Greenford High School

Policy Document

Staff Code of Conduct

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Summary

The purpose of this code of conduct is to help all employees understand what is expected of them. The code of conduct covers general standards of behaviour relating to people, finance, child protection and safety at work.

There are a number of reasons why your conduct at work is important. The Government requires that all local authorities implement a code of conduct that sets a benchmark for appropriate standards of behaviour for public employees. Good conduct not only helps to promote good relations with parents, carers, customers and clients but also helps protect you and your colleagues for example by not leaving individuals open to criticism or legal action.

The Department for Education's statutory guidance for schools "Keeping children safe in education" September 2018 – states that schools should have a code of conduct that includes acceptable use of technologies, staff/pupil relationships and communications including the use of social media. All members of staff should be aware of the school's Code of Conduct or staff behaviour policy and It should be provided to staff as part of their induction.

This code of conduct is provided to school employees so that they know what is expected of them and are treated fairly. You are a valued and trusted employee so it is crucial that you understand how important it is to adhere to the standards of conduct set out in the code (and any related policies) as a breach of these standards could lead to disciplinary action. A serious, or repeated breach, could even lead to dismissal.

Though volunteers and agency staff cannot be disciplined in the same way as employees, it is an expectation that it is made clear to them what is and what is not acceptable behaviour.

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1 General principles

As a good employer, Greenford High School recognises its responsibilities to its employees. The school also has responsibilities to the community which it serves and therefore expects its employees to work to the highest possible standards. In performing their duties, employees are required to act with integrity, honesty, impartiality and objectivity. The School's standards of behaviour are set out in this 'Code of Conduct'.

Compliance with this code is an explicit requirement within the conditions of employment of all school employees. The matters covered in this code are fairly comprehensive but are not to be considered as being complete. Employees should assume that conduct or actions which are not specified but which are similar to those described, or relate to similar standards and principles to those set out in the code are also covered.

This code should be seen as complementary to any specific school procedures or standards of conduct for example a staff handbook. Similarly, professional employees such as teachers are also bound by standards of professional conduct.

PLEASE NOTE

As an employee, you are accountable to the school and you must therefore act in accordance with the principles set out in this code of conduct. You are required to discharge public functions reasonably and according to the law. If you do not comply with this code of conduct, the school may take disciplinary action against you in accordance with the appropriate procedure. This may have serious consequences for you, including the possibility of dismissal.

The school expects your work, conduct, and integrity to be of the highest standard, since they directly affect:

- the services that the public receives;
- the success of the school in meetings its strategic goals and objectives;
- public confidence in the school.

The school:

- has set down the standards that it expects of you in this code of conduct;
- makes this code of conduct available to all of its employees;
- requires that you read (and if necessary seek clarification) and understand this code.

The school may require you to then sign a declaration to that effect

You:

- within your first month with the school (or within a month of receiving this code):
    - should get to know the contents and meaning of the code;

- should ask your manager to explain anything that you don't understand;
- should take it up with your manager if you don't know how to comply, or have any difficulty in complying with any part of the code;
- may consult with your trade union representative for advice and guidance;
- should tell your manager (or the most appropriate manager) if you believe the services the school provides fall short of the standards in this code;
- should tell your manager (or the most appropriate manager) about anyone else breaking the code and/or breaking the law;
- should notify your manager or the appropriate person of any relevant matter as specified within this code.

2 Working with people

The school wants to provide the best possible services to meet the needs of all pupils, parents and carers within the resources available, and treat them all with dignity and fairness.

To meet this objective the school relies on you:

- to be polite to colleagues and members of the public at all times;
- to give your full name when speaking or writing to members of the public;
- to carry a valid identity if you visit members of the public or clients or other schools in the course of your duties;
- to be sure that the information you provide is accurate (if you are not sure about something it is better to say so);
- to respect confidential information given to you in the course of your work;
- to avoid doing anything which would make the public doubt your motives or your integrity as a school employee or would bring the school into disrepute.

Personal standards

Your personal standards of general behaviour must be high when you are dealing with colleagues, pupils, parents, carers and with members of the public. Public confidence and the school's trust in you would be seriously undermined if you:

- threaten, fight or assault anyone, or persist in verbal or non-verbal behaviour which would intimidate or offend anyone;
- steal, take without authority or deliberately damage things that belong to someone else or to the school;
- use your position with your school inappropriately to advance the interests of any other person or organisation with which you are associated, or show favour to any friends,

family or personal contacts.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute.

Relationships with Colleagues

- At all times, relationships with other colleagues should remain professional.
- From time to time, as in any workplace, conflict may arise between individuals. This should always be resolved in a professional manner with support taken from the Line Manager where required.
- Making comments about colleagues over social media such as Whatsapp groups should not take place. Where comments are made that are of a personal, misogynistic, racist or in any other way discriminatory nature, this will be dealt with under the disciplinary policy.

