



**Schools' Personnel:
get the chemistry right**

MODEL CODE OF CONDUCT FOR EMPLOYEES AND WORKERS IN SCHOOLS AND PRUs

A MODEL FOR USE BY GOVERNORS, PRU MANAGEMENT
COMMITTEES AND HEADTEACHERS

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INVESTOR IN PEOPLE



CODE OF CONDUCT

FOR EMPLOYEES AND WORKERS IN SCHOOLS AND PRUs

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[Note for Governors, PRU Management Committees and Headteachers – In this model, text in square brackets [] and/or italics is intended as additional commentary to assist you when adapting it for use within your School/PRU].

CODE OF CONDUCT

FOR EMPLOYEES AND WORKERS IN SCHOOLS AND PRUs

1. INTRODUCTION

The *Governors/Management Committee's [as appropriate and throughout this document]* expectations are that all pupils receive the highest possible quality of teaching and learning within a positive and respectful environment.

It is important, therefore, that employees and workers understand that their own behaviour and the manner in which they conduct themselves with their colleagues, pupils, parents and other stakeholders sets an example and affects the school environment.

The *Governors/Management Committee* recognise(s) that the majority of employees and workers always act in an appropriate, professional manner and treat others with dignity and respect. However, we consider it important to make clear the standards we expect so that breaches, misunderstandings and/or misinterpretation of rules are kept to a minimum.

This Code is intended to set out our expected standards of conduct, our rules and values. It applies to all employees and workers, regardless of status. It is not an exhaustive compilation of what employees and workers can and cannot do but it is hoped that it will ensure everyone is clear about what is acceptable and what is not.

The Code is binding on all *school/PRU* employees. It is expected also that other workers deployed within the *school/PRU* who are employed by external Agencies or the London Borough of Enfield will adhere to its principles. Similarly, volunteers are also expected to adhere to the principles set out in the Code and should consider themselves to fall into the category of 'worker' whilst with the *School/PRU* for that purpose. Breaches of the Code and the standards expressed within it may result in disciplinary action against employees, including dismissal for serious offences. We hope, of course, that such action won't be necessary and that all employees and workers will ensure that they read the Code and act in accordance with its requirements, standards and expectations at all times.

It should be noted that it is the normal practice of this *school/PRU* to require all employees and workers to sign, on a regular basis, a declaration to confirm that their criminal record is unchanged, that there are no investigations or charges pending and, in relevant circumstances, that they are not disqualified from working in certain roles and/or provision under the Childcare Act 2006. The declaration also includes a requirement to confirm acceptance of the Code of Conduct and the rules contained within it.

If there is anything in this Code that you do not understand, you should speak to your Line Manager or the Head teacher.

2. GENERAL REQUIREMENTS AND EXPECTATIONS

The *school/PRU* has high standards and expectations of all employees and workers and the health, safety and welfare of the pupils is the priority. Therefore, it is required that you:

- provide a high standard of service in your dealings with governors, colleagues, pupils, parents and other stakeholders whether this is in person, by telephone, letter or e-mail. Always be polite, responsive and treat people with respect and consideration. Be as clear as possible about any decisions and actions you take and the reasons for them. **Act in a professional manner at all times.**
- always use appropriate language and never demean, distress or offend the decency of others. This may happen, for example, by displaying material or pictures that could be seen as offensive, or by making degrading, suggestive or insensitive comments or remarks
- do not make derogatory comments or seek to undermine the Governors, the Head teacher or other employees/workers
- respect the rights of others and treat them with dignity. Never threaten, bully, fight with or assault anyone
- never steal, damage or take items that belong to others (see also 5. 'Safeguarding and Dealings with Pupils' in relation to confiscation of items from pupils). Hand lost property in to ...[*as appropriate*]
- do not discriminate against, harass or victimise anyone you meet in the course of your work, on any grounds (see also 3. 'Equality of Opportunity').
- raise any concerns about inappropriate behaviour by pupils, parents or colleagues, or about the internal workings of the *School/PRU* or the London Borough of Enfield, by following the appropriate procedure. (Members of a Professional Association/Trade Union should also observe any Code, or rules, it has in place in relation to dealings with colleagues)
- positively promote the *school's/PRU's* vision, ethos and values
- comply with *school/PRU* policies and any other rules, regulations or codes that apply to your work and the workplace
- use electronic media communications appropriately, responsibly and legally at all times, whether within or outside the workplace/working hours
- do not make public statements about the *school/PRU* without first obtaining authorisation from the Head teacher
- avoid actions that may discredit the *school/PRU* or bring it into disrepute
- ensure that you are not under the influence of alcohol during working hours (the Headteacher will decide if it is appropriate for alcohol to be made available at staff parties/social events) and do not abuse drugs
- do not disclose or misuse confidential information
- do not engage in, or encourage, gossip, rumour or innuendo.

3. EQUALITY OF OPPORTUNITY

This *school/PRU* is committed to providing equal opportunities in recruitment, employment and the workplace and to avoiding unlawful discrimination in all related practices.

Under the Equality Act 2010, there are certain '**protected characteristics**' that qualify for protection against discrimination. These are **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation**.

Unlawful discrimination can take a number of forms:

Direct discrimination occurs where a person is treated less favourably than another because of a protected characteristic they have, or are thought to have, or because they associate with someone who has a protected characteristic (also see below).

Indirect discrimination applies to age, disability, race, religion or belief, sex, sexual orientation, gender reassignment and marriage and civil partnership. It occurs where a rule, provision, criterion or practice is applied to everyone but has the effect of particularly disadvantaging people who share a protected characteristic. However, such indirect discrimination may be justified if it can be shown that the employer acted reasonably in managing the business, i.e. that it is 'a proportionate means of achieving a legitimate aim'.

