUDING DEFINITION)

The school believes that it is essential for standards of conduct at work to be maintained to ensure delivery of quality services and also to protect the well-being of all its employees and pupils. The following policy will make sure that all employees are aware of the standards set by the school.

#### Purpose

The purpose of this policy is to establish, and encourage all employees to achieve, high standards of conduct at work, and to help provide a fair and consistent way of dealing with alleged failures to observe them.

All employees in the school are expected to give the highest possible standard of service to the public. Employees should conduct themselves with integrity, impartiality and honesty. Breaches of conduct and personal behaviour will be dealt with under the guidance for Discipline (see below).

All employees in the school have an absolute duty to promote and safeguard the welfare of children in the school (whether in school, during the school day, out of the school premises or out of hours), and to take appropriate action where they consider that a child may be at risk of suffering harm. They are expected to maintain safe standards of behaviour themselves in their work and relationships with all students - following the Government guidance on "What school and college staff should do if they have concerns about another staff member who may pose a risk of harm to children" – within Keeping Children Safe in Education (DFE, 2021).

Registered Teachers are, in addition, bound by the code of conduct and professional values of The Teachers' Standards (DFE, 2012a), see Appendix 1. While Registered Teachers are bound by the Standards, the school considers the principles to apply to **all staff** employed in the school and not exclusively to registered teachers. The national professional standards for HLTAs (2012), Teaching Assistants (2016) and the Core Standards for Support Staff (2015) also provide the national expectations for professional and personal behaviour.

#### Discipline

St Nicholas School is a supportive "Community of Learners". The school will support staff who may have personal or professional difficulties which may affect their professional performance or maintenance of this code of conduct e.g. through meetings, risk assessments, special arrangements etc. Where concerns remain, despite this support, a verbal warning may be given to alert staff that the issue will move into the realms of disciplinary action. Where disciplinary action takes place, this will be in accordance with the schools' Personnel Service Procedure for Managing Staff Disciplinary Matters and Poor Performance in Community Schools Guidance (SPS, 2017 [App. 2]), which has been agreed and recognised by the Unions and is recommended by Kent County Council. St Nicholas School has also adopted the Guidance for Dealing with Allegations for Abuse against Teachers and other staff (DFE, 2012b – App. 3) and Ensuring Good Behaviour in Schools (DFE, 2012c – App. 4). The school has its own policies for School Discipline, Grievance and whistleblowing.

St. Nicholas School recognises that staff member exhibit conduct - behaviours, attitudes, beliefs and attitudes which could be categorised as a 'low level concern'. As part of our safe culture our staff understand that these 'nagging doubts' may be part of a bigger picture of concern that could constitute or cumulatively contribute to a potential abuse – these concerns are reported via our whistleblowing policy (see KCSIE 2024).

*The school has adopted the KCC "Safeguarding procedures for managing allegations against staff in schools and education settings" [2019] (see App. 5) and Early Years/Foundation Stage Settings [2014] (see App. 6). The allegation record form will be used to record and report the concern (see App. 7).*

### **Scope**

The policy applies to all employees and temporary/casual workers of the school including volunteers and parent helpers.

## **POLICY INTO PRACTICE**

### **Confidentiality**

Employees must not disclose any official/confidential information. Employees must not use information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Staff must also not share information relating to parents, families and/or the schools' intellectual property.

Information on pupils may not be disclosed without the consent of the child's parent, or where a child is of reasonable understanding, the child. The only exceptions to this are:

- To safeguard the welfare of the child, information may be disclosed in accordance with the school's Safeguarding policy, the Kent Safeguarding Children Board and Working Together To Safeguard Children (DfES, 2006).
- Where information is requested by the Police to detect or prevent offending.
- Where otherwise allowed to be disclosed by a legal obligation (for example, to give information to a child protection case conference), or an Order of a Court.

It may not be appropriate to agree to maintain confidentiality, where to do so would cause harm or allow unacceptable practices to persist. For further information see the Whistleblowing Policy.

### **Disclosure of Information**

Employees of the school may in the course of their duties have access to confidential information. The law requires that certain types of information must be available to LA Members, auditors, government departments, service users and the public.

Employees must not use any information obtained during their employment for personal gain or benefit, nor should they pass it on to others who might use it for personal advantage.

