



Code of Conduct

Prepared by:	Adopted by Board of Directors
NZ/LT	Autumn 2020

Content

1. Purpose
2. Public Duty and Private Interest –
 - 2.1 General
 - 2.2 Fraud and Theft
 - 2.3 Financial Inducements, Gifts and Hospitality
 - 2.4 Employee Declarations of Financial and other interests
 - 2.5 Relationships with Prospective or Current Contractors
3. Information Technology and Data Security
 - 3.1 Social Media
 - 3.2 Use of Systems, Property and Facilities
4. Secondary Employment
5. Disclosure of Information, Confidentiality and References
6. Communications with the Media
 - 6.1 Neutrality
 - 6.2 The Community and Service Users
7. Safeguarding and Child Protection
8. Recruitment and Other Employment Matters
9. Appearance and Dress
10. Health and Safety
11. Criminal Convictions
12. Smoking, Alcohol and other substances
13. General Behaviour
14. General Relationship with Pupils
15. Physical Contact with Pupils
16. Transporting Pupil

1. Purpose

This policy outlines the minimum standards for all employees of Aspire Educational Trust (including Principals, teaching staff, support staff, casual workers and members of the central trust team) and for any other persons working with our children and/or on our academy premises (for example, agency staff, volunteers, and contracted services).

Individual academies may develop and agree more detailed supplementary codes of practice on topics contained in this Code, with the aim of providing additional guidance and meeting local operational needs, as long as these are not contrary to the minimum standards set out in this document and are appropriately consulted on at a local level.

Staff must comply with this Code as it forms part of their terms and conditions of employment. Any supplementary codes of practice on employee conduct issued by individual academies, must also be complied with.

The Board believes that staff are responsible for their actions. It is the responsibility of staff members to read the Code. The Principal/Manager is responsible for making the Code available to all staff. If any of the provisions contained within this Code of Conduct, related codes of practice or any other policies are not fully understood staff must, in their own interests, seek clarification from their Manager/Principal (or Trust Senior Leadership for central team members).

This Code does not contain a comprehensive list of acts of misconduct. There may be other acts of commission or omission committed by staff that the Trust also views as misconduct and/or gross misconduct.

Pupils/students, colleagues, parents/carers and governors expect the highest standards of behaviour from Trust and Academy staff. Staff must not put themselves in a position where their honesty or integrity could be called into question. The Trust reserves the right to monitor staff, including surveillance, in accordance with relevant legislation such as the Regulatory and Investigatory Powers Act, Data Protection Act and Human Rights Act to ensure that the provisions of this Code of conduct are adhered to.

Failure to observe this Code of Conduct, failure properly to perform employee duties, serious misconduct or criminal offences committed during or outside working hours which bring the employee, an academy and/or TheTrust into disrepute will be dealt with under the disciplinary policy, and the most serious cases may result in dismissal.

Staff who are seconded to work in another academy, school or organisation are expected to conduct themselves in a manner consistent with this Code of Conduct and in a way which meets the requirements of the school or organisation to which they have been seconded.

The Code is compatible with the conventions contained in the Human Rights Act.

2. Public Duty, Private Interest

2.1 General

A staff member's academy duties and private interests must not conflict. Staff must declare any private interests relating to their academy duties. This may include, but is not limited to, membership of organisations which would be generally considered to conflict with their academy duties.

Staff must not behave in a way that could place pupils, their colleagues, or themselves at risk, and must have regard to the duty of care described in the Trusts or an academy's Health and Safety Policy and act in accordance with safe systems of work and codes of practice.

2.2 Fraud & theft

Please refer to the Anti-Fraud and Corruption Policy for further details.

2.3 Financial Inducements, Gifts and Hospitality

Please refer to the Gifts and Hospitality Policy for further details

2.4 Employee Declarations of Financial and other interests

Staff must be aware that a personal relationship with a colleague could lead to a potential conflict of interest, particularly where there is an involvement in recruitment or a line management relationship. In these instances, advice should be taken from HR.