Perceptive Discrimination, applying to age, disability, race, religion or belief, sex, sexual orientation and gender reassignment, is direct discrimination against an individual due to the fact that others think, or perceive, that they possess a particular protected characteristic.

Associative Discrimination applies to age, disability, race, religion or belief, sex, sexual orientation and gender reassignment. It is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual." Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees/workers can complain about behaviour they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic him/herself. Employees and workers are also protected from harassment because of perception and association (see above).

Victimisation occurs when an employee/worker is badly treated because s/he has made or supported a complaint, or raised a grievance, or is suspected of doing so. However, s/he is not protected from victimisation if the complaint has been made or supported maliciously.

Pregnancy and maternity provisions afford protection against discrimination to women during the period of the pregnancy and any statutory maternity leave. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.

Everyone is required to assist in meeting the commitment to providing equal opportunities and avoiding unlawful discrimination. Employees and workers can be held personally liable as well as, or instead of, the employer for acts of unlawful discrimination. Anyone who commits a serious act of harassment may be guilty of a criminal offence. Acts of discrimination, harassment or victimisation against employees or customers are disciplinary matters and will be dealt with accordingly. Such acts may constitute gross misconduct and could lead to dismissal without notice.

4. MANAGEMENT AND EMPLOYEE RELATIONS

An atmosphere of mutual confidence, trust and respect between managers and employees/workers is essential to achieving the *school's/PRU's* aims and targets and providing a high quality of teaching and learning.

As an employee/worker you should:

- promote the *school/PRU* in a positive manner
- work reliably and in accordance with the *school's/PRU's* policies and practices as well as any other rules and regulations that apply to your work and/or the workplace
- carry out any reasonable instructions given to you by your manager and/or Headteacher
- recognise that you are part of a team and that everyone should be working together to achieve similar aims for the overall benefit of the pupils.

As a manager you should, in addition to the above:

- support and assist employees/workers to carry out their work properly
- in your dealings with employees, act in accordance with their relevant local and national conditions of employment/service
- in consultation with employees/workers, set standards of work and objectives, as appropriate to their role
- give feedback and advice on areas for further development to assist employees in meeting objectives
- aim to continually develop employees to meet current and future needs of the school/PRU
- ensure compliance with the Working Time Regulations 1998, as amended, recognise the need for employees/workers to pursue interests outside work and, therefore, be able to enjoy a reasonable work/life balance
- consider constructive suggestions for improvements to working practices and standards
- treat all employees/workers fairly, consistently and with dignity
- provide a working environment free from discrimination and harassment
- provide a safe and healthy working environment.

5. SAFEGUARDING AND DEALINGS WITH PUPILS

All Schools, PRUs and other Services within Enfield are committed to safeguarding and promoting the welfare of children and young people. Therefore, all employees and workers within this *school/PRU* are expected to share this commitment.

This *school/PRU* aims to create a safe and positive environment for pupils in order to protect and promote their health and general well-being, as well as to provide an atmosphere that encourages and enhances learning and all-round development.

In particular, you are expected to:

- work towards and encourage the highest possible level of achievement for all pupils
- value and respect all pupils equally, treating them in a polite, positive, responsive and considerate manner
- apply the *school's/PRU's* Policy on Behaviour and Discipline [*or state exact title if different*] as situations demand in order to encourage and develop appropriate behaviours
- ensure that items confiscated from pupils are left in a safe place, ideally labelled and locked away. Parents/guardians should be informed about when items will be returned. [*Alternatively, set out the School's/PRU's own practice or procedure for dealing with confiscated items*]
- ensure that you act in accordance with the DfE statutory guidance on 'Working Together to Safeguard Children' and that you have read and fully understand the *school's/PRU's* Child Protection Policy and act in accordance with the principles and procedures set out within it at all times
- ensure that you have read, understand and act in accordance with the Department of Education's statutory guidance document 'Keeping Children Safe in Education', 'Part One: Safeguarding Information for All Staff'
- ensure that you do not breach professional boundaries and do not act in a way that could be misinterpreted or otherwise leave you vulnerable to allegations of inappropriate behaviour. In particular, in relation to contact with pupils, you must not:
 - establish, or seek to establish, social contact with pupils or aim to secure a friendship or strengthen a relationship, for any reason. This includes 'electronic' contact, such as by e-mail or social networking sites
 - buy or give gifts to children other than as part of a *school/PRU* rewards system
 - give to, or exchange with pupils any personal details such as home/mobile telephone number or home or personal e-mail address for any reason, unless a specific need to do so is agreed with their Line Manager or the Head teacher
 - offer or give lifts to pupils in your own personal vehicle.

- exercise your professional judgment in making an appropriate response if a pupil seeks to establish social contact with you, either by electronic or other means, or if contact should occur accidentally.
- be aware and understand that all employees and workers, whatever their role, have a responsibility for safeguarding and promoting the welfare of children. If you are unclear about your responsibilities in this area or if you do not know where to find the relevant policy(ies) or the information you need in this respect, you should speak to your Line manager or to the Head teacher.