### **Disclosure of Personal Information Relating to Employees/Pupils/Public**

Many employees have access to personal information relating to other employees, pupils and other members of the public. All employees must treat this information in a discreet and confidential manner (the Data Protection Act 1998) and adhere to the following guidelines:

Written records and correspondence should be kept securely at all times.

Information relating to staff/pupils/public must not be disclosed either orally or in writing to unauthorised persons.

Information relating to pupils/public must not be given over the telephone unless the caller has given details of their right to ask for such information. Employees should check on the caller's right to information by obtaining their telephone number and calling back to check their identity or by asking for a written request for information.

Confidential matters relating to staff/pupils/public/school events should not be discussed in areas where they may be heard by passers-by, i.e. corridors, reception, lifts, staff room, via social media etc. Any breach of confidentiality may be regarded as misconduct and be subject to disciplinary action, see the Discipline Procedure (SPS 2017, Appendix 2).

As a general rule employees should not make statements or write letters to the media, if in doubt they should refer such matters to their Head Teacher.

### **Additional Activities**

For the purposes of the Working Time Regulations employees who have more than one employment (either inside or outside the school) should seek their Head Teacher's approval, this should be reviewed annually. Before undertaking another job, employees must also inform their manager of other work undertaken so that the total level of work undertaken can be monitored. Managers should also find out if prospective employees have secondary employment that may prevent them from performing their job with the school to the standards desired.

The policy does not bar all outside work, however, all employees must be clear about their contractual obligations and must not take outside employment that conflicts with the school's interests or damages the school's interests or reputation.

### **Conflict of Interest**

All employees should ensure before they undertake additional employment that there is no conflict of interest with their duties or with the school's interests.

The public expects transparency and accountability in how decisions are made. The school expects its employees to give the highest possible standard of service and to avoid any situation where private and school interests may conflict. An employee, who believes that she or he is in a situation that may cause a conflict of interest, should discuss their situation with their Manager/Head Teacher.

Where this is not declared and there is a clear conflict of interest this may be considered misconduct. Where there is a financial/other benefit to the employee it may be seen as gross misconduct. Where there is a likelihood of dismissal for inappropriate personal interest, it is the responsibility of the school to demonstrate that there is a genuine financial risk in continuing to employ the employee in the same capacity. An investigation will be necessary before beginning such a course of action. Below are further examples of what constitutes personal interest:

Employees must exercise fairness and impartiality when dealing with all parents, pupils, customers, suppliers, other contractors and sub-contractors and no part of the local community should be discriminated against.

Employees who have access to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.

Employees, who engage or supervise contractors or have any other official relationship with, contractors and have previously had or currently have a private or domestic relationship with them, must declare that relationship to their manager.

Employees must also declare an interest where:

- An employee has membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules, membership or conduct.
- Where an employee allocates school places to an acquaintance or relative
- Where an employee manages an allocated area of the school budget.

Employees must also declare an interest where they have a pre-existing relationship with their neighbours, friends or family members who may be the pupils and their families. School staff may become an employee of our pupils'/their families via new direct payment/respite care placement supporter. This presents a potential conflict of interest to this area of the code of conduct policy and enable breaches of confidentiality to become more likely. These potential personal relationships between staff and our pupils/families may require email, social networking, mobile phone or direct personal contact to be maintained outside school, but these situations are not down to the school to manage.

Staff must declare to the SLT all situations where the school policy is difficult for them to follow. We will try to offer support and help those involved draw up an informal risk assessment/set of boundaries to follow – we will try to move staff with the conflict of interest to a class away from the pupils/families involved, to create a space. St Nicholas School may not be able to help the staff member with any personal or professional conduct difficulties that may arise out of such a relationship.

### **Inventions and Patents**

The Patents Act 1977 as amended by the 1988 UK Copyright, Designs and Patents Act states that inventions and patents, e.g. plans, reports, designs, unique processes or software, etc. are the property of the employer if:

- They have been made in the course of the employee's normal duties; or
- They have been made in the course of duties specifically assigned to the employee and where invention might be reasonably expected; or
- It was made in the course of the employee's duties and at the time the employee had (because of the nature of his or her duties and particular responsibilities arising from them) a special obligation to further the interests of the employer.

