



Loughton School

Code of Conduct and Personal Behaviour

1. Rationale

- 1.1. Loughton School believes that it is essential for standards of conduct at work to protect the well-being of all its staff and pupils and to ensure the delivery of its vision, aims and experiences. The following policy will make sure that all members of staff are aware of the standards set by the School.

2. Purpose

- 2.1 The purpose of this policy is to establish, and encourage all members of staff 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. The policy is designed to protect children and also to protect staff from placing themselves in a vulnerable position.

- Members of staff should conduct themselves with integrity, impartiality and honesty. Breaches of conduct and personal behaviour will be dealt with under Loughton School's HR Policies.
- All members of staff in the School have an absolute duty to promote and safeguard the welfare of children in the school, and to take appropriate action where they consider that a child may be at risk of suffering harm.
- All staff and volunteers are required to sign the school Code of Conduct to say they have read, understood and agree to adhere to it.
- Members of staff and volunteers should be aware that they represent the school and its values, whether at work or in leisure time. They should consider how their actions could raise questions about their suitability to work with children.

3. Scope

The policy applies to all members of staff, governors and temporary/casual workers of the School including volunteers.

4. Equal Opportunities

Our Single Equality Scheme reflects one of the School's core values. All members of staff are entitled to fair treatment by others, and to be treated with respect and dignity. In return, they are expected to treat others in this way.

5. Other Supporting Policies

To assist the School the following policies exist in conjunction with the Code of Conduct Policy

- Safeguarding and Child Protection
- Harassment and Bullying
- Grievance for Headteachers
- Grievance for Staff other than Headteachers

- Disciplinary Procedure for School Staff
- Disciplinary Procedure for Headteachers

6. Confidentiality

6.1 Members of staff must not disclose official/confidential information. 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 and Child Protection policy.
- 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.
- When failure to disclose the information places other children or adults at risk.
- When it is in the public interest for the information to be shared.
- When the organisation is working in a way that fails to protect children in its care or supports institutional abuse.

6.2 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 Whistle Blowing Policy.

7. Disclosure of information

7.1 Members of staff 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 the LA, auditors, government departments, service users and the public.

7.2 Members of staff 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.

8. Disclosure of personal information relating to members of staff/pupils/public

8.1 Many members of staff have access to personal information relating to other members of staff, pupils and other members of the public. All members of staff 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. Members of staff 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 should not be discussed in areas where they may be heard by passers-by, i.e. corridors, reception, staff room, etc.
- Any breach of confidentiality may be regarded as misconduct and be subject to disciplinary action.
- Any information sent by email must be password protected or sent via an encrypted system.

8.2 As a general rule members of staff should not make statements or write letters to the media which represent/misrepresent the school. If in doubt they should refer such matters to their Head Teacher.

9. Additional activities including conflict of interest

9.1 Additional activities

The policy does not bar all outside work. However, all members of staff 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.

Staff and volunteers should notify the school of any work undertaken (whether paid or voluntary) where they work with children. The school would be required to disclose this information to the Local Authority Designated Officer (LADO), in the event of there being concerns about the individual having contact with children.

9.2 Conflict of Interest

- 9.2.1 All members of staff should ensure before they undertake additional employment that there is no conflict of interest with their duties or with the School's interests.
- 9.2.2. A member of staff, who believes that she or he is in a situation that may cause a conflict of interest, should discuss their situation with the Headteacher.
- 9.2.3 Where this is not declared and there is a clear conflict of interest this may be considered misconduct. Where there is a financial/pecuniary interest 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 or reputational 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:

- Members of staff 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.
- Members of staff 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.
- Members of staff, 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 the Head Teacher.

9.2.4 Members of staff 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
- A Register of Pecuniary Interest must be signed annually by all staff and governors.

10. Relationships

Members of staff 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.

11. Contact with Pupils and other Young People

- 11.1 The DfE have produced an advisory document called 'Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings'. The governing body have endorsed this guidance and staff are expected to be guided by it. (Located in Headteacher's Office)

The guidance includes information on dealing with:

- Infatuations
- Social Contact
- Physical Contact
- Physical Education and other activities which require physical contact
- Showers and Changing
- Pupils in Distress
- Behaviour Management
- 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

11.2 Loughton School also expects staff to work to the MKSB (MK Together) Code of Conduct.

12. Appointment and Management of staff

12.1 Members of staff involved in the recruitment of internal and external staff must ensure that the decision to appoint is based on merit, (see the Recruitment and Selection 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. Members of staff must not be involved in an appointment where they are related to an applicant, or have a close personal relationship with him or her.

12.2 For the purposes of this guidance the definitions of partners/relatives are ongoing personal and emotional relationships, marriage and close family members.

12.3 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 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 senior managers and line managers 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.

12.4 If a personal relationship develops where there is a line management responsibility, managers must investigate the situation and discuss the issues with the members of staff 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 members of staff 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.

12.5 There may be the opportunity to retain both members of staff 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 members of staff 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.

13. Gifts and Hospitality

- 13.1 Members of staff should not accept any personal gifts of significant value from pupils and their families, contractors and external suppliers.
- 13.2 Members of staff 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 and recorded in the Gifts/Hospitality Register held with the Finance and Personnel Manager.

14. Acceptance of gifts

- 14.1 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:
- Members of staff 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.
 - Members of staff 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.
 - Members of staff 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:

- Members of staff 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 members of staff/team are singled out for example Christmas lunch etc, this may be perceived as preferential treatment.

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 Whistle Blowing Policy.

The acceptance of gifts and hospitality may be a subject of criticism placing the School in a position that it has to defend such action. Consequently, it is essential that all details of gifts and hospitality (except small tokens by children or parents as detailed above) be recorded in the Gifts/Hospitality Register.