Note also that, if an allegation of abuse is made against an employee or worker, the relevant national and local safeguarding guidelines and procedures will be followed. **These are designed to ensure the safeguarding and welfare of the child/children and to protect the best interests of the individual employee/worker.** The Department for Education's statutory guidance '**Keeping Children Safe in Education**' includes information and guidance on managing allegations and is set out in Part Four 'Dealing with Allegations against Teachers and Other Staff'. **Accordingly, this will be used, along with relevant local procedures,** where it is alleged that an individual 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; or
- behaved towards a child or children in a way that indicates he or she would pose **a risk of harm to children.**

6. HEALTH AND SAFETY

All establishments are responsible for producing a Health and Safety statement and policy relevant to its own premises, practices and people. It is important, therefore, that you read and familiarise yourself with the content of the relevant documents in place within the *school/PRU* and, in particular, any specific duties assigned to you as part of the policy. *[Schools/PRUs may wish to insert details or exact titles of their own Health and Safety Policy documents and where they are located for access by employees/workers].*

You are required to comply with Safety Regulations and to use any safety equipment and protective clothing which is supplied to you by the London Borough of Enfield or by the *Governors/Management Committee*, as well as any hygiene and accident reporting requirements.

You must never act in a way which might cause risk or damage to any other members of the *school/PRU* community, or visitors. In general, all employees/workers are required to take due care for their own safety and the safety of their fellow employees at all times.

7. SECONDARY EMPLOYMENT

The Working Time Regulations 1998, as amended, are a Health and Safety initiative and cover all work undertaken. To enable the Council, Governors and/or PRU Management Committee, as appropriate, to comply with the Regulations and maintain the health and safety of all employees, you must inform your Line Manager of ALL work undertaken, or applied for, elsewhere (should you be engaged in, or intending to be engaged in, other paid or unpaid work). In addition, it is important you are aware that there should be no conflict of interest, nor any contractual conflict*, between your work for the school/PRU and/or the Council and your work elsewhere. Approval to undertake, or continue with, secondary employment can only be granted in circumstances where there is no conflict with the provisions of the Working Time Regulations nor any other conflict of interest or contractual conflict.

(*Note that a 'contractual conflict' may arise where any employment contract or arrangement for carrying out work elsewhere interferes with, or could potentially interfere with, your contract with this *School/PRU*).

Note in particular that support staff on Scale 6 and below will not unreasonably be refused permission to undertake secondary employment unless there is a clear conflict of interest, contractual conflict or a potential breach of the working time regulations.

Any employee asked to undertake private tutoring of pupils within this *school/PRU* must first discuss the situation with the Head teacher.

8. GENERAL WORKING STANDARDS

a) Hours of Work and Attendance

It is important that all employees and workers are in the workplace at their agreed starting time and do not leave before their agreed finishing time. Bad timekeeping and poor attendance increases costs, causes disruption for others and has an adverse effect on pupils' education.

The *Governors/Management Committee* recognise(s) that the majority of employees are punctual and do not take time off without good cause or obtaining prior permission.

Our expectations are that, as an employee:

- you attend work in accordance with your contract of employment and associated terms and conditions in relation to hours, days of work and holidays
- wherever possible, you make routine medical and dental appointments outside of your working hours or during holidays. The only exceptions to this requirement will normally be in the event of an emergency, particular difficulty in relation to hospital appointments (which are rarely negotiable) or to attend for ante-natal care if you are pregnant. Pregnant employees are entitled to paid time off for ante-natal appointments. In any circumstances, however, you should agree time off with your manager at the earliest opportunity to ensure that adequate cover arrangements can be made
- prior to making any request, you refer to the *school's/PRU's* policy on special leave if you need time off for any reason other than personal illness. It is important to note that, except in cases of serious urgency no employee may, without prior permission, be absent from duty for any cause other than personal illness.

b) Sickness Absence

All staff are expected to follow the *school's/PRU's* Absence Reporting Procedure [*or state exact title if different*] when they are absent from work due to illness or injury.

This procedure includes notification as early as possible on the first day of absence, keeping the school informed where absence continues, requirements for the provision of 'Statements of Fitness for Work' and procedures on return to work.

c) **Appearance and Dress**

It is expected that:

- when at work, or representing the *school/PRU*, you ensure that your appearance is neat and clean
- you always dress in a manner which is appropriate to your role and the circumstances or setting in which you work
- you remember that you are a role model for pupils and your appearance and dress should reflect this important and unique position
- you do not dress in a way that may cause embarrassment to pupils, parents, colleagues, governors, other stakeholders or visitors.

Ultimately, it will be for the Head teacher to decide whether an employee's/worker's appearance and/or dress is appropriate or not.

The *Governors/Management Committee* and the Head teacher must ensure that the rights of employees to dress as they please, and in accordance with their principles and beliefs, is balanced with the need for the *school/PRU* to promote a suitable image to its stakeholders. At all times, care will be taken not to discriminate in relation to appearance and dress requirements.

d) **No Smoking**

Exposure to secondhand smoke increases the risk of lung cancer, heart disease and other serious illnesses. Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.

In particular, you should note the following in relation to the Smokefree Regulations introduced in 2007 under the Health Act of 2006:

- It is an offence, punishable by a fine and possible criminal prosecution, to smoke (or allow smoking) in 'enclosed' or 'substantially enclosed' public places and workplaces.
- Public transport and work vehicles used by more than one person must be smokefree at all times, regardless of whether others are in the vehicle at the same time.
- Employee smoking rooms and/or indoor smoking areas are not allowed.
- All employees, workers and others must respect the law on smoking. You must understand and be clear that smoking is strictly prohibited in all areas within the *school/PRU* premises and *school/PRU* and/or London Borough of Enfield vehicles. Areas of the premises include classrooms, sports areas, dinner halls/restaurants, staff rooms, meeting rooms/Committee rooms, workshops, rest areas, stairs, corridors, lifts, toilets, reception and storage areas whether they are permanent, moveable or temporary (including, for example, tents and marquees).
- The Smokefree Regulations do not affect private homes. However, common courtesy requires that employees and workers do not smoke while carrying out home visits. (Similarly, employees and workers carrying out duties relating to their employment can request that parents,

other family members or persons within the household do not smoke while they are visiting otherwise the visit may be terminated and alternative arrangements made).