### **Relationships**

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

### **Contact with Pupils and Other Young People**

Individual staff members should follow the good practices recommended by our Online Safety, Health and Safety and Positive Behaviour Support Policies. Staff should seek advice from and/or raise any concerns with the senior leadership team over issues in the following areas:

- Infatuations
- Social Contact including via social media or digital platforms
- Physical Contact
- Physical Education and other activities which require physical contact
- Showers and Changing
- Pupils in Distress
- Behaviour support
- Care, Control and Physical Intervention
- Sexual Contact with Young People
- One to One Situations
- Overnight Supervision and Examinations
- Transporting Children
- Educational Visits and After School Clubs
- First Aid and Administration of Medication
- Intimate Care
- Sensitive areas of the Curriculum

- Photography, Videos and other Creative Arts

### **Appointment and Management of Staff**

Employees involved in the recruitment of internal and external staff must ensure that the decision to appoint is based on merit, (see the school Safer Recruitment Policy). An appointment that is based on anything other than the ability of the candidate to do the job may leave the school vulnerable to allegations of discrimination. Employees must not be involved in an appointment where they are related to an applicant or have a close personal relationship with him or her. At least one member of each interviewing panel will have undergone Safer Recruitment Training and Safer Recruitment Practices are followed before, during and after any appointment process.

For the purposes of this guidance the definitions of partners/relatives are ongoing personal and emotional relationships, marriage and close family members e.g. siblings, parents-descendants and 'in-law' relationships. A personal relationship may also include the relationship between a parent and the current life partner of their descendant.

It is the policy of the school that spouses/partners will not be employed where there will be a line management relationship between them relating to discipline, promotion or pay adjustments and/or where they will be employed together in the area of contracts or finance – this is due to the potential conflict of interest. This will ensure that our parents and staff feel confident that decisions within the school are made in a fair and equitable way based on the reasonable application of professional judgement. Equally managers and supervisors will want to ensure that their decisions are not influenced by personal considerations. The requirement of managers to maintain confidentiality may also put strains on personal relationships.

If a personal relationship develops where there is a line management responsibility, managers must investigate the situation and discuss the issues with the employees concerned. Where there is evidence that the working relationship will cause a conflict of interest i.e. where the service involves financial and/or contract work the manager must look for an alternative post for one of the employees involved. The decision of who should move to an alternative post must be based on the degree of impact the loss of either employee would have on the particular service. Each case must be decided on its merits to ensure that the decision made is on objective and reasonable grounds and not unfairly discriminatory.

There may be the opportunity to retain both employees in the same area if another manager can take on the line management element of the role in the same department or if the work can be re-arranged. A decision can only be made once a full investigation has taken place and the employees have had an opportunity to express their views. Where there is no alternative post or way of working, this may result in dismissal for "some other substantial reason". Managers must ensure that the decision to redeploy or dismiss is fair and based on measurable criteria. A full investigation must be undertaken before a decision is made. Dismissal is not automatic; all other avenues must first be explored.

### **Gifts and Hospitality**

Employees should not accept any personal gifts from pupils and their families, contractors and external suppliers unless the gifts are insignificant items with a value not exceeding £20.

Employees must not accept offers of hospitality unless there is a genuine need to impart information or represent the school in the community. Offers to attend purely social and sporting functions should be accepted only when these are part of the life of the community or where the school should be seen to be represented. They should be properly authorised by a member of the leadership Team and recorded in the Gifts/Hospitality Register held in the school Office, if above £20.

## **Acceptance of Gifts**

Under the Prevention of Corruption Acts 1906 and 1916 it is an offence for an employee of a public body in his or her official capacity to accept any gift, inducement or reward, including hospitality, for showing favour or disfavour to any person or other organisation. It is the responsibility of the person receiving the favour to prove that it was not received dishonestly. The following must be considered:

