

introduction

This Code of Conduct aims to ensure that there is consistency in what is expected of the employee and employer.

It sets out guidance for employees and other adults working with children, with the intention of minimising the risk of being accused of improper conduct, particularly towards the young people with whom they come into contact during the course of their work.

This guidance is recommended to Hackney schools, nurseries and other educational settings as a model Code of Conduct. It makes clear the conduct considered acceptable, and clearly indicates what action will be taken if school rules and/or policies are broken.





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about the code of conduct

This section covers:

- The scope of the Code of Conduct
- Exceptions
- Adherence to the Code of Conduct
- Other related material

Scope

This guidance is provided to all staff so that they know what is expected of them and 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, governors, volunteers and all other adults working with children. Similarly, you should interpret the term 'schools' to mean all Hackney schools, nurseries and other educational settings.

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.

Exceptions

It is not possible to provide a complete checklist of what is, or is not appropriate behaviour in all circumstances. There may be occasions and circumstances in which staff have to make decisions in the best interests and welfare of the school and the children in their charge, which could contravene this guidance or where no guidance exists.

In such instances, the employee must ensure that senior management, preferably the

Headteacher, is made aware of the action taken as soon as possible and that a record is kept, so that they are seen to be acting appropriately.

●●● Adherence to the Code of Conduct

The school requires that all staff, including volunteers and governors read (and if necessary seek clarification) and understand this Code of Conduct as everyone is required to comply with it.

If they do not, the school may take disciplinary action against them in accordance with the school's disciplinary procedures (see the *Disciplinary Policy*). This may have serious consequences for staff, including the possibility of dismissal in the most serious cases.

The school expects the work, conduct, and integrity of all staff, including volunteers and

governors to be of the highest standard, since they directly affect:

- The learning and development of the pupils
- The success of the school
- Public confidence in the school

This Code of Conduct must be covered in schools' induction arrangements for all new staff and volunteers (see the *Induction Policy*).

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 Headteacher or Human Resources.

●●● Related material

All staff must also read the *Safer Working Practice for Adults who Work with Children and Young People* document on the website

www.everychildmatters.gov.uk and on TrustNet, which provides clear advice on appropriate and safe behaviours for all adults working with children.

If you do not have access to the Intranet, please inform your Headteacher who will arrange for a printed version of this document to be provided to you.





general standards of behaviour

This section outlines the expected standards of behaviour that must be demonstrated.

Personal standards

The personal standards of behaviour must be high in dealing with other staff, volunteers, governors and children.

Public confidence in staff would be undermined if they:

- Take drugs or drink alcohol while at work/on duty, or drink at social events within or outside working hours to the extent that their work could be affected. (See the *Drug and Alcohol Policy*)
- Threaten, fight or assault anyone on the school premises, or persist in verbal or non-

verbal behaviour, which would intimidate anyone. It should also be noted that any such action outside the school premises which could potentially bring the school into disrepute

- Steal, take without authority, or deliberately damage things that belong to the school
- Use their position within the school inappropriately to advance the interests of any other person or organisation with which they are associated, or show favour to any friends, family or personal contacts

Dress code

It is the school's policy to maintain an image of a professional public service organisation providing high quality services. A person's

dress and appearance are matters of personal choice. However, staff should ensure that they dress decently, safely and appropriately for the roles they undertake. Those who dress or appear in a manner that could be considered as inappropriate could render themselves vulnerable to criticism or allegation, and may result in disciplinary action.

◆◆◆ Contact with parents and the general public

There is a general expectation of the school 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 school
- Ensure that any information provided in relation to the school is accurate

- Ensure that any information provided to third parties is in line with the Data Protection Act (1998)
- 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 school 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 school.

◆◆◆ Respect for others

All staff must:

- Treat others with respect
- Not discriminate unlawfully against any person

- Adhere to the *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 Harassment and Bullying Policy for guidance on how to deal with such allegations.

◆◆◆ Honesty, integrity, impartiality and objectivity

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.

Staff, volunteers and governors should be made aware of the school's policy for accepting gifts including arrangements for the declaration of gifts received and given.

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.

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



Accountability

All staff are accountable to the school for their actions.

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

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

Stewardship

All staff, volunteers and governors 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

Personal interests

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.

Registration of interests

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

Openness

Staff must maintain appropriate confidentiality and not disclose information given them in confidence by anyone, or information acquired

which they believe is of a confidential nature, without the consent of a person authorised to give it. Unless:

- They are required by law to do so and/or
- Disclosure of the information to the appropriate person is required to adequately safeguard a child or children. See *Whistleblowing*, on page 25.

Staff must not prevent another person from gaining access to information to which that person is entitled by law.

Appointment of staff

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:

'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.