[Schools/PRUs should also refer here to any 'No Smoking' policy they have and/or specific arrangements in place in relation to any designated smoking area available to staff away from the school buildings and arrangements for smoking breaks, if any. In making any arrangements for smokers, schools/PRUs should also take into account the need to ensure that a designated smoking area must not be enclosed or substantially enclosed, should not be too close to a building where smoke could re-enter the premises such as via windows, doors, vents etc, or in high risk fire areas, such as bin storage or boiler rooms. Schools/PRUs should also consider banning smoking within certain areas around the premises, for example to avoid staff congregating just outside the school gates].

Employees and workers should also be aware and understand that the school's no smoking policy and arrangements apply similarly to the use of electronic cigarettes (e-cigarettes).

*[Schools/PRUs may wish to **further consider the use or otherwise of electronic cigarettes (e-cigarettes), as referred to above.** Although resembling traditional cigarettes they do not contain tobacco and odourless vapour released into the air is not smoke. They are, therefore, outside of the remit of the legislation. Note that the Health Act 2006 defines smoking as 'lit tobacco or anything lit that contains tobacco, or any other lit substance in a form in which it could be smoked'. As a result, employers wishing to ban the use of e-cigarettes are advised to be specific in stating this in their policies. Otherwise, a general statement prohibiting smoking cannot be relied upon to also include e-cigarettes. Schools/PRUs may wish to consider the use of such devices in specified areas, such as staff rooms. However, it is important to note that there has been much debate nationally about their use. Although, at the time of writing, there are few restrictions on the use of e-cigarettes in the UK, they are to be licensed as a medicine from 2016 under new Regulations. Whilst there may be health benefits, there have also been concerns about safety, quality and the potential for glamorizing and promoting them to children and non-smokers. Use of e-cigarettes, even in specified areas, is likely to be controversial so consultation is strongly advised. **It should also be noted in this context that there is ongoing debate about whether e-cigarettes should be banned in public places.** The example set to pupils, should they see them being used, must also be a significant factor to consider].*

Employees/workers are responsible for informing a member of the Senior Leadership Team of any breaches of the school's/PRU's smoking arrangements.

9. HONESTY AND INTEGRITY

a) General

The *Governors/Management Committee* expect(s) and trust(s) all employees and workers to be scrupulously honest in their work. Colleagues, pupils, parents and the public in general are entitled to have absolute confidence in the trustworthiness and honesty of everyone working at the *school/PRU*.

b) Conflicts of Interest and Pecuniary Interests

The business of the *school/PRU* should be conducted, and be seen to be conducted, in an objective and unbiased manner. There may be occasions when there is scope for conflict between an employee or worker's own interests and those of the *school/PRU*. It is important that such interests are clearly

documented. Therefore, to avoid any difficulties arising from a potential clash of interests you must:

- notify your Manager or the Head teacher if you have links, of any sort, with an outside organisation which may carry out work for the *school/PRU*, or supply it with goods or services (or is tendering or preparing to do so);
- not participate in any recruitment process to the *school's/PRU's* service, where you are related to, or have a close personal relationship with an applicant;
- not participate as part of any recruitment process or other panel (e.g. as a staff governor on a Pay Panel) if you may be in a position to benefit from the outcome;
- avoid acting as a professional representative on behalf of a friend, partner or relative in any business or commercial dealings they have with the *school/PRU*;
- report **any** possible conflict of interest to your manager or the Head teacher.

c) **Bribery**

There are four possible offences under the **Bribery Act 2010**:

- offering, promising or giving a bribe;
- requesting, agreeing to receive or accepting a bribe;
- bribing a foreign official to obtain or retain business; and
- failure by an organisation to prevent bribery by those acting on its behalf.

There are some people who believe they will receive better service or more favourable treatment if they offer payment, goods, services or favours. It is, therefore, important that all employees are alert to such behaviour and be aware that it is a criminal offence to request or receive a bribe, as well as to give or offer one.

d) **Gifts and Hospitality**

In relation to bribery, as referred to in c) above, the general principle is that employees/workers should not receive or ask for any gift, reward or advantage for duties carried out as part of their work or role.

It is well-established practice within the education environment that employees/workers may be presented with small tokens of appreciation, for example at festivals or at the end of a school year and this is acceptable. However, it is unacceptable to receive gifts on a regular basis from the same person or family, or to receive gifts that are of a significant value. There may be other occasions when it's appropriate to accept gifts (e.g. where refusal may offend) or where it may be difficult to return (e.g. if it is from an anonymous source). Therefore, it can sometimes be difficult to decide which offers can be accepted and which cannot.

In these circumstances, any employee or worker must only accept occasional, token gifts that are clearly a small gesture of appreciation. If gifts from the same source become frequent (monthly or more) and/or are significant in value (over £10) this must be reported to ...*[state appropriate person]* and recorded within the *school's/PRU's* Register of Gifts and Hospitality. *[Schools/PRUs may have their own arrangements for the acceptance/non-acceptance of gifts in terms an acceptable value, requirements for the reporting or recording of offers of gifts/ gifts received, procedures for the return of gifts etc. This paragraph should,*

therefore, adapted accordingly or replaced with the appropriate wording or reference made to any separate policy document].

The same principles apply to offers of hospitality as well as to gifts.

10. USE OF SCHOOL/PRU AND OTHER RESOURCES – INSIDE AND OUTSIDE WORK

[This section will need to be amended to reflect the school's/PRU's policies and arrangements in relation to use and security of its telephones, fax machines, photocopiers, printers, stationery, taking school equipment and other resources away from the workplace, etc. making clear the specific requirements and expectations].

a) School/PRU Resources and Equipment - General

All School/PRU equipment and communications systems, including (for example) photocopiers, scanners, printers, fax machines, as well as electronic systems such as Email and Internet access and any associated hardware and software and any other resources belonging to the school/PRU are for official and authorised purposes only.

