

The Learning for Life Partnership



Employee Code of Conduct

Written by the Trustees of The Learning for Life Partnership
for adoption by all schools within the Multi-Academy Trust.

Implemented: Summer 2021

Review date: Summer 2022

Signed: _____ (Chair of the Trustees board)

Signed: _____ (CEO)

The Learning for Life Partnership
Working in partnership to improve life chances for all

EMPLOYEE CODE OF CONDUCT

1. Introduction

1.1. The Trust will foster a culture of the highest professional standards which follows the standards laid out in the Nolan Principles 'The Seven Principles of Public Life'.

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

Further information on these principles can be found at:

<https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

This guidance is provided to all staff so that they know what is expected of them and that they are treated fairly.

Note: for ease of reading, this Code of Conduct uses the term 'staff' throughout. Where this generic term is used, in practice this means all school staff, Trustees, local advisory board members, volunteers and all other adults working with children.

1.2 The Code of Conduct seeks to establish a set of core principles which underpin the concept of public service and which are applicable to anybody who works with children, regardless of the precise nature of the job they do.

1.3. It sets out guidance for all members of staff and other adults working with children and young people:

- the professional standards expected;
- a summary of responsibilities in order to protect and promote the welfare of children and young people;
- safer working practices;
- whistleblowing procedures;

1.4 All staff have a duty to keep children and themselves safe and to protect them from physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and Pupils and behaviour by adults that demonstrate integrity, maturity and good judgment. Following this Code of

Conduct will help to safeguard staff from being maliciously, falsely or mistakenly suspected or accused of professional misconduct in relation to Pupils.

1.5 Staff must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection. A member of staff who, in good faith, “whistleblows” or makes a public interest disclosure will have the protection of the relevant legislation (see The Whistleblowing Policy).

1.6. This Code of Conduct cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to pupils. There will be occasions and circumstances in which staff have to make decisions or act in the best interests of the Pupil where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the Pupils in their charge.

1.7 This Code of Conduct ~~must~~ will be covered in schools’ induction arrangements for all new staff and volunteers.

1.8 For most staff, this Code of Conduct will serve only to confirm what has always been their practice. Should they have any doubts about the advice contained in this document they should consult with their Senior leadership team.

1.9 This Code of Conduct forms part of the Trust’s Disciplinary Policy for staff. A serious breach of the Code will be regarded as gross misconduct. A less serious breach may result in a disciplinary warning or a lesser disciplinary sanction.

1.10 Where an allegation of abuse is made against a member of staff LFLP’s Policy ‘Allegations against Staff’ will be followed. This guidance is about managing allegations that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. It will be used where it is alleged that a member of staff has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

2. Principles of Professional Practice

2.1. All staff as appropriate to the role and/or job description of the individual, must:

- place the well-being and learning of Pupils at the centre of their professional practice.

- have high expectations for all Pupils, be committed to addressing underachievement and work to help Pupils progress regardless of their background and personal circumstances.
- treat Pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously and value diversity and individuality.
- model the characteristics they are trying to inspire in Pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people.
- respond sensitively to the differences in the home backgrounds and circumstances of Pupils, recognising the key role that parents and carers play in Pupils' education.
- seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of school.
- reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues.

2.2. All staff must:

- Treat others with respect;
- Not discriminate unlawfully against any person;
- Adhere to the LFLP Equalities and Diversity Policy and treat others equally regardless of ability, gender, age, race or position in school;
- Treat other members of staff and colleagues ~~of the school~~ professionally;
- Staff must not single out another for treatment where they feel threatened, humiliated or patronised. This type of behaviour could be seen as harassment or, in serious cases, bullying. Please refer to the LFLP Dignity at Work Policy for guidance on how to deal with such allegations.

3. Honesty, integrity, impartiality and objectivity

3.1 Staff are subject to national and local terms and conditions of employment, which are tailored to their particular job. All staff will be expected to comply with written or oral instructions, about the way in which they tackle their duties and conduct themselves.

3.2 It is against the law for public servants to take bribes. There are occasions when children or parents wish to pass small tokens of appreciation to staff, for example, 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. Money should never be accepted as a gift. Any reward given to a pupil must be in accordance with agreed practice within the school.