Dating and Intimate Relationships

- As with any workplace, colleagues may form more intimate relationships with one another or engage in dating. Whilst the school respects the need for privacy in the personal lives of staff, it is important to exercise discretion in such relationships at work, especially around children.
- Staff who are in a position of trust and authority such as those on the SLT, LP scale or Middle Leaders, should be especially mindful that their position does result in a degree of power and should be aware of the complications that could arise from this, if engaging or seeking to engage in intimate relations with others. Colleagues who are in a position of authority such as those outlined above, should be aware that their behaviour could be interpreted as an abuse of power by more junior or younger members of staff.
- All staff should be clear that unwanted advances towards other colleagues, persistent pestering or asking for dates once someone has already declined, will be considered as harassment.
- Conduct that is of a sexual nature on the school site is considered gross misconduct as outlined in Appendix One.
- If there is an ongoing relationship between members of staff, they have a duty to notify the Business Manager to ensure that there is no conflict of interest.

If any member of staff feels as if they have been subject to any inappropriate behaviour and/or advances they must speak to the Headteacher and/or the DSL immediately.

Drugs and Alcohol

All employees must comply with the following rules:

Employees must not:

- Report for duty less than fully competent due to drinking alcohol;
- Report for duty under the influence of illegal drugs;
- Drink alcohol whilst in the workplace, or in any School vehicle, regardless of whether on duty at the time;
- Drink alcohol whilst at work/on duty, including when on call;
- Be in possession of, consume, or supply any controlled drug (other than appropriately prescribed medication) in the workplace, or in any School vehicle, or whilst on duty;
- Present an unprofessional image of the School and/or perform duties to an unsatisfactory standard due to drinking alcohol during breaks or immediately before work;

Failure to adhere to the above will result in disciplinary action and may result in dismissal.

If employees wish to celebrate a special occasion by drinking alcohol, in moderation, in the workplace, including during a lunch break or other rest period, the express permission of a head teacher must be obtained in writing in advance on each occasion.

NB: These rules are in addition to, and not instead of, any rules that apply to specific posts/ service areas. For example, some jobs (such as drivers of School vehicles) have strict no drinking rules, including drinking alcohol during breaks, and for a certain period of time before going on duty. It is your responsibility to be aware of, and comply with, any such specific rules affecting your job.

General responsibilities at work

All employees are expected to work within the scope of their contract of employment, carrying out the reasonable instructions of their supervisors, managers, head teachers, and to work to the requirements of the job. Your contract of employment is essentially based on trust. That trust could be damaged if you:

- are not truthful and honest in your dealings with the school, its pupils and parents or

carers, your colleagues and your supervisor/manager and head teacher;

- seek to deceive the school by withholding information, giving false information, or destroying, damaging or altering any records or documents without proper authorisation;

- misrepresent the school in your dealings with others or make any statement on behalf of the school which you are not authorised to do (e.g. giving a reference for a colleague on behalf of the school, making statements to the press or other media);

- fail to respect and uphold the conditions of employment of your fellow employees, or the school's human resources policies, procedures and guidance;

- commit any act of misconduct or breach of your employment terms.

Equality and diversity policy

Greenford High School's equality and diversity policy provides a framework to ensure that the school meets its statutory obligations and policy objectives to protect people from harassment, unfair discrimination or being treated unfairly: when applying for a job (by helping to make sure that we appoint the best applicants to vacant posts); as a school employee. The policy provides a means to ensure that we positively promote equality of opportunity in all areas of the school's activities as an employer and provider of services.

The school therefore expects all of its employees to play a part in making sure that it meets its statutory obligations, and ensures that the school is a pleasant place to work and provides high quality services fairly and equitably to the whole community. All employees are responsible for acquainting themselves with the terms of the policy.

All employees are required to treat colleagues and the public in a fair and equitable way, avoiding unfair discrimination in any form and anything that would demean distress or offend other people. Remember that your colleagues may have different values to you and may be offended or feel harassed by behaviour that you think is acceptable.

The school takes these commitments very seriously and any deliberate act of discrimination or other serious breach of the policy by school employees will be considered as an act of gross misconduct and will result in disciplinary action, possibly leading to dismissal.

Some examples of unacceptable behaviour are:

- displaying offensive sexist or racist material or wearing T-shirts or other clothing, badges or tattoos which convey an offensive message;

- making racist comments;

- persistent swearing, rudeness or non-verbal behaviour which intimidates or offends others;

- making sexually suggestive or sexist remarks;

- asking for "dates" after being refused;

- pestering colleagues with personal matters;
- making negative comments about a person's disability.

You must not harass or discriminate against people you meet in the course of your work, particularly on grounds of:

- age;
- disability;
- gender (including transgender);
- HIV status;
- marital status;
- nationality;
- political beliefs;
- race/ethnicity;
- religious beliefs or non belief;
- sexual orientation;
- trade union activities.

Dealing with legal actions or claims against the School

From time to time, the school faces insurance or contractual claims, or legal proceedings in respect of some action by its clients or employees. The school wishes to deal fairly and openly in these situations, but it is important that the school's legal position, and that of its employees, is properly represented and not undermined.

To avoid compromising the school you must:

- refer all letters or other communications about any legal claim against the school to the head teacher, unless it is your work responsibility to deal with correspondence about legal claims;
- refer all claims on insurance matters to the Headteacher;
- not commit the school to any action or admit liability for any incident which might result in a claim against the school without express permission from your head teacher.