Many employees and workers within the *school/PRU* have access to a wide range of electronic communication and information exchange systems. When using the resources available to them, they are in a position of trust and are, therefore, expected to act responsibly and appropriately at all times.

Electronic media must not be used for knowingly transmitting, retrieving, copying, sharing or storing any communication or information that is:

- discriminatory or harassing
- derogatory to any individual or group
- obscene or pornographic
- defamatory or threatening
- engaged in any purpose that is illegal or contrary to the *school's/PRU's* or the London Borough of Enfield's rules, regulations, policies or interests.

Managers may authorise personal use of school/PRU resources, including electronic systems which:

- do not interfere with the performance of professional duties
- are of reasonable duration and frequency
- serve a legitimate *school/PRU* interest, such as enhancing professional interests or education
- do not compromise security or safety requirements, or adversely affect the performance or work of the school, the pupils or the individual employee/worker
- do not overburden *school/PRU* systems, create difficulties for others and/or result in additional expenditure for the *school/PRU*.

As a general rule, any approved personal use of resources should be carried out outside of working hours. Managers must, therefore, consider carefully allowing discretionary use for other purposes not directly related to the work of the *school/PRU*.

Employees and workers are expected to act in an honest and appropriate manner in relation to the use of *school/PRU* resources.

Responsibility for the safe-keeping and proper use of any equipment issued lies with the individual employee/worker. Reasonable steps should be taken to prevent theft or damage to equipment, e.g. not leaving equipment visible in an unattended vehicle. Employees/workers should not remove equipment or resources belonging to the *school/PRU* without the express permission of their Line manager or the Head teacher.

Employees and workers should not bring personal laptops, iPads, tablets or similar devices into the workplace without the specific permission of their Line Manager or the Head teacher. In specific circumstances, where permission may have been granted, the equipment must be held securely at all times and not left unattended where it may be accessed by pupils or other persons.

Personal mobile phones may be brought onto the premises for practical purposes but must similarly be used responsibly and appropriately and not left unattended where they may be accessed by pupils or other persons.

Please note that the *school/PRU* does not accept any responsibility for personal belongings brought onto the premises, or elsewhere in relation to work or during working time.

b) Sensitive Information and Confidentiality

Information held relating to the work of the *school/PRU* is a resource belonging to the school. This applies whether information is held manually or electronically.

It is expected that all employees and workers will use sensitive information properly and have due respect for confidentiality. If you have access to such information, you should ensure that you:

- know what information the *school/PRU* treats as confidential (check with your manager if you are unsure)
- know who is entitled to have access to what information (check with your manager if you are unsure)
- are responsible and professional in using and allowing access to personal information on pupils, parents, staff, governors and any others
- use personal information in line with the principles of the Data Protection Acts. Such data must:
 - be used fairly and lawfully
 - be used for limited, specifically stated purposes
 - be used in a way that is adequate, relevant and not excessive
 - be accurate
 - be kept for no longer than is absolutely necessary
 - be handled according to people's data protection rights
 - be kept safe and secure
 - not be transferred outside the UK without adequate protection.

There is stronger legal protection for information such as ethnic background, political opinions, religious beliefs, health, sexual health and criminal records.

Confidentiality requirements apply whether relevant data is held manually or electronically.

Notwithstanding confidentiality requirements, as set out above, employees and workers have an obligation to share with the *school's/PRU's* Designated Senior

Person *[or state alternative title]* any information which gives rise to concern about the safety or welfare of a pupil. Employees/workers must NEVER promise a pupil that they will not act on information that they are told by him or her.

If you are unsure about the use of any information which is, or may be, deemed to be sensitive and/or confidential, you should consult your Line Manager or the Head teacher for clarity.

c) E-mail and Internet Usage

The use of e-mail and the Internet within the *school/PRU* is encouraged as it facilitates communication, enhances our work and improves efficiency. However, inappropriate use may lead to problems ranging from issues relating to productivity to legal claims against the employer. Therefore, all employees/workers are expected to:

- adhere to any requirements in place within the *school/PRU* relating to use of the systems for work-related and any permitted private use (if applicable)
- assist in reducing email overload and aid productivity wherever possible by (for example) sending email messages only to those for whom they are relevant, send blind (bcc) copies wherever possible, not automatically reply to all names on a "cc" list (it may be inappropriate in some cases or irrelevant for some recipients). Only send attached files where necessary
- be aware that although email encourages rapid communication, the contents of email messages should be written with care. Messages sent without proper consideration can cause unnecessary misunderstandings. Email should not be used as a substitute for face-to-face communication
- be aware that offers or contracts transmitted via email are as legally binding as those sent on paper
- be aware that emails and email contact lists contained on the *school's/PRU's* system are the property of the *school/PRU*, even though created by an individual employee/worker
- use the Web as and when appropriate for work purposes. Even when being used for work-related activities, browsing can be highly time-consuming
- use the Web and the email systems responsibly. Use of the Internet for illegal or inappropriate activities will not be tolerated. Such activities include (but are not limited to) online gambling, accessing offensive, obscene or indecent material, including pornography, or downloading or distributing copyright information, sending or posting abusive, rude or defamatory messages about people or organisations. The systems may not be used for sending or forwarding any message that could constitute bullying or harassment, unauthorised non-business use, including personal messages, jokes, cartoons or chain letters or posting confidential information about other employees/workers, governors, parents, pupils, the *school/PRU*, the London Borough of Enfield or anyone associated with them
- respect the copyrights, software licensing rules and property rights, and in general the privacy and prerogatives of others
- use social networking sites responsibly and appropriately (see below).

d) Computer Security and Misuse

In addition to any requirements set out elsewhere in this Code, all employees and workers must ensure that they adhere to any instructions and/or procedures provided to them in relation to computer security. This applies on first joining the

school/PRU and/or first being issued with computer equipment, during employment and on leaving.