All staff have a statutory duty to declare any financial or other interest in any existing or proposed contract or an interest in, or association with, any organisation, services, activity or person that may cause a direct or indirect conflict of interest with the Trust.

Staff in key roles may be asked to complete a 'declaration of interest form', even if they have not declared an interest.

2.5 Relationships with Prospective or Current Contractors

If staff engage or supervise contractors, have an official relationship with contractors or a potential contractor, and/or have previously had or currently have a relationship in a private or domestic capacity with a contractor, they must declare that relationship.

Staff who are privy to confidential information on contracts for tender, or costs for either internal or external contractors, must not disclose that information to any unauthorised party or organisation.

3 Information Technology & Data Security

Staff must ensure that in relation to the use of information technology (including but not limited to computers, tablets, mobile telephones, smart watches and linked devices) particular care must be taken to observe established procedures when using passwords and when logging on and off. Staff must never share passwords, which may lead to unauthorised access to systems. Where this practice is found, staff should be aware it may lead to disciplinary action. (Please refer to the Data and E-security Breach Prevention and Management Plan and the Technology and Acceptable Use Agreement for further information).

Staff must not have personal mobile devices such as mobile phones and smart watches where pupils are present. Staff will need to follow local procedures in relation to the use of personal technology.

3.1 Social Media

Social Media should be used responsibly and staff should ensure that anything published does not bring The Trust, its academies or volunteers, into disrepute, or constitute bullying or harassment of a colleague. Failure to do so may result in disciplinary action including the possibility of dismissal.

The Aspire Educational Trust strongly recommends that (unless it is an account used for work purposes, such as LinkedIn) staff do not specify in their social media profile or posts that they work for the Trust or for a particular academy.

As members of staff it is important we maintain a professional digital footprint. Staff should think very carefully and be cautious about their “likes” and sharing of material via social media – taking care not to distribute material produced, supported or promoted by radical political groups that are at odds with Aspire values and ethos.

If a member of staff sees something on social media posted by a colleague which they are uncomfortable with because it breaches this Code of Conduct, for example, which they believe could bring the Trust or their academy in to disrepute or which could constitute bullying or harassment of a work colleague, they are encouraged to pass evidence of this to their Manager/Principal, or another member of the senior leadership team. (Please refer to the Social Media Policy for further guidance)

3.2 Use of Systems, Property and Facilities

The property provided within the workplace, or to support the effective operation of an employee’s work such as telephones, mobile phones, the internet, intranet, e-mail, stationery, photocopiers and other machines or tools, materials, offices, car parks and facilities, may only be used for Trust business unless permission for private use is given by the Principal, Director or CEO of the Trust.

4. Secondary Employment

Any secondary employment (including voluntary work) undertaken must not conflict with the Trust’s interests or bring it into disrepute, must not interfere with the proper performance of a staff member’s duties, and must only be undertaken outside the employee’s working hours. In such a case it is the responsibility of the individual to ensure that they meet with all the appropriate taxation, insurance and Working Time Regulations associated with being self-employed / an employee of another organisation.

Employees are expected to discuss any other paid work with their Manager/Principal prior to taking it up. Where voluntary work will take up a substantial amount of time this should also be discussed.

Employee appointments as Governors, Councillors, Trade Union officials, membership of the Territorial Army, as a Justice of the Peace or as a Member of the Employment Tribunal do not constitute secondary employment as described in this Code. Nonetheless the principles of staff making Managers/Principals aware of these duties and seeking appropriate time off in a reasonable and timely manner apply (See Leave and Time Off Policy).

The Trustees understand the value and importance to both individuals and their academies of extending professional experience. Where an employee wishes to provide their services on a consultancy basis, either to another organisation, or as a representative of another organisation, they should first obtain approval from their Manager/Principal. In the case of Managers/Principals, approval should be sought through the Trust Senior Leaders or the CEO. Approval will be dependent on the needs of The Trust at that time.