- Employees acting in an official capacity must not give the impression that their conduct both inside and outside work with any person or organisation is influenced by the receipt of gifts, rewards and hospitality or any other such consideration.
- Employees must think about the circumstances in which they are made offers and be aware that they may be regarded as owing a favour in return.
- Employees must seek permission from their line managers before accepting such offers and be aware that the offers may have to be returned/refused.
- When gifts/hospitality have to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the school.
- How an employee should react to an offer depends on the type of offer, the relationship between the parties involved and the circumstances in which the gift or hospitality is offered:
- Employees must not be seen to be acting in their own personal interests and need to be careful that their behaviour cannot be misinterpreted.
- An offer of a bribe or commission made by contractors, their agents or by a member of the public must be reported to the line manager. Hospitality from contractors should also be avoided for where employees/team are singled out for example Christmas lunch etc, this may be perceived as preferential treatment.
- Employees must not accept significant personal gifts. However, there are occasions when children or parents wish to pass small tokens of appreciation to staff, e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value, generally not exceeding the value of £20.
- Employees must be particularly wary from accepting gifts from a pupil where it is suspected that a pupil has a crush on the employee.
- No one working for, employed by, or providing services on behalf of the school is to make, or encourage another to make any personal gain out of its activities in any way. Any person becoming aware of a personal gain being made at the expense of the school, contractors or the public should follow the Whistleblowing Policy.
- It is essential that all details of gifts and hospitality above the value of £20 be discussed with SMT, before acceptance, and then recorded in the Gifts/Hospitality Register.

## **Sponsorship – Receiving**

Where an external organisation wishes to sponsor a school activity, whether by invitation, tender, negotiation or voluntarily, the basic principles concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

## **Matters of Conscience**

Where an employee believes he or she is being required to act in a way which is illegal, improper, unethical, or in breach of the school's conventions, which may involve possible maladministration, or which is otherwise inconsistent with the Policy for Conduct he or she should refer to their line or Head Teacher or to the Whistleblowing Policy.

Where an employee is aware, or has evidence of illegal, improper or abusive behaviour of another employee he or she should refer to their line manager or the Policy for Equal Opportunities.

Where an employee is aware, or has evidence of illegal, improper or abusive behaviour of another employee towards a pupil, he or she must notify immediately the head teacher, unless the allegation is against the head teacher, when he or she should bring it to the attention of the Chair of Governors.

Where an employee fails to report such concerns, this may be construed as misconduct and could lead to disciplinary action.

### **Personal Behaviour**

The school believes in treating all employees with respect and trust in a mature, respectful and considerate manner and expects the same approach from employees. The school expects employees to respect the school's property, other employees and their property, suppliers and the public at all times. Employees also demonstrate and model the characteristics they are trying to inspire in pupils. Failure to observe the standards of behaviour expected breaks the bond of trust that is fundamental to the employer/employee relationship and may lead to disciplinary action. Staff must follow all school policies and procedures, implement all training given and use all equipment provided to ensure the safety of protection of themselves and others - their colleagues, visitors and pupils. The school has adopted the national Teacher Standards (2012) for personal and professional behaviour and apply them to our school leaders, HLTAs, TAs and all office/support staff and these form part of our performance management process. NB: Staff are aware that where their decisions/behaviour in their personal lives call their professional judgement into question, causes potential reputational damage to the school or presents a safeguarding risk to their own family or friends outside of school, then disciplinary and/or safeguarding actions may be taken by the school senior leadership team. The Discipline procedure (see school performance management and capability policy and the SPS model policy – Discipline and Conduct) will be initiated where any employee is found to be in breach of this Policy. If an employee is found guilty of gross misconduct he or she may face dismissal.

The premises or grounds of St. Nicholas school or any of its campuses must not to be used as a venue for staff to: maintain their inter-personal relationships, store personal belongings, keep their own vehicles off the road or stay overnight/sleep/reside over a short, medium or long-term period (unless in exceptional circumstances, following the [written] permission of the SLT).

### **Staff Wellbeing (Including Mental Health and Reduced Physical Capacity)**

A policy for well-being is in the process of being produced. Where staff have difficulty performing their daily duties due to a difficulty with their physical well-being, a Reduced Capacity Risk Assessment will be drawn up by a trained school leader. A phased return to work/duties may be required. A referral for advice/medical assessments from the Occupational Health service may be made.

Where staff have difficulty performing their daily duties due to a difficulty with their emotional well-being, a staff Well-Being Plan may be drawn up by a member of the Well-being or Creative Therapies Team or by a trained Mental Health First Aid Instructor. Where a staff member has experienced a significant Mental Health crisis (and/or they may have caused themselves significant harm) a Well-Being Plan may be initiated as part of their (phased) return to work. A referral for advice/medical assessments from the Occupational Health service may be made.