In general, all employees/workers should note that:

- Those with access to personal data are in a particularly sensitive position and must be aware of the provisions of the Data Protection Act.
- All Internet sites accessed, as well as other applications, should be closed when finished with and computers switched off. Computers should never be left open and unattended.
- All log-ins/passwords must be kept confidential. They must not be given to any other person inside or outside the *school/PRU*. Neither should any employee/worker use someone else's log-in or password.
- No external software may be used without the prior permission of your Line Manager, the Head teacher or person within the *school/PRU* responsible for computer security.
- All electronic data must be held in an encrypted manner.

Misuse of computers is a serious disciplinary offence. The following are examples of misuse:

- fraud and theft
- system sabotage
- introduction of viruses
- obtaining unauthorised access
- using the system for private work or unauthorised game playing
- breaches of the Data Protection Act
- sending abusive or defamatory messages or statements about people or organisations, or posting such messages or statements on any websites or via e-mail
- attempting to access prohibited sites on the internet
- hacking
- breach of the *school's/PRU's* or London Borough of Enfield's security procedures.

The above list is not exhaustive. Depending on the circumstances, misuse of the computer system may be considered to be gross misconduct. Misuse amounting to criminal conduct may be reported to the police.

e) Internet Social Networking Sites

Use of work-related social networking sites is restricted to any arrangements, rules and/or protocol established by the *school/PRU*. [*Where the school/PRU has a written policy or specific arrangements in place these may be referred to here*]. You should first refer to your Line Manager or to the Head teacher if you are unclear about the use of these sites.

Work-related social networking sites must not at any time be used for personal communications.

When using a social networking site, either for work-related purposes or outside of working time for personal use, you must:

- make sure that you understand your online privacy settings and use them responsibly and appropriately
- not divulge any confidential information about, or belonging to, the London Borough of Enfield, *school/PRU*, governors, employees/workers

or pupils associated with them and/or personal data/information which could be in breach of the Data Protection Act

- not disclose any information which is not yet in the public arena
- not post any illegal material, e.g. images of child abuse or material which incites racial hatred
- not make any offensive, defamatory, discriminatory or other inappropriate comments about the London Borough of Enfield, *school/PRU*, governors, employees/workers or pupils
- not claim to be representing the London Borough of Enfield or the *school/PRU* when using social networking sites in a personal capacity (note that stating you are employed by the London Borough of Enfield, or *school/PRU* does infer 'representation'). You must make it clear when posting information or comments that any personal views expressed do not represent the views of the Council or the *school/PRU*. (Use a disclaimer such as "The views expressed here are my own and do not represent the views of the London Borough of Enfield or the *school/PRU* [state name of school/PRU]."
- not misrepresent the London Borough of Enfield or the *school/PRU* by posting false or inaccurate statements about their work
- not link your own blogs/personal web pages to the London Borough of Enfield's or the *school's/PRU's* website
- not use the London Borough of Enfield's or the *school's/PRU's* logo on any personal page, or without the specific consent of your Line Manager or the Head teacher for work-related purposes
- not publish any material or comment that could undermine public confidence in you as an employee/worker in a position of trust.

The above list is not exhaustive.

11. SCHOOL/PRU POLICIES AND PROCEDURES

All employees and workers, as appropriate, must comply with the *school's/PRU's* policies and procedures **in the areas set out below, as appropriate.**

It should be noted that those policies and procedures below marked are required by education legislation, other legislation which particularly impacts on schools, other statutory documents or documents referenced in statutory guidance and apply to maintained schools, PRUs, Academies, Free Schools, Colleges and/or other Independent Schools as indicated at the following link on the gov.uk website:**

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/357068/statutory_schools_policies_Sept_14_FINAL.pdf

[This list is not exhaustive and will need to be added to and/or amended to reflect the actual policies in place at the school and their titles].

- Admissions **Arrangements****
- Alcohol and Substance Misuse
- Anti-Bullying
- **Register of Pupils' Admission to School****
- Register of Pupils' **Attendance****
- **Statement of Procedures for Dealing with Allegations of Abuse against Teachers and Other Staff****
- **Teacher Appraisal****
- **School Behaviour and Behaviour Principles Written Statement****
- Dealing with **Bullying** and Harassment in the Workplace
- **Register of Business Interests of Headteachers and Governors****
- **Staff Capability****
- **Central Record of Recruitment and Vetting Checks****

- Charging and Remissions**
- Child Protection Policy and Procedures**
- Code of Conduct for All Employees and Workers
- Collective Worship
- Complaints Procedure Statement**
- Contact and Conduct with Pupils
- Curriculum
- Data Protection**
- Staff Discipline**
- Equality Information and Objectives (public sector equality duty) statement for publication**
- Equal Opportunities
- Early Years Foundation Stage (EYFS)**
- Flexible Working
- Freedom of Information**
- Governors' Allowances (schemes for paying)**
- Staff Grievances**
- Health and Safety**
- Home School Agreement Document**
- Staff Induction/Probationary Periods
- School Information Published on a website**
- Instrument of Government**
- Supporting Pupils with Medical Conditions**
- Minutes of, and papers considered at, meetings of the Governing Body and its Committees**
- No Smoking
- Teachers' Pay**
- Premises Management Documents**
- Race Equality
- Use of school/PRU Resources and Equipment/Use of Internet Social Networking Sites [etc., as appropriate]
- Sex Education**
- Sickness Absence Reporting
- Special Educational Needs**
- Special Leave
- Informal Support and Review Arrangements for Support Staff
- Whistle Blowing [etc., etc]

If you do not know where to locate the relevant policies and procedures, or if you are unclear about them and how they relate to you, you should consult your Line Manager or the Head teacher.