Where the work takes place during normal working hours, any payments should be made to the Trust through an invoicing system. The individual will be entitled to claim reasonable travel expenses for providing the service, though no additional remuneration will be possible.

Where the work takes place outside the school day – evenings or weekends – this is viewed as ‘secondary employment’.

In such cases, approval must be obtained for the use of any materials owned by an academy/the Trust, or obtained through employment, therein. This is particularly important in relation to data protection and child protection.

While it is appreciated and understood that much good practice within education comes from sharing experiences and expertise, The Trust reserves the right to intellectual copyright over materials, research and innovative practices which have been developed in conjunction with or as a result of employment by The Aspire Educational Trust or its academies.

5. Disclosure of Information, Confidentiality and References

Staff should be fair and open when dealing with others and ensure that they have access to the information they need unless there is a good reason not to permit this.

Confidential, personal or financial information about any employee, pupil or parent/carer, must not be disclosed to any organisation person, or normally, to any external organisation/agency, without the express approval of the person concerned. Staff seeking clarification about ‘authorised’ or ‘unauthorised’ persons should seek the guidance of their Manager/Principal who will take specialist advice on the matter.

If during the course of their employment staff are dealing with members of their family, partners, friends or business associates this must be declared to their Manager/Principal or Senior Leader of the Trust. Where such contact occurs, staff must be impartial and act in a professional manner.

References in relation to employment should only be given in line with the Trust’s procedures. Advice on references should be taken from HR.

6. Communications with the Media

It is The Aspire Educational Trusts Policy that all media liaison relating to Trust and academy activities is handled by the Aspire Educational Trust Central Team in conjunction with Managers/Principals. If an employee has ideas for positive stories about Trust/academy activities or is approached by a journalist they should refer to the Manager/Principal or a Director of the Trust before any information is given verbally, via e-mail or in writing.

Where an employee is writing material for publication which does not refer specifically to the Trust, or an academy, but does relate to his/her profession/occupation e.g. articles in professional journals, the employee should notify his/her Manager/Principal or a Director of the Trust prior to publication.

Staff should be mindful that placing information in to the public domain through social media such as (but not limited to) Facebook, Twitter and LinkedIn in relation to the Trust, their academy, or their work in general could constitute communications with the media.

6.1 Neutrality

Staff must not allow their personal or political beliefs or opinions to interfere with their work.

Whilst engaged in Trust business, staff must not wear or display items that might bring The Trust and its academies in to disrepute or conflict with their work.

6.2 The Community and Service Users

Staff must always remember their responsibilities to the users of the Trust and its academies and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

Staff are expected to be as open as possible about their actions and the work of the Trust and its academies, notwithstanding the needs of confidentiality.

Staff must always act in a way that preserves public confidence in the Trust and its academies.

Staff have a duty at all times, to uphold the law and relevant guidance.

The Trustees will not tolerate an employee's physical or emotional abuse, harassment, discrimination, victimisation or bullying of staff, pupils, governors, parents/carers, contractors or other members of the public. Such actions may be deemed to be misconduct or gross misconduct and may result in disciplinary action including dismissal. Staff must comply at all times with any additional policies issued by the Trust or individual academies in relation to dignity at work (including harassment, discrimination, victimisation and bullying).

7 **Safeguarding and Child Protection**

Staff working with children and young people are in a particular position of great trust. Any breach of that trust, or which impacts the safety or welfare of children and young people, including but not limited to assault, sexual misconduct, or breach of the policies and procedures meant to safeguard pupils, will be regarded as potential gross misconduct. This may lead to disciplinary action including the possibility of dismissal without notice.

Staff, agency staff, contract service personnel and volunteers who work with children and young people are subject to the requirements of the Trust's Safer Recruitment policy. They must, in their own interests, read any and all codes of practice and conduct, in conjunction with this Staff Code of Conduct and must observe current legislation.