3.3 Staff should avoid putting themselves in debt to a colleague where this would be likely to or could be seen to influence their work.

4. Accountability

4.1 All staff are accountable to the Learning for Life Partnership and academy in which they work for their actions.

They must also respect and adhere to the leadership structure of the school, ensuring that management roles and decisions are not ignored or undermined.

4.2 Managers have a responsibility to hold staff accountable for agreed actions and to themselves be accountable to the staff they manage.

5. Stewardship

5.1 All staff, volunteers and local advisory board members must:

- Use any public funds entrusted to or handled by them in a responsible and lawful manner
- Not make personal use of property or facilities of the school unless authorised to do so

6. Personal interests

6.1 An employee must not in their official or personal capacity allow their personal interests to conflict with the school's requirements, bring the reputation of the school into disrepute, or use their position improperly to confer an advantage or disadvantage on any person.

7. Registration of interests

7.1 All staff must comply with any requirements of The Trust to register or declare interests and to declare hospitality, benefits or gifts received as a consequence of their employment.

8. Appointment of staff

8.1 Staff must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, who is a relative, friend or partner. In this paragraph:

8.2 'Relative' means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse of partner of any of the preceding persons.

8.3 'Partner' means a member of a couple who live together or who have a close personal relationship.

9. Duty of trust

All staff must, at all times, act in accordance with the trust that the academy is entitled to place in them. In like manner, the academy is expected to act in accordance with the trust that the employee is entitled to place on the academy.

10. Trade union membership

The Learning for Life Partnership supports the system of collective bargaining and believes in the principle of solving industrial relations problems by discussion and agreement. It may be advantageous for staff to belong to a trade union that represents them on the appropriate negotiating body. All staff are encouraged to be a member of an appropriate trade union.

11. Contact with parents and the general public

There is a general expectation of the Learning for Life Partnership that staff will:

- Be polite to members of the public at all times;
- Give/provide their name when speaking or writing to parents/carers and other members of the public or school community when speaking or writing on behalf of the academy;
- Ensure that any information provided in relation to the academy is accurate;
- Ensure that any information provided to third parties is in line with the Data Protection Act (2018) and the GDPR (2018).
- Respect confidential information provided to them in the course of their work;
- Avoid doing anything which could make the public doubt the motives, integrity of a member of staff of the academy or bring the school into disrepute;
- Ensure that any significant concerns or complaints expressed to them by parents, carers or the general public are passed on to the senior management of the academy (see the LFLP Complaints procedure).

12. Confidentiality

12.1 Members of staff may have access to confidential information about Pupils in order to undertake their responsibilities. In some circumstances the information may be highly sensitive. Confidential or personal information about a Pupil or her/his family must never be disclosed to anyone other than on a need to know basis. In circumstances where the Pupil's identity does not need to be disclosed the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass the Pupil.

12.2 There are some circumstances in which a member of staff may be expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated Pupil

protection responsibilities. Failure, in these circumstances, to pass on information will result in disciplinary action.

12.3 Confidential information about pupils must be held securely. Confidential information about Pupils must not be held off the school site other than on security protected school equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.

12.4 If a member of staff is in any doubt about the storage or sharing of information s/he must seek guidance from a senior member of staff who may seek further guidance from the Trust DPO. Any media or legal enquiries must be passed to senior management.

13. Propriety, Behaviour, Reputation and Appearance

13.1 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of Pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, Pupils and the public in general. An individual's behaviour, either in or out of the workplace, should not compromise her/his position within the work setting or bring the Learning for Life Partnership into disrepute.

13.2 A person's dress and appearance are matters of personal choice and self-expression.

However, staff must ensure they are dressed decently, safely and appropriately for the professional tasks they undertake. Those who dress or appear in a manner which could be considered as inappropriate for the professional tasks they undertake could render themselves vulnerable to criticism or allegations of misconduct.

13.3 Personal property of a sexually explicit nature such as books, magazines, DVDs or such material on any electronic media must not be brought onto or stored on the Trust's premises or on any LFLP device.

13.4 Social networking sites and blogging are extremely popular. Staff must not post material which may damage the reputation of the Trust or which causes concern about their suitability to work with children and young people. Those who post material which could be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.