Dealing with School Governors

Certain principles need to be observed in your dealings with Governors, which will also help ensure you are not open to accusations of bias. In summary you should:

- be polite and professional in your dealings with Governors and deal efficiently with all their enquiries;
- provide professional advice, not influenced by political views or preference, which does not compromise your political neutrality as an employee of the school;

- report to the Headteacher at once if a Governor asks or pressures you to deal with a matter outside school procedure or policy;
- not try to influence Governors involved in appointing employees or representatives;
- not lobby Governors on work issues when acting in a professional capacity or to advance a personal interest or those of others to influence decisions improperly;
- avoid close personal relationships with Governors as this can confuse the separate roles and get in the way of proper discharge of the School's functions, not least in creating the perception in others that a particular Governor or Officer may secure advantageous treatment.

Dealing with contractors, suppliers and consultants

For your own protection

- when ordering or paying for goods, works or services ensure all contractors or suppliers provide goods or services to the required standard and that the same standards apply to all contractors;
- process payments for goods and services promptly;
- ensure that goods or services are received if payment is being made;
- do not pay or agree to pay a contractor any money they are not due;
- declare to the Headteacher any close relationships that exist or are formed with contractors, suppliers or consultants.

3 Communication inside and outside of the organisation

The way that we communicate reflects on us both as individuals and also on the school as an organisation. Communication should be both professional and timely, to ensure positive relationships and efficient working practices are maintained both internally and externally.

Communication with parents and carers and with students

- Staff should always communicate with parents in a calm and professional manner, without judgement, and where there are issues, should seek to resolve them as quickly as possible, avoiding any further escalation. Care should be taken with tone of voice, non verbal cues and body language.
- Email communication with students should focus on matters of learning and remain professional at all times. Pastoral matters should not be discussed directly with students over email, other than to acknowledge that matters raised will be investigated and dealt with, where appropriate and relevant.

- Staff should respond to parental emails and voicemail messages promptly and where possible, communication should always be made the same day, or where this is not possible, the following day, within 48 hours. In the case of pastoral matters, it may be easier to share communications between the team, to avoid delays if, for example, a member of pastoral teaching staff has a full teaching day, or if a high profile incident means that there is no time.

- If it is not possible to answer a specific query within 48 hours, due perhaps to an ongoing investigation, an email acknowledging receipt of the parents' email should be sent explaining that further contact will be made at a later date, once further information has been obtained.

- All records of email conversations with parents and carers should be kept in files or maintained electronically.

- Where telephone calls are made to parents or where incoming parental calls are received, staff should record details of the phone call under 'initiatives' in SIMS so that a record of the conversation is kept.

- Staff should not use their own mobile phones to make contact with parents/ carers or students and should never give out their personal mobile phone number to parents/carers or students. School phones should be used at all times. SImilarly, staff should never email parents/carers or students from a personal email address. Students should also not be contacted directly on their own mobile phone numbers.

- Staff should avoid using language other than the English language to talk to parents, apart from in cases where the understanding of English presents a barrier and another language is required to help support understanding. Ideally, when speaking to a parent in another language, an interpreter should be present. However, we recognise that this is not always possible and that in order to support parental engagement, it can sometimes be both necessary and helpful to use a language other than English. In these cases, the conversations should remain professional and focused on the matter in hand, and staff should be aware of the dangers of straying into informality and over-familiarity with parents. The English language should always be used when communicating with students, unless there is a specific EAL issue.

- Staff should never communicate with parents/ carers about the school or about anything to do with their child, using different methods such as direct messaging, texting, whatsapp or other forms of social media. Students should never be contacted on social media by staff and should block all attempts where students try to communicate with them.

- Where communication with a parent or carer becomes very difficult, staff should not tolerate verbal abuse and should politely terminate a phone call. A suggested script fo this is as follows:

  "I have to warn you that if you continue to be verbally abusive, I will terminate the call." If the verbal abuse continues, "I am terminating the call. Goodbye",

If written abuse is present over email, staff should explain that they will no longer respond but will pass the email onto a more senior member of staff. The matter should then be referred to the appropriate line manager or SLT member.

- Where parents display excessive demands in relation to communication, eg: emailing over and over again, or calling the school multiple times in one day, staff should respond politely (preferably by email) and explain that they will come back to them asap, when they are free to do so. If the behaviour continues, this should be passed on to the relevant line manager and the Headteacher.

Communication within the organisation

- The main forms of whole school communication within the organisation are VLE announcements, staff briefing, various meetings and the weekly staff 'Connect' publication. All staff should ensure that they are making time to read these forms of communication and should attend all 'in person' events where communication is key, including staff briefing and meetings.

- Staff should always communicate with one another in a calm and professional manner. Language that may appear inflammatory should be avoided at all times and due regard should be given to how others may perceive another person's response. In written communications for example, it is not helpful to use sarcasm or an angry tone to express one's thoughts. Equally, it is not helpful to use capital letters or excessive use of punctuation to express frustration. It may be sensible to compose, but not send an email while feeling emotional or angry about something, and revisit it the next day, if possible.