In addition, **teachers** are expected to uphold and adhere to the standards of 'Personal and Professional Conduct' as set out in part Two of the 'Teachers' Standards' as published by the Department for Education.

Full details of the 'Teachers' Standards' are available from the Department for Education's website: www.gov.uk/df

12. KEEPING WITHIN THE LAW

Employees and workers are expected to operate within the law. Unlawful or criminal behaviour, at work, or outside work, may lead to disciplinary action, including dismissal, being taken against employees.

You must ensure that you:

- uphold the law at work
- never commit a crime away from work which could damage public confidence in you or the *school/PRU*, or which makes you unsuitable for the work you do. This includes, for example:
 - submitting false or fraudulent claims to the London Borough of Enfield or other Council's or public bodies (for example, income support, housing or other benefit claims)
 - breaching copyright on computer software or published documents
 - sexual offences, violence or any other form of abuse which will render you unfit to work with children or vulnerable adults
 - crimes of dishonesty which render you unfit to hold a position of trust.
- write and tell the Headteacher (*Chair of Governors/Chair of Management Committee* if you are the Headteacher) immediately if you are being investigated for, are charged with, convicted of, or cautioned for, any crime whilst you are employed at the *school/PRU*. This includes outside of your working hours. (You do not need to inform the Head teacher/*Chair of Governors/Management Committee* of offences that do not involve the police such as a parking or speeding fine). The Head teacher and/or *Governors/Management Committee* would then need to consider whether any investigations, charges or convictions damage public confidence in the school or makes you unsuitable to carry out your duties.

13. DISQUALIFICATION UNDER THE CHILDCARE ACT 2006

The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009 place particular requirements on schools/PRUs for carrying out checks on those working with children under eight to ensure that they are not disqualified from:

- **Working in Early Years Provision** – This includes those who provide any care for a child up to and including reception age (from birth to 1st Sept. following the child's 5th birthday). Such care includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years' age range;
- **Working in Later Years Provision (for children under 8)** – This includes those who are employed and/or work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision;
- **Management** - This includes those involved in the management of such early or later years provision detailed above.

The criteria for disqualification under the 2006 Act and 2009 Regulations include:

- inclusion on the Disclosure and Barring Service (DBS) Children's Barred List;
- being found to have committed certain violent and sexual criminal offences against children and adults which are referred to in regulation 4 and Schedules 2 and 3 of the 2009 Regulations (note that regulation 4 also refers to offences that are listed in other pieces of legislation);
- certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations;
- refusal or cancellation of registration relating to childcare(*), or children's homes, or being prohibited from private fostering(#) as specified in Schedule 1 of the 2009 Regulations;
- living in the same household where another person who is disqualified lives or is employed (disqualification 'by association') as specified in regulation 9 of the 2009 Regulations;
- being found to have committed an offence overseas which would constitute an offence regarding disqualification under the 2009 Regulations if it had been done in any part of the United Kingdom.

(*). Except if the refusal or cancellation of registration is in respect of registration with a child minder agency or the sole reason for refusal or cancellation is failure to pay a prescribed fee under the 2006 Act (Regulation 4(1) of the 2009 Regulations).

(#). Pursuant to legislation references in paragraph 17 of Schedule 1 to the 2009 Regulations.

In these circumstances, if you are, or think you may be, in a relevant role, and any of the above criteria apply to you, you must tell the Headteacher (*Chair of Governors/Chair of Management Committee* if you are the Headteacher) immediately.

14. REPORTING MALPRACTICE AND IMPROPER CONDUCT ('WHISTLE BLOWING')

Most problems and concerns within the workplace can be fairly easily resolved, often informally. Sometimes it is necessary to use a more formal route, such as the *School's/PRU's* Grievance Procedure.

Very occasionally, however, more serious issues may arise involving, for example, unlawful conduct, financial malpractice, corruption, health and safety issues or other actions, which are not in the best interests of the *school/PRU*, its pupils or the public.

Employees or workers bringing information about wrongdoing to the attention of their employers or a relevant organisation are protected in certain circumstances under the Public Interest Disclosure Act 1998 (PIDA). This is commonly known as 'blowing the whistle'. The law that protects whistle blowers is for the public interest – so people can speak out if they find malpractice in an organisation. Blowing the whistle is more formally known as 'making a disclosure in the public interest'. For a Disclosure to be protected by the provisions of the PIDA 1998, as amended, and including also provisions implemented under the Enterprise and Regulatory Reform Act 2013, it must relate to matters that 'qualify' for protection.

The London Borough of Enfield and the *school/PRU* are committed to developing and maintaining the highest possible standards of behaviour and a culture encouraging openness, probity and accountability. The *school's/PRU's* 'Whistle Blowing Policy' is a framework that is in place to enable and encourage any employee or worker to raise and report, or 'disclose', genuine concerns regarding

any relevant aspect of the London Borough of Enfield's or the *school's/PRU's* work. 'Qualifying Disclosures' are disclosures of information where the employee/worker reasonably believes that one or more of the following is either happening, has taken place, or is likely to happen in the future and that disclosure is in the public interest:

- The unauthorised use of public funds
- A failure to comply with a legal obligation
- Any conduct which may damage the London Borough of Enfield's or the *school's/PRU's* reputation
- A danger to the health and safety of an individual
- Damage to the environment
- Possible fraud and corruption
- Possible acts of bribery
- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice; and/or
- Other unethical conduct.

