

# Atlantic Centre of Excellence Multi Academy Trust

## CODE OF CONDUCT FOR STAFF

<b>Date Adopted:</b>	<b>11 December 2015</b>
<b>Date to be Reviewed:</b>	<b>Autumn 2018</b>

### **TO BE READ IN CONJUNCTION WITH**

'Guidance for Safer Working Practice for Adults Who Work with Children and Young People in Education Settings' DCSF May 2009

## CODE OF CONDUCT FOR ACADEMY EMPLOYEES

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**I declare that I have read and understood the Code of Conduct for Academy Employees and the associated “Required Reading”.**

Name

Date

Signature

## **1. Introduction**

All employees have personal and legal responsibilities, including; treating others with dignity and respect; acting honestly, using public funds and academy equipment appropriately, adhering to health and safety guidelines and practising equal opportunities at all times. These expectations are set out below and should be fully observed by **all** staff, including the Headteacher and Senior Management Team.

This document is not a prescriptive guide to what employees should and should not do. It highlights the principal areas where employees need to be aware of their responsibilities when working in the academy and is a framework for behaviour. Employees should ensure they are familiar with the specific policies that underpin these behaviours through reference to the documents highlighted in the “Required Reading” throughout the Code. If these documents are not supplied at induction, the employee should ask the academy for copies.

## **2. Compliance with the Code of Conduct**

The Code of Conduct forms part of an employee’s contract. Failure to comply with it and with the associated academy policies (“Required Reading”) may result in disciplinary action being taken and the academy reserves the right to take legal action against employees where breaches of the Code warrant such action.

## **3. Professional behaviour and conduct**

### **3.1 Treating other people with dignity and respect**

All employees are expected to treat other colleagues, pupils and external contacts, such as parents/carers with dignity and respect.

Staff are required to comply with the academy’s equality policies / single equality scheme in respect of colleagues, students and other contacts such as parents. Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated in academies. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, pupils and parents.

### **3.2 Appropriate relationships with children**

Academy employees are expected to act in an open and transparent way that would not lead any reasonable person to suspect their actions or intent. Employees in academies are in a position of trust and have a duty to protect young people from discrimination and harm and to maintain appropriate professional boundaries. It is equally important for staff to avoid behaviour that might be misinterpreted by others in order to protect both young people and themselves. Staff are required to read and understand academy policies on child protection.

### **3.3 Professional behaviour**

Employees must not misuse or misrepresent their position, qualifications or experience or bring the reputation of the academy into disrepute. Such behaviour may lead to disciplinary action and where relevant, referral to the General Teaching Council.

### **3.4 Criminal actions**

Academy employees must inform the Headteacher (governing Body if the employee is a Headteacher) immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. The Headteacher or Governing Body will discuss this with the employee in the context of their role and responsibilities in order to help safeguard children and other employees at the academy.

### **3.5 Required Reading:**

- Academy's Safeguarding policy and procedure / Handbook for staff: Child Protection
- (teachers only) GTC Code of Conduct and Practice for Registered Teachers – available at [www.gtce.org.uk](http://www.gtce.org.uk)
- Guidance for Safe Working Practice for the People Working in Education Settings DCSF May 2009
- Additional guidance/policies provided by the academy, in particular Behaviour Policy and positive handling /physical restraint.

## **4. Declaration of interests**

An employee is required to declare this where the group or organisation to which the employee belongs would be considered to be in conflict with the ethos of the academy. Membership of a trade union or staff representative group would not need to be declared.

Employees should also consider carefully whether they need to declare to the academy their relationship with any individual(s) where this might cause a conflict with academy activities. For example, a relationship with a governor, another staff member or a contractor who provides services to the academy.

Failure to make a relevant declaration of interests is a very serious breach of trust and therefore if employees are in doubt about a declaration, they are advised to take advice from their academy or union.

All declarations, including nil returns, should be submitted in writing to the Headteacher on a academy Register of Business Interests. (Appendix One).

## **5. Probity of records and other documents**

The deliberate falsification of documents is not acceptable. Where an employee falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

Where an employee who has claimed any benefit, including housing benefit, either directly or indirectly and has failed to disclose their full earnings, this will be treated as gross misconduct and the employee may be dismissed and referred to the police.

## **6. Financial inducements**

### **6.1 Financial Regulations for academies**

All academy employees must comply with the schools and local authority's Financial Regulations. Employees should familiarise themselves with these Regulations: some of the principal employee requirements are summarised below.

#### **Business Contacts**

In this section, "*business contact*" refers to any person, body or organisation with which the academy is involved on a financial or charitable basis (including contractors; developers; consultants; regional or national charities). This also includes business contacts who are potential suppliers (eg they are tendering for future business).

#### **Declaration of gifts**

Any gifts that are received should be declared in writing to the Governing Body on the Register of Gifts and Hospitality (Appendix 2) with the exception of those items specifically identified in sections 6.4 and 6.5 below. This document shall remain available for inspection by the authority's Internal Audit department.