- Communication within the organisation should be timely and responses to emails / phone calls should be sent or acted upon within 48 hours of receipt where possible.

- Staff should apply good etiquette when using email, only including and copying in additional people where appropriate, and avoiding 'reply all' unless this is helpful. Staff should only expect a reply from those to whom an email is addressed. If someone is cc'd, it should be understood that the email is for information only.

- Staff should not send around attachments to a large number of staff, as this can be detrimental to the smooth running of the email system. Files can be shared in google drive to mitigate against this.

- School life is very busy and staff can sometimes miss or overlook emails or other internal communications by accident. In the event that a recipient forgets to respond to communication in any form, the original communicator should send a polite reminder to the recipient, so they can respond.

General points about communication

- Staff should always endeavour to check emails and voicemails at least once daily where possible and keep up to date with them, in a reasonable and timely fashion, taking account of the fact that occasionally, the reactive or busy nature of the job may make this more difficult. The process of checking emails and voicemails should

not be 'stored up' and left as an activity to be completed in one long session. Life in school is fast moving, and it is crucial that staff understand the importance of responding to all communications in a timely and efficient manner, so as to not stall important decisions.

- Staff who are working part time are not expected to check communications daily, and are, in fact, encouraged not to do so on their days off. Part time staff may, however, wish to set up an 'out of office' email message or an email signature that explains their working hours, so that others understand why there is a delay in their response.
- All staff should note that it is not reasonable to demand nor necessarily expect a reply to an email outside of normal school working hours (between 8:30am and 3:15pm). Staff should be free to work whenever they choose, and so there is no blanket ban on sending emails at certain times, however, it is good practice to use the 'delay delivery' function in outlook, which can be accessed via the 'options' tab when composing an email.
- If staff are off sick, colleagues should not expect responses to communications, and should allow a reasonable amount of time for staff to catch up with relevant communications on their return.
- Staff in leadership positions throughout the organisation, should recognise the important role that they have in communication and ensure that they are leading by example, and following the points outlined in this document, in order to support the smooth running of the organisation at all times.
- Communication with external professionals or organisations should follow the same guidance as that outlined above in terms of professionalism and timescales.

4 Trade union membership

The school supports the system of collective bargaining and believes in the principle of solving employee relations problems by discussion and agreement.

It may therefore be advantageous for employees to belong to a trade union that represents them on the appropriate negotiating body. Trade union representatives are trained to represent their members' employment related interests with the School. The School encourages you to be a member of an appropriate trade union.

The School recognises that some employees are also accredited trade union representatives and supports the legitimate activities of these accredited representatives. It also expects that they will work within the rules and codes of practice of the union concerned and the trade union facilities agreement or teacher's facilities agreement when operating in that capacity.

5 Safeguarding children

Statutory requirements

Schools (including independent and non-maintained schools) and further education institutions have a duty to safeguard and promote the welfare of pupils under s175 of the Education Act 2002. They should create and maintain a safe learning environment for children and young people and identify where there are child welfare concerns and take action to address them in partnership with other organisations where appropriate. The same duty is put on independent schools, academies and technology colleges by regulations made under s157.

The following guidance on appropriate behaviour is primarily taken from Guidance for safer working practice for those working with children and young people in educational settings (Safer Recruitment Consortium October 2015), Keeping children safe in Education, (Department for Education September 2021) and Use of reasonable force (Department for Education July 2013).

All staff have a duty to report any suspicion of abuse. In the first instance you should inform the school's Designated Safeguarding Lead or a member of the Child Protection Team or in their absence the head teacher. If the concern is regarding the behaviour of another member of staff you should inform the head teacher. If the concern is regarding the head teacher the matter should be referred to the Chair of Governors. The September 2021 version of Keeping children safe in education emphasises the following staff responsibilities:

- that all school and college staff have a responsibility to provide a safe environment in which children can learn.

- that all school and college staff have a responsibility to identify children who may be in need of extra help or who are suffering, or are likely to suffer, significant harm. All staff then have a responsibility to take appropriate action, working with other services as needed.

- all staff have a responsibility to be aware of systems within their school which support safeguarding and these should be explained to them as part of staff induction and in regular staff training sessions. This includes the school's child protection policy and code of conduct.

- All staff should be aware of the process for making referrals to children' social care.

- All staff should know what to do if a child tells them he/she is being abused or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the DSL (or a deputy) and children's social care. Staff should never promise a child that they will not tell anyone about a report of abuse, as this may ultimately not be in the best interests of the child.

- the Teacher Standards state that teachers, including Headteachers, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties

It is recognised that not all people who work with children work as paid or contracted employees. However the principles and guidance outlined in this document still apply and should be followed by any person whose work brings them into contact with children.

Employers also have a duty of care towards their employees, both paid and unpaid, under the Health and safety at Work Act 1974. This requires them to provide a safe working environment for adults and provide guidance about safe working practices. The Human Rights Act 1998 sets out important principles regarding protection of individuals from abuse by state organisations or people working for those institutions. Adults who are subjected to an allegation should therefore be supported and the principle of natural justice applies.