Staff are expected to comply with the Guidance for Safer Working Practice for those working with children and young people in education settings 2019, including the additional Covid addendum, which provide practical guidance about which behaviours constitute safe practice and which behaviours should be avoided

<https://www.saferrecruitmentconsortium.org/GSWP%20Sept%202019.pdf>

<https://www.saferrecruitmentconsortium.org/GSWP%20COVID%20addendum%20April%202020%20final-2.pdf>

All staff must adhere to their academy's local operating procedures in relation to safeguarding, child protection and PREVENT. This may include, but is not limited to, arrangements for private meetings with pupils, and caring for pupils who require assistance with personal care.

Any incidents involving assault, sexual offences or harassment, discrimination or victimisation against pupils, must be dealt with under the Trust's **Allegations of Abuse Against Staff policy** and the appropriate Local Safeguarding Children Board's Child Protection Guidance and Procedures, and may be reported to the police.

Staff who witness any behaviour which they consider to be detrimental to the safety and welfare of children and people within our academies have a duty to report it to their Manager/Principal, to the Director of Education, Deputy CEO or the CEO, or to HR if it relates to the behaviour of their Manager/Principal, the Director of Education, Deputy CEO or the CEO, or to 'blow the whistle' (refer to the Trust's Whistleblowing policy).

Staff working in posts covered by the Childcare Disqualification Regulations ("relevant posts") are required to declare immediately anything which could render them disqualified, and are not permitted to work in a relevant post if disqualified unless a waiver is granted by Ofsted.

It is acknowledged that staff may have genuine friendships and social contact with parents of pupils, independent of the professional relationship. Staff should, however, exercise professional judgement and seek advice if necessary, and be aware that behaviour outside of school can impact on suitability to continue in employment with The Aspire Educational Trust. Staff must not contact pupils or parents on school related business from their private email address or social media accounts: everything must be sent via agreed work-

based communication channels.

8 Recruitment and other Employment Matters

Staff must take care that they are not open to any charge of discrimination in recruitment or employment practices, by fully adhering to the Trust's Safer Recruitment policy.

To avoid any possible accusation of bias, staff must not be involved in selection and appointment processes where they are related to an applicant or have a close personal or business relationship with them. They should declare an interest where there is a potential conflict of interest in such cases.

Work decisions should be objective and always based on merit. Staff must not be involved in decisions relating to discipline, promotion or pay for any employee who is a relative, or with whom they have a close personal relationship.

9 Appearance and Dress

All staff act as representatives of the Trust, and are role models to pupils. They must therefore maintain a professional standard of dress and appearance that is appropriate or required for the role.

Staff must be clean and neat and ensure good personal hygiene when at work or representing the school.

Where particular clothing is provided for health, safety and hygiene and/or uniform purposes it must be worn, this includes name badges and staff ID lanyards.

Staff should not dress in a way that would cause embarrassment to pupils, parents, colleagues or other stakeholders.

Ensure that tattoos or body art and piercings are covered where possible.

10 Health & Safety

Staff are required at all times to observe and work to Trust and academy Health and Safety Policies and in accordance with safe systems of work, regulations and codes of practice, and relevant Health and Safety law.

11 Criminal Convictions

Under the terms of the Rehabilitation of Offenders Act 1974 (Exceptions) order 1975 (as amended in 2013), employees must disclose details of any unspent convictions, cautions, reprimands, bind-overs and final warnings they may have, including any criminal proceedings pending against them, with the exception of any criminal history that is protected or "filtered" (see the Trust's Safer Recruitment Policy). Failure to disclose such convictions and to comply with any of the above constitutes possible gross misconduct and may result in disciplinary action including the possibility of summary dismissal without notice.

Staff whose work involves driving must declare any motoring offences to their Manager/Principal.

Staff who have access to children or young people as part of their work are absolutely required to report any convictions whatsoever to their Manager/Principal. In this respect, staff must provide information of any pending criminal proceedings against them and subsequent cautions or convictions.