### **6.4 Gifts or hospitality to an employee**

Where a business contact offers a personal gift, personal payment or other incentive such as secondary employment to an employee, these should not be accepted and should be returned with a suitable official letter. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality.

If it is not possible to return gifts then the employee who deals with that supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to these are:

- Low cost, functional items suitable for business use rather than personal use and displaying the supplier's logo eg diaries, calendars and pens. These items may be accepted and do not have to be included in the Register of Gifts and Hospitality.
- Gifts offered by parents or students to academy staff to express their thanks, such as boxes of chocolates. However, only gifts with an individual value of £25 or less may be accepted. Such gifts do not have to be declared in writing to the Governing Body or be included in the Register of Gifts and Hospitality. For the avoidance of doubt employees must always refuse gifts of money.

Where hospitality in the form of meals and drinks is offered by a business contact, this is only acceptable where it forms part of a normal business meeting (for example, refreshments at training events or meals at evening meetings). Offers of hospitality to specific events, such as dinner or sporting event, should/only be accepted after authorisation from the Governing Body. These should be approved where there is a clear and demonstrable benefit to the academy and the hospitality would not expose the academy to criticism that the business contract was exerting undue influence. These should be recorded in the Register of Gifts and Hospitality.

Visits by employees to exhibitions, demonstrations, conferences, business meals and social functions in connection with the academy's business and authorised by the academy, shall be at the academy's expense.

### **6.5 Gifts or hospitality to the academy**

Where a business contact sends a gift to the academy, (for example, a stationary supplier sending a gift), this should not be accepted and should be returned to the supplier. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality.

If it is not possible to return the gift, the employee who usually deals with the supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to this are low cost, functional items suitable for business use (as opposed to personal use), such as diaries, calendars or pens, which may be accepted and do not have to be declared on the Register of Business Interests.

### **6.6 Use of academy contacts**

Apart from participating in concessionary schemes arranged by trade unions or other such groups for their members, employees shall not use academy business contacts for acquiring materials or services at trade / discount prices for non-school activities.

### **6.7 Required Reading**

Financial Regulations for Schools

## **7. Use of academy premises and equipment**

Academy equipment and premises are available only for academy -related activities and should not be used for fulfilment of another job or post or for excessive or regular personal use, unless authorised in writing and in advance by the Headteacher.

This includes photocopy facilities, stationary, telephones and computers and premises. Any academy equipment that is used outside of academy premises, for example laptops, should be returned to the academy when the employee leaves employment or upon request by the Headteacher.

## **8. Other employment**

Employees are permitted to take up secondary employment outside the academy, as long as the activity does not constitute a conflict of interest, adversely affect their primary employment at the academy or exceed the legal maximum working week of 48 hours as defined by the Working Time Regulations.

The secondary employment must be undertaken outside the working hours of the employee's normal post and employees are required to keep the Headteacher (governing Body if the employee is the Headteacher) informed of their employment at other organisations.

## **9. Health and Safety**

Employees must adhere to the academy's Health and Safety policy, procedure and guidance and must ensure that they take every action to keep themselves and everyone in the academy environment safe and well.

This includes taking immediate safety action in a potentially harmful situation (either at academy or off-site) by complying with statutory and academy guidelines and collaborating with colleagues, agencies and the local authority.

### **9.1 Required reading:**

- Academy's health and safety Policy

## **10. Use of alcohol and illegal drugs**

The taking of illegal drugs during working hours is unacceptable and will not be tolerated. All employees are expected to attend work without being under the influence of alcohol or illegal drugs and without their performance being adversely impacted by the consumption of alcohol or illegal drugs.

If alcohol or drug usage impacts on an employee's working life, the academy has the right to discuss the matter with the employee and take appropriate action, having considered factors such as the academy or local authority's reputation and public confidence.

## **11. Use of communication systems**

The academy has the right to monitor emails, phone-calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems by employees.

Employees should be aware that the academy has a right to access employees' personal email and computer files if required for investigation of misuse.

It is recommended that employees do not use academy systems (phone, email, and computers) for personal use. Inappropriate usage, which includes excessive or regular use may result in disciplinary action for the employee and in serious cases could lead to an employee's dismissal.

Inappropriate use of email and internet systems also includes viewing, publication or circulation of illegal or offensive material, viewing, publication or circulation of junk mail, including chain letters, jokes or large attachments, gambling, gaming; these will be treated as disciplinary matters.

Passwords should not be shared and access to computer systems must be kept confidential. Breach of this confidentiality may be subject to disciplinary action.

Employees who receive inappropriate communications should inform their Headteacher or Senior Manger immediately.

## **12. Confidentiality**

All employees at the academy and the Governing Body come into contact with a significant volume of data and information in relation to pupils, staff, academy activities and many other matters. There is an obligation to read and observe the requirements of the Data Protection Act 1998.

### **12.1 Managing data**

Under the Data Protection Act, staff are required to collect, maintain and dispose of sensitive or personal data in a responsible manner.