Confidentiality

Staff may have access to sensitive or private information about children that must be kept confidential at all times and only shared when it is in the interests of the child to do so. Such information must not be used to intimidate, humiliate, or embarrass the child or young person concerned.

Staff must understand the importance of not promising to keep children's secrets. Neither should they request this of a child or young person under any circumstances.

Staff / pupil relationships

All staff need to know that inappropriate behaviour with or towards children is unacceptable. In particular under the Sexual Offences Act 2003 it is an offence for a person over 18 (e.g. teacher or school support staff) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the person works in the same establishment as the child, even if s/he does not teach the child (Unless they are lawfully married / in a civil partnership or were in a sexual relationship which existed before the position of trust was established)

A relationship between a member of staff, a volunteer or a governor and any student cannot be a relationship of equals. There is potential for exploitation and harm of students and all adults have a responsibility to ensure that the unequal balance of power is not used for personal advantage or gratification.

Pupils will on occasion have an infatuation or crush on a member of staff. These situations must be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations. An adult who becomes aware that a child or young person is developing an infatuation should discuss this at the earliest opportunity with the head teacher or senior manager so appropriate action can be taken to avoid any hurt, distress or embarrassment.

Personal property of a sexually explicit nature such as books, magazines, videos or digital media or material stored on personal laptops must not be brought onto or stored on the school premises.

Physical contact with pupils / restraint

It is not realistic to suggest that teachers should never touch pupils and they and other staff in schools have the right to use reasonable force to control or restrain pupils in certain circumstances. Reasonable is these circumstances means 'using not more force than is needed' However, it is crucial that in all circumstances, adults should only touch children in ways that are appropriate to their professional or agreed role and responsibilities. Corporal punishment is no longer acceptable in any circumstances. Schools are advised to have a policy about the use of reasonable force and to record incidents in which force is used to control or restrain pupils and tell parents or carers about such incidents.

Not all children and young people feel comfortable about physical contact, and adults should not make the assumption that it is acceptable practice to use touch as a means of communication. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property or from causing disorder. In a school, force is used for two main purposes – to control pupils or to restrain them. In other situations permission should be sought from a child or young person before physical contact is made. Where the child is very young, there should be a discussion with the parent or carer about what physical contact is acceptable and/or necessary.

When physical contact is made with a child this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Adults, nevertheless, should use their professional judgement at all times, observe and take note of the child's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary.

Physical contact that occurs regularly with an individual child or young person is likely to raise questions unless there is explicit agreement on the need for, and nature of, that contact. This would then be part of a formally agreed plan or within the parameters of established, agreed and legal professional protocols on physical contact e.g. sport activities or medical procedures. Any such arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If an adult believes that their action could be misinterpreted, or if an action is observed by another as being inappropriate or possibly abusive, the incident and circumstances should be reported to the head teacher or senior manager outlined in the procedures for handling allegations and an appropriate record made. Parents/carers should also be informed in such circumstances.

Where a child seeks or initiates inappropriate physical contact with an adult, the situation should be handled sensitively and care taken to ensure that contact is not exploited in any way. Careful consideration must be given to the needs of the child and advice and support given to the adult concerned.

It is recognised that some children who have experienced abuse may seek inappropriate

physical contact. Adults should be particularly aware of this when it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to some actions being misinterpreted. In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult to sensitively deter the child and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with the head teacher or the appropriate senior manager and the parent/carer.

Further information about when physical intervention might be appropriate and the meaning of reasonable force can be found in Use of reasonable force – Advice for Head teachers, staff and governing bodies, Department for Education July 2013.

Children and young people in distress

There are some settings, where adults are involved in managing significant or regular occurrences of distress and emotional upset in children, for example when dealing with very young pupils or pupils with special educational needs. In these circumstances professional guidance should be followed and staff should be aware of what is and what is not acceptable behaviour when comforting a child or diffusing a situation. This is particularly important when working on a one-to-one basis.

For all other staff working with children there will be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Staff should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

Where a member of staff has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this should be reported and discussed with the head teacher or a senior manager and parents/carers.

Intimate and personal care

Some job responsibilities necessitate intimate physical contact with children on a regular basis, for example assisting young children with toileting, providing intimate care for children with disabilities or in the provision of medical care. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and be recorded as part of an agreed care plan. The emotional responses of any child to intimate care should be carefully and sensitively observed, and where necessary, any concerns passed to Head teachers, senior managers and/or parents/carers.

Young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

First aid and administration of medication

When administering first aid, wherever possible, staff should ensure that another adult is aware of the action being taken. Parents should always be informed when first aid has been administered.

In circumstances where children need medication regularly a health care plan should have been established to ensure the safety and protection of children and the adults who are working with them. Depending upon the age and understanding of the child, they should, where appropriate, be encouraged to self-administer medication or treatment.

Behaviour management

Corporal punishment is unlawful in all schools. Staff and volunteers must not use any form of degrading treatment to punish a student. The 1996 Education Act covers the circumstances in which staff can physically intervene with a student. Staff may legitimately intervene to prevent a student from committing a criminal office, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others. Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. However head teachers should support staff when they make use of reasonable force in justifiable situations.