13.5 The Trust prohibits the involvement of staff from any form of social networking with Pupils. If there is any doubt about whether communication with pupils is appropriate advice should be sought from a member of a senior management team. This is detailed further at point 17.

14. Sexual Contact with Children and Young People and Abuse of Trust

14.1 Any sexual behaviour, whether by a member of staff, with or towards a child or young person, is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. All adults working in the Trust who have contact with Pupils are in positions of trust. The Sexual Offences (Amendment) Act 2000 specifically established a criminal offence of the abuse of trust in relation to teachers and others who are in relationship of trust with 16 to-18-year olds.

14.2 Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children', defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening'.

14.3 There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person and manipulate that relationship so that sexual abuse can take place. Staff should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

14.4 A relationship between a member of staff and a Pupil cannot be a relationship between equals. There is potential for exploitation and harm of Pupils and all adults have a responsibility to ensure that the unequal balance of power is not used for personal advantage or gratification.

15. Infatuations and Crushes

15.1 Adults must recognise that a pupil may be strongly attracted to a member of staff and/or develop an infatuation. A member of staff, who becomes aware that a pupil may be infatuated with him/herself or a colleague, must report this without delay to a senior colleague so that appropriate action can be taken. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the Pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations. Whilst the risk of infatuation is not limited to younger members of staff, newly qualified teachers must recognise their particular vulnerability to adolescent infatuation.

16. Seeking advice in circumstances where concerns arise.

Examples of situations which must be reported are given below:

- Where a member of staff is concerned that he or she might be developing a relationship with a pupil which could have the potential to represent an abuse of trust,

- Where a member of staff is concerned that a pupil is becoming attracted to him or her or that there is a developing attachment or dependency.
- Where a member of staff is concerned that actions or words have been misunderstood or misconstrued by a pupil such that an abuse of trust might be wrongly suspected by others.
- Where a member of staff is concerned about the apparent development of a relationship by another member of staff, or receives information about such a relationship.

17. Social Contact and Social Networking

17.1 Staff in the Trust must not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. This includes social networking sites such as Twitter, Facebook and blogging, even if a pupil seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgment in making a response and be aware that such social contact in person, by phone or on the internet could be misconstrued and may place the member of staff in a very vulnerable position. Staff should ensure that the privacy protection facility is used and they should not use their work email address or account to access these sites. The workplace should not be named on networking sites.

17.2 Staff must not give their personal details such as home/mobile phone number; home or e-mail address to pupils unless the need to do so is agreed with senior management.

18. Physical Contact and Personal Privacy

18.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.

18.2 Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be reported to a member of the senior management team

18.3 Physical contact, which occurs regularly with a pupil or pupils, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the pupil's permission before initiating contact. Staff should listen, observe and take note of

the pupil's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the pupil for the minimum time necessary.

18.4 There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

18.5 Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a senior manager.

18.6 Some staff, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

18.7 Pupils are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.

18.8 Staff with a job description which includes intimate care duties will have appropriate training and written guidance. No other member of staff should be involved in intimate care duties except in an emergency.

19. Behaviour Management and Physical Intervention

19.1 All Pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Staff must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Shouting aggressively or hectoring is not acceptable in any situation. Deliberately intimidating pupils by overweening physical presence is not acceptable in any situation.

19.2 The circumstances in which staff can physically intervene with a pupil are covered by the 1996 Education Act. Staff may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others. Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence.

19.3 All Academies must have trained first aiders/appointed persons who the staffing body will be made aware of. Staff must have had the appropriate training before administering first aid or medication except in an emergency.

20. One to One Situations and Meetings with Pupils

20.1 Staff working in a one to one situation with pupils are more vulnerable to allegations. Staff must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met. Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker and pupil. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas of the school and to ensure that the door of the room is left open and/or visual/auditory contact with others.

20.2 Pre-arranged meetings with pupils away from the Trust premises or on the Academy site when the Academy is not in session are not permitted unless approval is obtained from their parent/ guardian and the Principal/Headteacher/Head of School or other senior colleague with delegated authority.

21. Transporting Pupils

21.1 In certain situations e.g. out of school activities, staff may agree to transport pupils only with appropriate insurance and parental consent. Wherever possible transport arrangements should be made in advance by a designated member of staff. Wherever possible and practicable transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.