It is important to emphasise that a Disclosure under the PIDA may be made where an individual reasonably believes it to be in the public interest. A Disclosure may not be made for purely private matters, such as a problem with the individual's own contract. However, an employee making a complaint of this nature can still use the *School's/PRU's* Grievance Procedure.

The Whistle Blowing Policy sets out how you should raise a relevant concern at an early stage and in the right way. Provided that you are raising what you reasonably believe to be a genuine concern under the Policy, in the public interest, you will be protected from possible reprisal or victimisation. In these circumstances, it does not matter if you are mistaken, no action will be taken against you. Of course, we do not extend this assurance to someone who maliciously raises a matter they know is untrue. If you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you. However, by reporting or raising a genuine concern you will be doing your duty to your employer and those for whom you are providing a service.

The Policy is available from the School Office [*or as appropriate*] or, if you would prefer, from the School's Personnel Service, 3rd floor, Civic Centre, Silver Street, Enfield EN1 3XQ.

PRIOR to raising a concern, please note:

1. ***Where you have concerns relating to a child protection issue, you should take action in accordance with the Child Protection Policy and any other advice and guidance set out by the Local Safeguarding Children Board and/or the Department for Education.***
2. ***If you are a member of a Professional Association or Trade Union, it may have in place a Code, or rules, which set out how members should behave in relation to raising concerns involving colleagues and/or in relation to dealings with colleagues in general. You are advised, in these circumstances, to familiarise yourself with any such Code or rules, or contact your Union for further advice.***

15. DISCIPLINARY ACTION

Failure to meet the standards and requirements set out in this Code of Conduct and any other related policies and procedures may result in disciplinary action being taken against you. Misconduct may result in dismissal, including summary dismissal for any act constituting gross misconduct. Acts that may constitute 'misconduct' and 'gross misconduct' are attached as Appendices to this Code at Appendix 1 and Appendix 2 respectively.

If there is anything in this Code that you do not understand, you should speak to your Line Manager or the Head teacher.

MISCONDUCT

Misconduct includes, but is not limited to, the following:

- failure to conform to agreed working practices, where these are reasonably and properly required
- refusal or failure to carry out a reasonable instruction
- failure to complete contractual hours
- failure to observe policies and procedures, including, for example:
 - the correct recording of working time and attendance,
 - the reporting of sickness, and
 - requirements relating to time off work or release from duties (e.g. annual leave or domestic emergency)
 - the *school's/PRU's* Code of Conduct.
- persistent lateness
- unaccountable absences from the workplace or area
- failure to comply with appearance and dress codes or requirements
- failing to take reasonable care of London Borough of Enfield or *school/PRU* property
- using London Borough of Enfield or *school/PRU* property, equipment, transport or other resources for private purposes without authorisation, or misuse of such property whether inside or outside of the workplace or working hours
- disclosing confidential information without authorisation
- failure to comply with the London Borough of Enfield's or the *school's/PRU's* 'No Smoking' policy or requirements
- failure to participate in or follow instructions during fire drills/practices
- any actions or inactions leading to a loss of trust and confidence, or which bring the London Borough of Enfield or the *school/PRU* into disrepute

Note:

- (1) The above list is neither exclusive nor exhaustive.
- (2) If sufficiently serious, or if repeated, the above may, in some cases, constitute gross misconduct.

APPENDIX 2

GROSS MISCONDUCT

Gross Misconduct includes, but is not limited to, the following:

- serious abuse
- corrupt practices
- where an employee is charged with a criminal offence inconsistent with his/her position
- serious breaches of regulations, policies or procedures (e.g. the *school's/PRU's* Child Protection Policy)
- theft, fraud and deliberate falsification of records (e.g. expenses claims)
- physical violence, threats, fighting, assault on another person
- serious bullying, harassment or discrimination
- deliberate damage to London Borough of Enfield or *school/PRU* property or another person's property
- removal or disposal of any London Borough of Enfield or *school/PRU* property without permission
- serious insubordination
- interference with safety devices or equipment putting other employees/workers, pupils, governors or any visitors at risk at the workplace
- serious infringement of health and safety regulations, rules or practices
- serious misuse of the London Borough of Enfield's or the *school/PRU's* property or name
- misuse of a disabled person's blue badge
- incapability whilst on duty brought on by alcohol or illegal drugs, the misuse of drugs or the possession of illegal drugs whilst at work
- the supply and trafficking of drugs, money laundering activities, or the use, sale or distribution of illegal substances
- negligence which causes or might cause unacceptable loss, damage or injury
- serious breach of duty of confidence (subject to the Public Interest Disclosure Act 1998 and any amendments)
- deliberate or reckless damage, misuse or interference with or unauthorised use of the London Borough of Enfield's or *school's/PRU's* computers and/or software or unauthorised entry to computer records
- serious misuse of electronic systems

APPENDIX 2

- conviction of a criminal offence that is relevant to the employee's employment
- failure to adhere to Regulations and/or internal procedures or protocols governing public or other examinations, coursework and/or other assessment methods. This includes in relation to planning, preparation, invigilation, marking and storing of examination papers and coursework.
- deliberate falsification of a qualification that is a stated requirement of the employee's employment or results in financial gain to the employee
- undertaking private work in working hours without express prior permission
- bringing the London Borough of Enfield or the *school/PRU* into serious disrepute, and/or any actions/inactions leading to a serious breach of trust or confidence.

The above list is neither exclusive nor exhaustive