Where children display difficult or challenging behaviour, adults must follow the behaviour policy outlined by their place of work, and use strategies appropriate to the circumstances and situation. The use of physical intervention can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed. Belittling or sarcastic behaviour towards a child is unacceptable.

Where a child has specific needs in respect of particularly challenging behaviour, a positive handling plan may be drawn up and agreed by all parties. Only in these circumstances should an adult deviate from the behaviour management policy of the organisation.

Appearance / Dress

Staff and volunteers must ensure they are dressed decently, safely and appropriately for the tasks they undertake and in line with any school policy. This may need to be different to how they dress when not at work. Those who dress or appear in a manner that could be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.

Social contacts

Staff should be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting. An individual's behaviour, either in or out of the workplace, should not compromise their position within the work setting or bring the school into disrepute.

Adults in schools should not establish or seek to establish social contact with students for the purpose of succouring a friendship or to pursue or strengthen a relationship. Even if a student seeks to establish social contact or if this occurs coincidentally, the adult should exercise her/her professional judgement in making a response and be aware that such social contact could be misconstrued. If a student perseveres with any effort to establish social contact the employee should report the issue to their line manager.

One to one meetings and work with pupils

Staff should be aware that one-to-one meetings with individual pupils might leave them vulnerable to allegations. There will be occasions when a confidential interview or a one to one meeting is necessary but where possible such interviews should be concluded in a room with visual access or with the door open or in a room or area which is likely to be frequented by other people and another pupil or adult should be present or nearby. Where such conditions cannot apply, staff should ensure that another adult knows that the meeting is taking place.

Meetings with pupils away from the school premises should only be arranged with the specific approval of the head teacher and parents or carers.

Transporting children and young people

In certain situations e.g. out of school activities, staff may agree to transport students. Wherever possible a designated member of staff should make transport arrangements in advance and transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort. Staff, who are expected to use their own vehicles for transporting children should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met. Adults should also be aware of current legislation and adhere to the use of car seats for younger children. Where adults transport children in a vehicle that requires a specialist license/insurance

e.g. PCV or LGV2 F3- staff should ensure that they have an appropriate licence and insurance to drive such a vehicle.

It is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

Educational visits and school clubs

Staff should take particular care when supervising students in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff remain in a position of trust. Although a more informal approach may be appropriate the same standards of conduct apply.

Where activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child ratios and to the gender mix of staff especially on overnight stays.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in activities outside the usual workplace

Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

Communication and Safeguarding

As with physical contact, comments by staff to pupils can be misconstrued. As a general principle staff must not make unnecessary comments to and / or about pupils that could be construed to have a sexual connotation. It is also unacceptable for staff to introduce or to encourage debate amongst pupils in class, or elsewhere, which could be construed as having sexual connotations that is unnecessary given the context of the lesson. If a pupil mentions unnecessarily an inappropriate topic it should be addressed but with the class then moving on promptly.

No child or young person should be in or invited into the home of an adult who works with them unless the reason for this has been firmly established and agreed in advance with parents or carers and agreed to by the head teacher.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to students' questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff.

Remember

- If you are unsure in any safeguarding situation consult the head teacher or the appropriate senior member of staff

- If in an emergency you have to take a course of action that differs from the above guidance ensure the incident is fully recorded with the head teacher or the appropriate senior member of staff

- If at any time you are concerned that an action or comment by yourself may be misinterpreted or that a child behaves or makes a comment in a way that causes you concern in this respect ensure the incident is fully recorded and shared with the head teacher or the appropriate senior member of staff

Any employees found to have behaved inappropriately towards children or who are found to not have appropriately reported having observed children being treated inappropriately will be liable to disciplinary action that could include dismissal. It could also lead to them being barred from working with children in the future.

6 Acceptable use of technologies,

The use of technology has become a significant component of many safeguarding issues. Schools should have their own ICT policy which staff will need to ensure they follow for their own protection as well as that of the school's pupils. Employees need to ensure they know and follow the school's procedures for reporting any e-safety concerns that may impact on themselves, their professionalism or their school.

Photography and recorded images

Many school activities involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity or to celebrate achievement. The Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the act that consent is obtained from the parent or carer of a child for any images made such as those used for school web sites, productions or other purposes.

Staff need to be aware of the potential for such images to be misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable students who may be unable to question why or how the activities are taking place. Students who have been previously abused in this way may feel threatened by the use of photography, filming etc. in the teaching environment.

Staff should remain sensitive to any student who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

Staff must only take photos / videos of pupils and / or staff for professional purposes in accordance with your school's procedures. Using images of students for publicity purposes will require the age-appropriate consent of the individual concerned and their legal guardians. Images must not be displayed on websites, in publications or in a public place

without such consent. The definition of a public place includes areas where visitors to the school have access.

Communication with children and young people via technology and the social media

All staff should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour that could be construed as grooming. They should not give their personal contact details to children and young people including e-mail, home or mobile phone numbers unless the need to do so is agreed with the head teacher and parent/carers. If children locate these by any other means and attempt to contact or correspond with the staff member, the adult should not respond and must report the matter to their manager. E-mail, text communications or use of the social media such as Facebook, Twitter, You Tube, chat-rooms, forums, blogs, websites, or gaming sites between an adult and a child young person outside agreed protocols may lead to disciplinary and/or criminal investigations.