### **Absence from Work**

All leave should be approved prior to it being taken. This includes parental leave, special leave, etc. Failure to notify absence is unauthorised absence and considered as misconduct which may lead to disciplinary action. Any requests over three days for leave of absence need to be put in writing to the Chair of Governors, requests for less than three days should be made to the headteacher by completing the appropriate [Microsoft Forms](#).

Where absence is unplanned e.g due to illness, personal circumstances etc, the school office **must** be notified by **7.30 am** by email to [staffabsence@stns.org.uk](mailto:staffabsence@stns.org.uk). If you are self-certificating you will need to email school each day to notify of your continued absence or the day you are returning. If you



have been signed off by a doctor the certificate will need to be sent into school and you will need to confirm at the end of that period when you return to work by email. Failure to comply with this procedure is considered misconduct and may lead to disciplinary action. An electronic form ([Microsoft Forms](#)) will be sent out upon receipt of first day of absence email which is to be completed on first day of return to work.

### **Poor Timekeeping**

Managers must set a timekeeping standard that is known to all employees. This standard should be applied consistently with employees arriving and departing from their place of work at the agreed times.

Employees must inform their managers/colleagues of their whereabouts and expected time of return when they are out of the office e.g. off-site meetings/visits etc.

If a staff member knows that they are running late, the school office must be informed by 8.50am – if the office is unattended a message must be left on the answering service. Failure to comply with this procedure is considered misconduct and may lead to disciplinary action.

### **Maintenance of the Fire Register/Safeguarding Responsibilities**

All staff must wear their 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 electronically via the plip each and every time they leave the building – this is to enable an accurate fire register to be maintained at all times.

### **Negligence**

Negligence arises from failure by the employee to exercise reasonable care in his or her work. Employees must not cause loss or damage through carelessness, negligence, a reckless act or breach of instructions. It is only a disciplinary offence if the individual is considered to be personally responsible.

### **Prohibited Conduct in Intimate Care**

Staff must not under any circumstances visually examine or physically assess a pupil's private areas. Any request from a pupil to do so must be declined, and concerns should be immediately reported to the Designated Safeguarding Lead (DSL) who will formulate a plan of how to respond, which may include seeking the views of the parent (safeguarding responsibilities may override this however).

### **Low-Level Concerns and Whistleblowing Enhancement**

Any deviation from the school's safeguarding and intimate care policies, even if well-intended, must be reported as a 'low-level concern' or as a formal safeguarding concern depending on the severity. Staff are encouraged to use the school's whistleblowing policy if they believe safeguarding protocols have been breached.

### **Disciplinary Consequences for Breaches**

Failure to adhere to safeguarding policies related to intimate care will be investigated under the school's disciplinary procedures. This may include formal warnings, suspension, or referral to external safeguarding agencies where appropriate. Where the school is required to complete an internal investigation, following an intimate care or safeguarding-related allegation the school incident response plan will be followed.

## **Refusal to Obey a Reasonable Instruction**

It is the responsibility of all employees to carry out reasonable instructions. In those circumstances where an employee refuses to obey a reasonable instruction, it will be necessary to investigate the situation and depending on the outcome of an investigation it may result in disciplinary action. See the Whistleblowing Policy, where refusal to carry out a reasonable instruction is linked to a matter of conscience.

## **Social Behaviour**

Employees should be aware of the following expected standards of behaviour when attending work, related events in and outside of work time or any other circumstance where attendance or actions could be seen as representing the school:

- The Conduct and Personal Behaviour Policy will still apply e.g. regarding drug/alcohol abuse, harassment and discrimination.
- Consideration and respect for others
- Those in a position of management/supervision should not behave in any way that could undermine their position
- The school should always be seen in a favourable way by the public
- The personal lives of our staff (decisions, relationships, choices, views [expressed] and activities) must not cause conflict in school or bring conflict onto school premises – this may cause a conflict of interest and/or potentially cross-over into disciplinary action.

Employees using private vehicles for school business must ensure:

- The vehicle is road worthy and complies with Road traffic/Transport regulations.
- That the vehicle is insured for “business use”
- They are licensed to drive the vehicle
- They do not drive under the influence of drink/drugs or where there is ill health that may impair their ability to drive the vehicle safely.
- They abide by the current Road Traffic/Transport Regulations.

## **Alcohol/Drugs**

Employees must ensure that they are not unfit for duty as a result of the effects of alcohol or drugs. Staff should be aware of the lasting effects of alcohol and drugs both prescription and illegal, and ensure that any consumption of these substances does not impair their ability to discharge their duties. See Appendix 5 for further guidance.