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

◆◆◆ Duty of trust

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

◆◆◆ Trade union membership

We support the system of collective bargaining and believe 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.





working with and safeguarding children

As an organisation, The Learning Trust is governed by a number of government directives, policies and Acts (Children Act, Education Act, Protection of Children Act, etc.) that place us under a statutory duty to make arrangements to safeguard and promote the welfare of children.

This section covers what this means to all staff in terms of their individual responsibilities to protect and promote the welfare of children. It covers:

- Definition of safeguarding and promoting the welfare of children
- An individual's responsibilities
- Understanding procedures for promoting and safeguarding the welfare of children

- Providing a safe environment for children and young people to learn
- Identifying children and young people who are suffering or likely to suffer significant harm, and taking appropriate action

Related material

Information in this section summarises the guidance from the UK government, provided on the Every Child Matters website.

All staff must also read the *Safer Working Practice for Adults who Work with Children and Young People* document on the website www.everychildmatters.gov.uk and on TrustNet, which provides clear advice on appropriate and safe behaviours for all adults working with children.

If you do not have access to the Intranet, please inform your Headteacher who will arrange for a printed version of this document to be provided to you.

Definition

Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Enabling children to have optimum life chances and to enter adulthood successfully

These aspects of safeguarding and promoting welfare all contribute to the five outcomes for

improving the wellbeing of children set out in the Children Act 2004, namely:

- Physical and mental health and emotional well-being
- Protection from harm and neglect
- Education, training and recreation
- Making a positive contribution to society
- Social and economic well-being

An individual's responsibilities

Everyone in the education service shares an objective to help keep children and young people safe. All staff play an important part in safeguarding children from abuse and neglect by early identification of children who may be vulnerable or at risk of harm and by educating children, about managing risks and improving their resilience through the curriculum.

All staff have three main areas of responsibility, covered in this section:

- Understanding procedures and protocols for promoting and safeguarding the welfare of children
- Providing a safe environment in which children and young people can learn
- Identifying children and young people who are suffering or likely to suffer significant harm, and taking appropriate action with the aim of making sure they are kept safe both at home and in the education setting.

The overriding principle of these policies is that the welfare of the child is paramount.

Procedures for promoting and safeguarding the welfare of children

All staff must be familiar with and follow our procedures and protocols for promoting and

safeguarding the welfare of children, and know who to contact to express concerns about a child's welfare. They should also be aware of the latest information on the Every Child Matters website: www.everychildmatters.gov.uk

Safe environment

All staff are accountable for the way in which they exercise authority; manage risk; and safeguard children and young people.

Whether working in a paid or voluntary capacity, they have a duty to keep children and young people safe and to protect them from sexual, physical and emotional harm.

Children and young people have a right to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of children and young people. Failure to do so may be regarded as neglect.

This section provides guidance on an employee's expected conduct and safer working practices.

◆◆◆ Conduct: general guidance

Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead someone to question their motivation and/or intentions.

Everyone expects high standards of behaviour from school staff.

They must:

- Adhere to the standards of behaviour outlined at the start of this Code of Conduct document (see page 5)
- Always consider whether their actions are warranted, proportionate and safe and applied equitably

- Take reasonable care of pupils under their supervision with the aim of ensuring their safety and welfare
- Continually monitor and review their practice and ensure they follow the latest guidance
- Comply with relevant statutory provisions which support the well being and development of pupils, including where these require co-operation and collaboration with a range of agencies, as well as teacher colleagues and other adults

They must **not**:

- Seriously demean or undermine pupils, their parents, carers or colleagues, or act towards them in a manner which is discriminatory
- Misuse or misrepresent their professional position, qualifications or experience
- Bring the reputation and standing of the profession into serious disrepute

◆◆◆ Safe working practices: appropriate behaviour

We cannot provide a complete checklist of what is, or is not appropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which staff have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists.

Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of children in their charge. Such judgements should always be recorded and shared with a senior manager, preferable the Headteacher, so they are seen to be acting appropriately.

The *Guidance for Safer Working Practice for Adults who Work with Children and Young People* document (on the website

www.everychildmatters.gov.uk) provides guidance clarifying which behaviours constitute safe practice and which should be avoided.

This provides clear advice on appropriate and safe behaviours for all adults working with children when dealing with the following:

- Duty of care
- Handling and sharing confidential information about children and young people
- Relationships and trust
- Behaviour towards children
- Personal living space
- Gifts, rewards and favouritism
- Communication with children and young people
- Social contact
- Sexual contact

- Physical contact
- Behaviour management
- Control and physical intervention
- Intimate care
- Personal care
- First aid and administration of medication
- One-to-one situations
- Home visits
- Transporting children and young people
- Trips and outings
- Photography and videos
- Access to inappropriate images and internet usage

◆◆◆ Whistleblowing: What if you are worried a child is being abused

All staff have a duty to report matters concerning offences of a criminal or child protection nature.