Staff must not talk about their professional role in any capacity when using social media. Do not put online any text, image, sound or video that could upset or offend any member of the whole school community, or be incompatible with your professional role. If you wouldn't say it to the head teacher's face don't put it online.

Ensure all electronic communication with pupils, parents, carers, staff and others is compatible with your professional role and in line with school policies. Staff should not request or respond to any personal information from children other than which may be necessary in their professional role. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour.'

Access to inappropriate images and Internet usage

There are no circumstances that will justify adults possessing indecent images of children. Staff who access and possess links to such websites will be viewed as a significant and potential threat to children. Accessing, making and storing indecent images of children on the Internet are illegal. This will lead to criminal investigation and if proven the individual being barred from working with children and young people.

Staff should not use equipment belonging to their organisation to access adult pornography; neither should personal equipment containing these images or links to them be brought into the workplace. This will raise serious concerns about the suitability of the adult to continue to work with children.

Staff should ensure that children and young people are not exposed to any inappropriate images or web links. Organisations and adults need to ensure that Internet equipment used by children have the appropriate controls with regards to access. e.g. personal passwords should be kept confidential.

Where indecent images of children or other unsuitable material are found, the police and Council's Designated Officer should be immediately informed. Adults should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence

being contaminated. Staff need to be aware that their online activity, both in school and outside school could bring the school into disrepute.

Staff should only use ICT systems and resources (email and phone) for all school business or only in line with what is allowed by your own school's procedures. Staff should ensure that data should only be taken off site with appropriate permission and using an encrypted device.

7 Health and safety

Every school has a legal duty of care for the health, safety and welfare of its employees. In addition, all employees must take reasonable steps to protect their own health and safety and that of other people who may be affected by their actions or omissions at work. The Health and Safety Handbook is available on the Ealing Grid for Learning.

The Health and Safety Handbook contains policies and guidance documents on health and safety, including the accident reporting procedure, visual display screens, violence to staff, HIV and AIDS, and smoking at work. If you are not sure what the safety procedures are or where to get protective clothing and equipment, you must raise this with your designated manager.

You can also seek further advice and guidance from Human Resources or from your trade union safety representative.

You have a duty to help prevent accidents and injuries at work by being aware of the policies that apply to your work and complying with them at all times.

You must:

- comply with all instructions relating to health and safety and security procedures;
- use the protective clothing and equipment the school supplies to you;
- follow all the health and safety codes of practice and policies which are relevant to your work;
- comply with hygiene requirements;
- at the earliest opportunity, report any hazards, defects, accidents or incidents that you become aware of to your manager or supervisor;
- not interfere with, or misuse anything provided for health, safety or welfare;
- avoid risk of injury or danger to yourself or others;
- leave any school building as soon as the fire alarm sounds and follow any instructions of the fire wardens and the person managing the incident;
- inform the school of any other work that you do which, when added to your school working hours, would take your total working hours above 48 hours per week;
- inform the school of any medical condition you have which would be adversely affected by the work that you are employed to do;

- not smoke in any school premises or vehicles.

Managers have some additional responsibilities. These include:

- providing appropriate health and safety induction for all new employees;
- carrying out a risk assessment for the activities undertaken by employees and ensuring that the risk assessment outcomes are implemented, are suitable and sufficient;
- informing employees of the risks associated with the work being undertaken, and of the precautions that must be taken in order to prevent or reduce the risk of accidents and/or work related ill health.

8 Hours of work and attendance

You are required to work the hours stated in your contract of employment, or as required in the schoolteachers pay and conditions document in respect to directed time.

Your contract of employment requires that you:

- be at work at the proper start time (unless you have prior agreement to arrive late);
- agree in advance with your manager any planned absence (for example a medical appointment);
- agree with your manager any annual, special, or flexi leave you want BEFORE you take any time off or book any holidays (except bereavement leave and emergency leave);

If you are absent due to sickness you are required to follow the school's sickness absence reporting procedure. Failure to follow this procedure may result in disciplinary action. If your school does not have their own absence reporting procedure they can use the Management of Absence guidance on the Ealing Grid for Learning.

9 Honesty

The school expects and trusts its employees to be honest in their work. The public are entitled to have absolute confidence in the trustworthiness and honesty of school employees. Any action which breaches that trust or damages or undermines the public's confidence could constitute an act of gross misconduct and may result in disciplinary action possibly leading to dismissal.

To avoid any doubt arising about your honesty:

- report to your manager/ head teacher:
- any attempts to bribe, threaten or otherwise inappropriately influence you;
- any offers of money or favours you get;
- notify your head teacher and Human Resources if you may be involved in selecting someone you know personally outside work or are related to
- do not ask for or accept bribes or incentives of any sort;

- do not accept money or any other reward for the work you do for the school, apart from what the school pays you;

- avoid putting yourself in debt to someone where this would be likely to or could be seen to influence your work;

- if you are aware of an employee or member of the public acting improperly consult your manager or head teacher. If this is difficult, then contact the chief internal auditor or a member of the Audit and Investigation team for a confidential discussion (and/or refer to the school's 'whistle blowing' policy, available on the Ealing Grid for Learning);

- follow any procedures you are given if your job involves handling or holding clients money or other possessions;

- hand in any lost property that comes into your possession.