## **Smoking**

The school is a non-smoking organisation. Smoking is not permitted on the premises of the main school site or any of the off-site units.

## **Health & Safety**

Employees also have a duty to familiarise themselves with all the safety regulations that apply to their job and the area in which they work and participate in all mandatory training related to H&S matters. See Health and Safety Policy.

## **Fraud and Corruption**

An employee who commits a fraudulent act is liable to disciplinary action, which may include dismissal and possible criminal prosecution even for a first offence. Fraud is defined as any manipulation of an accounting system or supply system to enable public money or material to be misappropriated.

Employees involved in the investigation of alleged fraud may be required to sign an additional code of conduct relating to their specific duties.

### **Private use of Official Facilities**

Employees are not to use official stationery for private purposes and must not carry out private correspondence during working time. Employees are allowed to make private essential telephone calls that cannot be made outside working hours but this privilege must not be abused and the duration of all calls must be kept to a minimum. Employees are not permitted to take items of stationary, books or other school resources off the premises (e.g. for home use) without the prior approval of a member of the leadership and management team – as this could, otherwise, be considered as a theft.

Employees must obtain prior approval from their manager to borrow school property to use at work home for duties / reasons other than their normal work responsibilities, e.g. laptop computer, printer for reasons such as personal study, emergency purposes). When removing school property from the building, for personal reasons, staff members may be asked to show evidence of their manager's consent.

### **Reporting of Arrests, Prosecutions, Etc.**

Employees must report to their manager details of any arrest or criminal conviction or caution made against them - before or during their appointment - by the Police (except for minor traffic offences, i.e. where they do not mean imprisonment or suspension of his or her driving licence), where the offence is also a breach of discipline and/or may have a direct impact on the employee's job, or where it calls into question their suitability to work with children. NB: Staff are also required to declare the convictions or offences of their family members, friends or guests they share a house with, where it brings them into conflict with child care disqualification by association safeguards. Staff should also be aware that their prior personal and professional behaviours, if contrary to the spirit of safeguarding, health & safety and child protection, may now potentially call their judgement and continued employment in a school into question (KCSIE, 2020).

### **False Statements**

Employees must not make any false statement e.g. on subsistence/mileage claims, etc. Where there is evidence of an employee submitting such claims, he or she will be liable to disciplinary action and/or prosecution under the Theft Act 1968.

Where an employee has witnessed misconduct i.e. a fraudulent activity; he or she will have a duty to report such an incident. See also – the Whistleblowing Policy.

### **Discrimination**

It is the school's policy that all current and prospective employees will have equal opportunity for employment, promotion and training on the basis of relevant ability, qualifications and merit. Employees must ensure that they do not unfairly discriminate on the grounds of gender, race, colour, marital status, national or ethnic origin, nationality, disability, sexuality, age or religion. All job applicants and workers are treated equally and the school are willing to make reasonable adjustments where appropriate for disabled applicants and workers.

### **Harassment/Bullying**

The school seeks to provide an environment for all employees, contractors and temporary workers free from harassment, bullying, intimidation and victimisation.

Disciplinary action will be taken against any employee who is found to have committed a deliberate or unlawful act of discrimination, sexual or racial harassment or bullying. See the Single Equality Scheme, Anti-Bullying and Race Equality Policies.

The school seeks to:

- Eliminate unlawful sexual discrimination
- Eliminate sexual harassment
- Promote gender equality
- Take positive action to eliminate racial discrimination and harassment
- Promote equality of opportunity for all members of the school community
- Promote good relations between people of different racial groups.

Where safeguarding issues based on sex and gender come to the attention of the school these will be dealt with according to our child protection procedures.

### **Abuse of the E-Mail/Internet or Other ICT-Based Services**

The school will not accept any abuse of e-mail/internet/Social Media or telephones. Such behaviour may result in disciplinary action.