They have a responsibility to bring matters of concern to the attention of senior management and/or relevant external agencies at an early stage. This is particularly important where the welfare of children may be at risk.

If a school employee has concerns about a child's welfare, or if a child discloses that they are suffering abuse or reveals information that gives grounds for concern, they should speak to their designated person with a view to passing on the information.

Individuals must always consider the safety and welfare of a child or young person when making decisions on whether to share information about them. Where there is

concern that the child may be suffering or is at risk of suffering significant harm, the child's safety and welfare must be the overriding consideration.

Individuals will need to use their own judgement, but it is preferable that suspicions are reported in accordance with this guidance in the *Whistleblowing Policy*. For example:

- Actions which endanger the health or safety of any individual, including risks to children or the public as well as other workers
- Sexual or physical abuse of children
- Neglect or emotional abuse of children

The website www.everychildmatters.gov.uk provides further guidance and step-by-step flowcharts in the document *What to do if you're worried a child is being abused*.

For a summary of the *Whistleblowing Policy*, refer to page 25.

◆◆◆ Reporting incidents

Following any incident where a member of staff feels that their actions have been, or may be, misconstrued, they should discuss the matter with the designated Child Protection Officer in the school, in the first instance. Where it is agreed with the CPO and the Headteacher, the member of staff or volunteer should provide a written report of the incident. A detailed written report should always be made if a member of staff had been obliged to restrain a pupil physically, or where a pupil, parent or other adult has made a complaint. The Headteacher will thereafter make a decision to contact The Learning Trust's Child Protection Officer for advice and any follow up action as deemed necessary.



whistleblowing

This section describes how to raise concerns.

◆◆◆ About the Whistleblowing Policy

Whistleblowing inside the work place is the reporting by staff or ex-staff of wrongdoing such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act either on the part of management, the Governing Body or by fellow staff.

The schools' *Whistleblowing Policy* allows staff to express their concerns without fear of victimisation, or disadvantage. It is intended to encourage and enable staff to raise concerns within the school, rather than overlooking a problem or taking it outside of the organisation.

◆◆◆ Raising concerns

The *Whistleblowing Policy* should be used to raise serious concerns, including:

- Conduct which has failed, or is likely to fail, to comply with a legal obligation
- Disclosure related to miscarriages of justice
- Actions which endanger the health or safety of any individual, including risks to children or the public as well as other workers
- Damage to the environment
- Theft or misuse of school property or assets
- The unauthorised use of public funds
- Possible fraud or corruption
- Serious departure from professional standards

- Sexual or physical abuse of children/service users/ workers
- Neglect or emotional abuse of children in the institution
- Serious breach of school, Learning Trust or Local Authority regulations
- Serious concerns about service provision, conduct of staff or others. For example something that:
 - Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the school subscribes to;
 - Is against the orders and/or policies of the school, The Learning Trust, the Local Authority or the Safeguarding Children Board;
 - Falls below established standards or practice;
 - Amounts to improper conduct.

This is not intended to be an exhaustive list. It is important that all staff raise issues when they are just concerns rather than wait until they become more serious.

●●● Fraudulent, criminal or child protection offences

All staff have a duty to report matters concerning fraud, offences of a criminal or child protection nature. Individuals will need to use their own judgement but it is preferable that suspicions are reported in accordance with this guidance rather than ignored.

●●● Making a disclosure

Staff should raise any concerns with their line manager, either orally or in writing. They have the right to have the matter treated confidentially.

If the individual feels unable to raise their concern with their line manager or the Headteacher, they may contact the Chair of Governors direct. If this occurs the individual will be asked to justify why they feel unable to raise their concern with their line manager or the Headteacher.

If the individual is not able to raise the issue with any member of the school staff because of fears of victimisation or cover up, they should contact:

- The Learning Trust, Principal Officer for Vulnerable Pupils, or other senior manager for assistance in cases of possible abuse of children
- Human Resources for any other issues

●●● External source

Whistleblowing to an external source without first going through the internal procedure is inadvisable without compelling reasons. Refer to the *Whistleblowing Policy*.

●●● Untrue allegations

Where allegations are made in good faith but it is not confirmed by the investigation, no action will be taken against the whistle blower. If, however, allegations are made frivolously, maliciously or for personal gain, disciplinary action may be taken against the individual.

●●● Independent advice

Any member of staff who has a public concern that affects a third party and who wants independent advice, may contact the

independent charity, Public Concern at Work, (www.pcaw.co.uk). Their lawyers can give free confidential advice at any stage. They can help if anyone is worried about something that is going on at work and are unsure about what to do next, or have raised concerns but are concerned that it has not been addressed and the risk is ongoing.