15. 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. Governors will be consulted on any organisation wishing to offer significant sponsorship to a school activity.

16. Matters of Conscience

- 16.1 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, he or she should refer to their Head Teacher or to the Whistle Blowing Policy. This can be through the internal procedure as detailed in the Whistleblowing Policy or directly to the NSPCC Whistleblowing helpline. Number is at the bottom of this policy,
- 16.2 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.
- 16.3 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.
- 16.4 Where an employee fails to report, such concerns outlined in paragraph 16.2-3, this may be construed as misconduct and lead to disciplinary action.

17. Personal behaviour

The School believes in treating all members of staff with respect and trust in a mature, respectful and considerate manner and expects the same approach from members of staff. The School expects members of staff to respect the School's property, other members of staff and their property, suppliers and the public at all times. Members of

staff also demonstrate 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.

The Discipline Policy 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.

18. 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.

19. Poor timekeeping/Away from School

Staff have a 'duty of care' and must be punctual in performing their duties and meeting timetable commitments.

Members of staff must inform their managers/colleagues of their whereabouts and expected time of return when they are out of school e.g. off-site meetings/visits etc. For health and safety reasons, staff must sign out and in if they are away from school for part of the day.

20. Negligence

Negligence arises from failure by the employee to exercise reasonable care in his or her work. Members of staff 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.

21. Refusal to obey a reasonable instruction

It is the responsibility of all members of staff 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 Whistle Blowing Policy, where refusal to carry out a reasonable instruction is linked to a matter of conscience.

22. Social behaviour

22.1 Members of staff should be aware of the following expected standards of behaviour when attending work related events in and outside work time where attendance 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.

22.2

Members of staff using private vehicles for School business must ensure:

- The vehicle is road worthy and complies with Road traffic/Transport regulations.
- They are licensed to drive the vehicle, undergoing an additional test if necessary.
- 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 have the correct insurance that covers them to drive the vehicle for business purposes.
- They have the correct categories on their licence to drive the vehicle i.e D1 for minibus driver
- They declare any offences that has resulted in points/ or is likely to incur points on their licence,
- They abide by the current Road Traffic/Transport Regulations.

Note that the School has a Motor Insurance Policy with Marsh which provides 'Business Use' cover for staff and volunteers.

23. Alcohol/drugs

Members of staff 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 1 for further guidance.

24. Smoking

Smoking is prohibited throughout the school and on its grounds. Refer to the separate Smoke Free Policy.

25. Health & Safety

Members of staff also have a duty to familiarise themselves with all the safety regulations that apply to their job and the area in which they work. Refer to the School's Health & Safety Policy.

26. 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.

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

27. Private use of official facilities

27.1 Members of staff are not to use official stationery/equipment for private purposes and must not carry out private correspondence during working time. Members of staff 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.

27.2 The use of mobile phone and accessing e-mails, social networking sites etc for personal use must take place outside lesson and duty time and in a place away from the children e.g. school office, staff room.

27.3 Members of staff must obtain prior approval from their manager to borrow School property for use to work at home, e.g. laptop computer (other than the computer they have been allocated and signed for) printer, etc. When removing School property they must record this in the 'signing out/in equipment book' which is kept in the office.

28. Reporting of Arrests, Prosecutions, etc.

Members of staff must report to their manager details of any arrest or criminal conviction or caution made against them 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.

29. False Statements

29.1 Members of staff 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.

29.2 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.

30. Discrimination

It is the School's policy that all current and prospective members of staff will have equal opportunity for employment, promotion and training on the basis of relevant ability, qualifications and merit. Members of staff 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.

31. Harassment/Bullying

- 31.1 The School seeks to provide an environment for all members of staff, contractors and temporary workers free from harassment, bullying, intimidation and victimisation.
- 31.2 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 Equal Opportunities and Harassment and Bullying Policies.

32. Abuse of the e-mail/internet/social networking sites

- 32.1 The School will not accept any abuse of email/internet/social networking sites or telephones. Such behaviour may result in disciplinary action.
- 32.2 The downloading, sending or accessing of offensive material that affects the dignity of any individual or group of individuals at work may constitute harassment. Threatening, obscene or harassing messages including chain e-mails and material that will cause offence and/or degrade individuals or minority groups will constitute a disciplinary offence which may result in dismissal.
- 32.3 Under the Obscene Publications Act 1959 an employee may have criminal liability if an individual publishes material that could corrupt or deprave the persons likely to see the material. This includes the transmission of data stored electronically.
- 32.4 Loughton School has the right to and will monitor staff internet access. Any concerns around content being accessed will be followed up and may result in disciplinary action if appropriate,

33. Dress and Appearance

- 33.1 Dress and appearance are matters of personal choice and self-expression. However, staff should consider the manner of dress and appearance appropriate to 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. Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation.

Appendix 1

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 members of staff and may also help reduce any stress experienced by the individual. The school has a duty to support the staff member and help them access the support that may be needed,
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 an 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. Members of the Senior Management Team (SMT) must investigate and not make assumptions as similar symptoms may occur in some illnesses. When in doubt SMT staff are advised to contact their HR Provider.

4. SMT staff will encourage members of staff to seek help as soon as a problem is identified. The most appropriate action needs to be considered. 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. Members of staff 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.
6. If the employee has difficulty in admitting there is a problem, then the School's *Capability Policy and Guidance for Staff other than Headteacher and Capability Policy and Guidance for Headteachers* 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, 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 Policy*.

This code of conduct runs in conjunction with the code of conduct for those working with children.

These underpin the values that Loughton School holds as an organisation and reflects the importance we place on keeping children safe.

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.

Name.....

Signed.....

Dated.....