All staff must abide by the Internet Safety Policy, sign the Acceptable Use of Internet & ICT Equipment Statement and should exhibit appropriate, safe behaviours regarding the use of new technologies. It is the schools' position that staff should consider the risk of potential personal conflict before they choose to engage in social media activities outside school with other staff. We do not recommend any social media contact with parents outside of the school closed Facebook group, and will not be able to support staff with any potential issues that arise over this. No staff social or digital media contact is allowed with current pupils of the school or former pupils under the age of 18 (NB: we do not recommend any social media contact with former pupils over the age of 18). A potential conflict of interest to this policy may exist for staff who have personal relationships (friends, family, neighbours or employees/carers outside school) to pupils and their families – see conflicts of interest and the Online Safety Policy/Acceptable Use Statement.

### **The Use of your Own Personal ICT Devices/Systems to Support Your Work**

St Nicholas School may offer staff members with a laptop, tablet or USB storage devices, these will all be compliant with all current data protection and security protocols. All staff are provided with a school professional email addresses, access to the VLE and cloud storage. The school also operates a *Bring Your Own Device To Work* policy. In order for Staff to be able to use their own personal devices to access work purposes, they will have declared a) which devices they will have used/will continue to use to access their work files and /or emails, and b) that they have and will maintain adequate security (passwords, encryption and/or fingerprint technology) & anti-virus software and malware protection installed on each device – to avoid a data theft or breach by an accidental data loss by the staff member or a deliberate data hack by a third party. If both of these criteria are not met/continue to be met, they are no longer allowed to use their personal devices in order to assist them carry out their work duties. Acceptable ICT devices could be mobile telephones and data storage devices such as USB memory sticks or portable hard drives (which may be bought into school) or mobile tablets, desktop PCs or laptops (which can only be used outside school).

NB: Staff members are responsible for i) the ongoing maintenance and security of their school-owned devices, ii) implementation of safe data protection and security procedures, iii) sharing of information used with the Senior Leadership Team of St Nicholas School and iv) reporting of any data losses or breaches that may occur due to their used of the own (mobile) devices. Mobile phones, tablets and wearables (i.e. smart watches) are not to be used or checked (for notifications) in the classroom, they should be kept in a staff bag, locker, cupboard and/or only checked during the staff breaktime.

Staff may only save or transport sensitive personal information/datafiles using secure the encrypted cloud or USB storage areas.

## **Dress and Appearance**

Dress and Appearance are matters of personal choice and self-expression. However, staff should consider the manner of dress and appearance appropriate **to safety, protection and** their professional role which may be different to that adopted in their personal life.

Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. The following should be considered:

- Footwear should be sensible (i.e. closed toes) for the prevention of injury and the maintenance of the pupils' safety. NB: 'Crocs', although closed-toed are not considered safe or appropriate footwear due to their lack of arch or heel support and therefore can compromise the safety of the Musculo-skeletal security of the foot and ankle joints. Equally Crocs do not provide adequate protection against an impact e.g. foot stamp, fallen object or contact with moving wheeled equipment.
- Tops and trousers should be appropriate with consideration we are role models to our pupils and are working closely with (adolescent) students
- (High) fashion clothes should not be worn as they may be inappropriate, untidy, revealing or of sentimental/financial value to the staff member.
- Jewellery should be safe, sensible and not of sentimental value (e.g. stud earrings, hidden chain necklaces, small band rings) for the protection of the staff members themselves, their colleagues and the students they work with.

The school accepts no liability for any damage that may ensue to clothing or jewellery as part of the working day.

## **MONITORING AND REVIEW**

To be reviewed on a yearly basis by the Deputy Head Teacher and will keep up to date with any statutory legislation and any changes will go via the Governing body.

## **Equality, Safeguarding and Equal Opportunities Statement**

St Nicholas School, in all policies and procedures, will promote equality of opportunity for students and staff from all social, cultural and economic backgrounds and ensure freedom from discrimination on the basis of membership of any group including gender, sexual orientation, family circumstances, ethnic or national origin, disability (physical or mental), religious or political beliefs.

As part of our commitment to meet the Public Sector Equality Duty (PSED), St Nicholas School aims to:

- Provide equal opportunity for all;
- Foster good relations, and create effective partnership with all sections of the community;
- Only take actions which does not discriminate unlawfully in service delivery, commissioning and employment;
- Provide an environment free from fear and discrimination, where diversity, respect and dignity are valued.

All aspects of Safeguarding will be embedded into the life of the school and be adhered to and be the responsibility of all staff.