21.2 Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

22. Educational Visits and after-school activity

22.1 Staff should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff remain in a position of trust and the same standards of conduct apply.

23. Curriculum

23.1 The curriculum can include or raise subject matter which is sexually explicit, or of an otherwise 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 plan should highlight particular areas of risk and sensitivity.

23.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to Pupils' questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff.

24, Photography, Videos and other Creative Arts

24.1 Many school activities involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement. The Data Protection Act 2018 and the GDPR (2018) affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the legislation that (written or electronic consent is obtained from the parent of a child for any images made such as those used for Academy web sites, productions or other purposes.

24.2 Staff need to be aware of the potential for such images to be misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable pupils who may be unable to question why or how the activities are taking place. Pupils who have been previously abused in this way may feel threatened by the use of photography, filming etc. in the teaching environment.

24.3 Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to consider the wishes of the child, remembering that some children do not wish to have their photograph taken.

24.4 Using images of pupils for publicity purposes will require the age-appropriate consent of the individual concerned and their legal guardians. Images must not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the school have access.

24.5 When using a photograph/videos the following guidance must be followed:

- if the photograph is used, avoid naming the pupil in full
- if the Pupil is named in full, avoid using the photograph
- images must be securely stored and used only by those authorised to do so
- Images and videos must not be taken on personal devices
- be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose.
- ensure that all images are available for scrutiny in order to screen for acceptability
- be able to justify the images made
- do not make images in a one to one situation.
- do not take, display or distribute images of pupils unless there is consent to do so.

- Videos material shown in class must be age and content appropriate.

25. Internet Use and Electronic Communication

25.1 Under no circumstances should adults in the Trust access inappropriate images. Deliberately accessing pornography on Trust equipment will be treated as gross misconduct and may be a criminal offence. Accessing indecent images of children on the internet, and making, storing or disseminating such material, is illegal and is likely lead to criminal prosecution and may result in barring from work with children and young people.

26. Sharing Concerns and Recording Incidents

26.1 All staff must be vigilant and share concerns and report incidents. Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. The following “Red Flag Behaviours” give indications of the kinds of situations which should be shared with a senior member of staff. (see LFLP Whistleblowing policy) An adult who:

- Allows a pupil/young person to be treated badly; pretends not to know it is happening
- Gossips/shares information inappropriately
- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way which is inappropriate for the job role
- Does not treat pupils fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses his/her position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a pupil or pupils
- Appears to have special or different relationship with a pupil or pupils
- Seems to seek out unnecessary opportunities to be alone with a pupil

27. Child Safeguarding Competences are necessary for staff and volunteers who work with Children and Young People:

27.1 Emotional Awareness:

- Aware of the range of emotions in self and others;
- Demonstrates empathy for the concerns of others;
- Listens to and understands directly and indirectly expressed feelings;
- Encourages others to express themselves openly;
- Manages strong emotions and responds constructively to the source of problems;
- Listens to personal comments without becoming defensive;
- In highly stressful situations, keeps own feelings in check, takes constructive action and calms others down;

- Has a range of mechanisms for dealing with stress, can recognise when to use them and does so;
- Shows respect for others' feelings, views and circumstances.

27.2 Working within Professional Boundaries:

- Demonstrates professional curiosity;
- Accepts responsibility and accountability for own work and can define the responsibilities of others;
- Recognises the limits of own authority within the role;
- Seeks and uses professional support appropriately;
Understands the principle of confidentiality.

27.3 Self-awareness

- Has a balanced understanding of self and others;
- Has a realistic knowledge of personal strengths and weaknesses;
- Can demonstrate flexibility of approach;
- Shows a realistic appreciation of the challenges of working with this client group.

27.4 Ability to Safeguard and promote the welfare of children and young people

- Appreciates the significance of safeguarding and interprets this accurately for all individual children and young people whatever their life circumstances;
- Has a good understanding of the safeguarding agenda;
- Can demonstrate an ability to contribute towards a safe environment;
- Is up-to-date with legislation and current events;
- Can demonstrate how s/he has promoted 'best practice';
- Shows a personal commitment to safeguarding children.
- Staff should also refer to the Safeguarding and Child protection policy