12 Smoking, Alcohol and other substances

Trust staff must attend work in a condition to undertake their duties in a safe manner.

The consumption of alcohol, illegal drugs or “legal highs” impairs performance and may constitute a health and safety risk and interfere with that person's health and/or work performance. Where it is evident during working time or on academy premises that a person is under the influence or has detectably taken these substances or there is other substantial reason to believe this to be the case this will be regarded as potential gross misconduct. If the person has an underlying substance related problem this will be dealt with under the appropriate policy.

Any consumption of legal drugs (i.e. prescription or over the counter drugs) which impair performance must be discussed with the manager/Principal.

The Aspire Educational Trust believes that consuming alcohol at any time when supervising young people or on school premises is inappropriate and may be regarded as an act of gross misconduct. Exceptions to this will be agreed in advance and notified to staff by the Manager/Principal for events such as staff end of term gatherings and PTA functions.

Zero alcohol is the expectation when driving on school business.

Likewise the use of illegal substances will not be tolerated and will result in the Manger/Principal, Trust Senior Leaders or CEO reporting the matter to the police.

Smoking by staff is prohibited on any Aspire sites. If staff find it necessary to smoke, they are actively encouraged to do so away from school boundaries and out of sight of pupils and, wherever possible, parents and the public.

The use of electronic smoking devices (vaping) on any Aspire site, is also prohibited.

13 General Behaviour

Staff must obey lawful instructions and always act in a way that will not adversely affect the Trust legal position. Staff are expected to promote the principles contained in the Staff Code of Conduct by self-example and to demonstrate respect for others.

The Trust expects all staff to exercise sound personal judgement, to take account of the views of others and to take individual responsibility to decide a personal view on any issue arising in the course of their employment.

Staff requiring further information or requiring advice concerning the appropriate course of action to adopt in any situation, should contact their line manager, Principal or HR.

14 Relationship with Pupils

The Trust expects that all staff will conduct themselves in an appropriate manor with regard to relationships with pupils. All staff should:

- maintain professional boundaries and relationships with pupils at all time and consider whether their actions are warranted, proportionate, safe and necessary
- act in an open and transparent way that would not lead to others questioning their actions
- ensure that they do not establish social contact with pupils for the purpose of securing a friendship, or pursue a strengthened relationship with a pupil or a relative of the pupil

15 Physical contact with pupils

The Trust understands that there are circumstances in which it is entirely necessary for staff to have physical contact with pupils. However, a general culture of “safe touch” should be adopted, where appropriate, to the individual requirements of each child. Pupils with disabilities may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupils needs, consistently applied and open to scrutiny.

When physical contact is made with pupils, it is imperative that it is conducted in a way which is responsive to the pupil’s needs, is of limited duration and is appropriate to their age, stage of development, gender, ethnicity and background.

Staff will use their professional judgement when determining what physical contact is appropriate, as this may differ between pupils. As such, the pupil’s feelings and wishes will always be taken into account.

Staff will never touch a pupil in a way which is indecent and will always be prepared to explain their actions.

Staff will be aware that even well-intentioned physical contact may be misconstrued by a pupil, by an observer or by anyone to whom this action is described and, therefore, will be prepared to justify their actions.

Staff may under extreme circumstances and when all other strategies have failed use reasonable force as a means of physical contact with pupils for restraint purposes. Such instances will always be in accordance with the Trust’s Use of Physical Restraint and Reasonable Force training and guidance. (Please refer to the AET Behaviour Toolkit for more guidance).

16 Transporting Pupil

When it is necessary to transport pupils off-site, staff will ensure that the transport arrangements of the vehicle meet all the legal requirements, they have an appropriate licence and the vehicle is roadworthy, has a valid MOT certificate and is insured.

The Trust requires staff to gain consent from parents before transporting pupils and will be aware that the welfare of all pupils in the vehicle is their responsibility.