## **LINKS TO OTHER POLICIES**

- Safeguarding
- Disciplinary and Capability – “KCC Model Procedure for Managing Staff Disciplinary Matters and Poor Performance in Community Schools” – See Appendix 2
- Positive Behaviour Support
- Managing Allegations
- Anti-Bullying
- Complaints
- Vexatious complaints
- Sickness and absence policy
- Safer recruitment policy
- The management of incidents of violence
- Race Equality
- Reporting Racial Incidents
- Single Equality Scheme
- Online Safety
- Wellbeing
- Performance Management and Capability Policy
- Acceptable Use of Internet and ICT Equipment Statement
- Whistleblowing
- Grievance
- Health And Safety Policy – Plus Appendices with Reference to Residential Trips, Personal Evacuation and Intimate Care
- School Discipline and Conduct

## Code of Conduct and Personal Behaviour Declaration

**I have read and understood the Code of Conduct. I agree to work within the principles of the Code. I agree also agree to work within the policies, practices and guidance of the policies for Child Protection, Internet Safety, Positive Behaviour Support and Health & Safety.**

|              |                  |
|--------------|------------------|
| <b>Name:</b> | <b>Position:</b> |
| Signature:   | Date:            |

*Please sign and return to the school.*

*For new staff this form should be sent along with acceptance of your terms and conditions, prior to commencing employment with the school.*

## Appendix 5

### Alcohol and Drugs Misuse

1. The early identification of an alcohol or drug problem and taking appropriate action will minimise the effect of the problem on the school and other employees and may also help reduce any stress experienced by the individual.
2. It may be very difficult for people to admit they have a problem. There may well be a feeling of shame or fear of reprisals, particularly if they are taking illegal drugs.

3. There is no single symptom of an alcohol or drug problem. The presence of any or some of the following may indicate one (unless the employee is suffering from an undisclosed illness/disability):

**Absenteeism**

- Excessive sick leave, frequent and unexplained absences and lateness
- Frequent Monday and/or Friday absences
- Excessive lateness especially on Monday
- Leaving work early
- Frequent visits to the cloakroom
- Unexplained absence from post

**High rate of accidents**

- Frequent accidents at work resulting in injury and/or damage to equipment
- Accidents away from work

**Poor work performance**

- Difficulty in concentrating
- Taking longer than usual to do tasks
- Having a erratic work pattern
- Difficulty in recalling conversations, instructions or details
- Sticking to routine tasks and avoiding complex ones
- Frequent mistakes
- Improbable excuses for poor work
- Telling lies about performance
- Bad decision making
- Reluctance to accept responsibility

**Change in personality and behaviour**

- Anxiety
- Depression
- Irritability
- Lethargy
- Mood swings
- A tendency to blame others
- Over-sensitivity to criticism
- Problems relating to colleagues
- Avoiding company
- Changes in attitude to authority

**Additional signs**

- Smelling of alcohol at work
- Intoxicated at work (slurred speech, unsteadiness)
- Bloodshot eyes
- Shaky hands
- Poor personal hygiene and unkempt appearance
- Frequent borrowing of money
- Loss of driving licence through drink driving

The above is only a guideline; managers must investigate and not make assumptions as similar symptoms may occur in some illnesses. When in doubt managers are advised to contact their Personnel Provider.

4. Managers will encourage employees to seek help as soon as a problem is identified. Consideration will need to be made about the most appropriate action. To help bring any issues into the open a confidential meeting should be arranged with the individual (he/she may be accompanied by either a friend or union representative).

The meeting will need to be handled sensitively and focus on the wish to improve the employee's performance. The purpose should be to encourage the employee to admit there is a problem and explore the cause or reason for the problem.

It is important to establish whether any aspect of the job or stress has made the employee turn to drugs or alcohol.

It should be emphasised that the employee should be encouraged to seek help from a GP or a specialist agency.

5. Employees with a drink or drugs problem should have the same rights to confidentiality and support as they would if they had any other medical condition.
4. If the employee has difficulty in admitting there is a problem, then the Capability Guidance must be followed.

The consequences of continual poor performance need to be underlined if an employee is not ready to admit or refuses to recognise there is a problem. It is important to try and be supportive for as long as possible, however, where there are risks relating to health and safety action, transferring the employee may be necessary in the short term.

Where an employee continually fails to reach adequate performance levels and fails to accept help and/or improve then it may result in dismissal, through the fair application of the Capability Guidance and Procedures.