### **12.2 Disclosing data**

Staff should not disclose sensitive information about the academy, its employees or the local authority to other parties, for example, parents, colleagues or internet blogs. There are particular exceptions to this; for example disclosure of suspected or alleged abuse of a pupil to Child Protection officers; discussion with a person accompanying or representing an employee in a formal meeting or disclosure under the Whistle blowing procedure. All communication with the media must be directed through the Headteacher or their nominee.

There are circumstances in which staff are obliged to release pupil data, for example, parents seeking information about pupil progress or other colleagues in the academy.

Staff should be aware that, from time to time, information about employees' salaries is matched with other public sector information (for example housing benefits) in order to prevent fraudulent claims.

### **12.3 Access to data**

Everyone has the right to request access to data that is held about them and such requests should be made to the Headteacher who will address the request in conjunction with the Local Authority's Data Protection Officer.

### **12.4 Required Reading:**

- Data Protection Guide

## **13. Copyright**

Copyright legislation should be displayed next to photocopier machines and employees are required to adhere to the guidance provided about use of educational resources.

### **13.1 Required reading:**

- Copyright notices in school



## ATLANTIC CENTRE OF EXCELLENCE ACADEMY TRUST

### DECLARATION OF PECUNIARY INTERESTS FORM

I \_\_\_\_\_ have set out below my interests in accordance with the Trust's Conflicts of Interest Policy.

Please give details of the interest & whether it applies to yourself or, where appropriate, a member of your immediate family, connected persons or some other close personal connection.	
Current employment and any previous employment in which you continue to have a financial interest.	
Appointments (voluntary or otherwise), eg trusteeships, directorships, local authority membership, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings (charities may set a figure here, eg more than 1% or 5% of issued capital) and beneficial interests.	
Gifts of hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months.	

Please give details of the interest & whether it applies to yourself or, where appropriate, a member of your immediate family, connected persons or some other close personal connection.

Do you use, or care for a user of the organisation's services?

Any contractual relationship with the charity or its subsidiary.

Any other conflicts that are not covered by the above.

To the best of my knowledge, the above information is complete and correct.

I undertake to update as necessary the information provided and to review the accuracy of the information on an annual basis.

I give my consent for it to be used for the purposes described in the Conflicts of Interest Policy and for no other purpose.

Signed: .....

Position: .....

Date: .....

# ATLANTIC CENTRE OF EXCELLENCE ACADEMY TRUST

## DECLARATION OF PECUNIARY INTERESTS POLICY

This policy applies to Members/Directors/Governors of the Trust and LABs Senior Leadership Teams and Finance Officers.

### **Why we have a Policy**

Directors/Members of the Trust and all Staff have a legal obligation to act in the best interests of ACE and in accordance with ACE Articles of Association and to avoid situations where there may be a potential conflict of interest. Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of ACE. Such conflicts may create problems; they can inhibit free discussion;

- result in decisions or actions that are not in the interests of ACE and
- risk the impression that ACE has acted improperly

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

### **The Declaration of Interests**

Accordingly, we ask Directors/Members of ACE and all Staff to declare their interests and any gifts or hospitality received in connection with their role. A Declaration of Pecuniary Interests Form is provided for this purpose, listing the types of interest you should declare.

To be effective, the declaration of interests needs to be updated at least annually and also when any changes occur. If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Clerk for confidential guidance.

This register of interests shall also be used to record all gifts of a value over £20 received by the Directors/Members of ACE and Staff. Interests and gifts will be recorded on the charity's register of interests, which will be maintained by the Clerk. The register will be accessible by the auditor/staff preparing the company accounts etc.

### **Data Protection**

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that

Directors/Members of ACE and Staff act in the best interests of ACE. The information provided will not be used for any other purpose.

### **What to do if you face a Conflict of Interest**

You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion. You may, however, participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal.

If you fail to declare an interest that is known to the Clerk and/or the Chair of the Directors, the Clerk or Chair will declare that interest.

### **Decisions taken where a Director or Member of Staff has an Interest**

In the event of the board having to decide upon a question in which a Director or member of staff has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested board members may not vote on matters affecting their own interests.

All decisions under a conflict of interest will be recorded by the Clerk and reported in the minutes of the meeting. The report will record:

- the nature and extent of the conflict;
- an outline of the discussion;
- the actions taken to manage the conflict.

Where a Director benefits from the decision, this will be reported in the Annual Report and accounts in accordance with the current Charities SORP.

All payments or benefits in kind to Directors will be reported in the charity's accounts and Annual Report, with amounts for each Director listed for the year in question.

Where a member of ACE staff is connected to a party involved in the supply of a service or product to the Academy Trust, this information will also be fully disclosed in the Annual Report and accounts.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

## **Managing Contracts**

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

**REGISTER OF GIFTS AND HOSPITALITY**

**Governors and staff declaration form**

I wish to declare the following information in accordance with the Governing Body's requirements that a Register of Gifts and Hospitality should be maintained.

**Name:**

**Post:**

**Signature:**

**Date:**

You should provide full details of your declaration below, including a nil return:

Declaration of gifts and hospitality		
Date gift received	From whom	Gift or hospitality