Any breach of the above requirements or any deliberate act of fraud or misuse of School assets will be considered as gross misconduct and will lead to disciplinary action with the possibility of dismissal. Defrauding the School could lead to disciplinary action and possible dismissal.

10 Conflict of interest

There may be occasions where there is scope for conflict between the School's interests and your own. You must not allow your private interests or beliefs to conflict with your professional duty. You must not misuse your official position or information acquired in the course of your employment to further your private and personal interest or the interests of others. Private and personal interests include those of your family as well as those arising through membership of, or association with clubs, societies or other organisations and voluntary bodies. It is important for conflicts of interest to be clearly seen.

To avoid any difficulties arising from a potential clash of interests you must:

- notify your head teacher in writing if you have links of any sort (including, but not limited to, as a director, company secretary, trustee, partner, shareholder, owner, contractor or employee) with an outside organisation which may:

- receive (or are applying for) grants or other benefits from the school, if you are involved in the grant allocation process or where this could create a conflict of interest;

- work for the School, or supply goods and services to it (or are tendering or preparing to do so);

- avoid becoming involved in any appointment (or application for appointment) to the School's service, or any other decision relating to discipline, promotion and pay and conditions for any other employee or prospective employee to whom you are related or with whom you have a close personal relationship outside work (but if you are, report it to your head teacher and if necessary seek advice from Human Resources, if it is the head teacher who has the relationship they should report the issue to the Chair of Governors).

Similarly, should you apply for an internal post you must declare whether you have a close personal relationship with anyone on the appointing panel.

You are permitted to act as the 'representative' of a close friend, partner or relative who is the subject of disciplinary action or is pursuing a grievance under the School's procedures, so long as this does not create a conflict of interest with your normal duties

Should a conflict arise at any time you must report it to your head teacher immediately.

Gifts and hospitality

Staff need to ensure that they do not accept any gift that might be construed by others as a bribe or lead the giver to expect preferential treatment. There are occasions when students or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or other religious holidays or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Personal gifts must not be given to individual students. Any reward given to a student should be consistent with the school's policy, recorded, and not based on favouritism.

You are already paid for the work you do, but people may believe they will get better service or more favourable treatment if they provide additional payments or offer you favours: this is not the basis on which the school delivers or purchases services (or goods). You must:

- avoid putting yourself in a position where you could be thought to be acting improperly;
- report to your head teacher any hospitality, favours or gifts you are offered or receive(you will be asked to declare any gifts and hospitality you receive on an annual basis as part of the School's declaration of interest process but this must not prevent you from making a declaration at any time). Gifts to Headteachers should be reported to the Chair of Governors;
- return any gifts your Headteacher says you may not keep;
- not ask for a gift, tip, or Christmas box;
- not accept gifts or favours from organisations or suppliers that the school has dealings with (for example goods or services free or below the normal price);
- not accept unreasonable or undue hospitality. For example, don't allow an organisation or supplier that has dealings with the School to pay for you to:
- go to sporting events, the theatre, or any other entertainment;
- go away on holiday;
- make visits to inspect equipment or services where there may be a subsequent purchase by the school;
- travel to a meeting, or go out for an evening, or stay in an hotel or other accommodation.

Remember, the school can reimburse any legitimate expenses incurred at work. But the expense must be cleared by the relevant manager or the head teacher before it is incurred.

This does not prevent you:

- accepting reasonable hospitality while you are working (such as a cup of tea or coffee,or other light refreshment) when visiting sites, offices or people's homes;
- accepting an invitation which it is proper for you to take up as you will be representing the school, such as at relevant courses and conferences (BUT you must check with your Headteacher first).
- accepting a gift which:
    - is of token value (such as a calendar or inexpensive pen), and
    - is offered to you without your asking, and
    - your manager says cannot be seen to influence the way you do your work.

Certain dispensations may be granted to employees according to their particular job roles and if your school has a 'hospitality register' you should comply with any relevant procedures. Your designated manager will tell you if any apply to you.

However, in all cases you should

- make a record of all invitations to functions and report these to your manager;
- make a record of all free services and goods you receive and report these to your manager;
- consult your designated manager if in any doubt.

Legacies

Members of the public or clients sometimes wish to express their appreciation of the services they have received by leaving money/gifts in their will. Such legacies can give rise to complaints from other potential beneficiaries, and to accusations that an employee has taken advantage of the situation to gain personal benefit.

If a client, parent or member of the public suggests to you that they intend to make a bequest to you should:

- explain the difficulty that may cause you and insist that people you meet through your work do not leave you things in their will;
- report it to the Headteacher.

If you are offered a bequest from a member of the public forward details of the amount involved, the reason for the legacy and the service provided, to your head teacher before

you accept it.

Private work

While undertaking your role, your work judgements may be questioned and conflicts can arise. It is important that you are, and are seen to be, working conscientiously and fairly for the school and not leave yourself open to accusations of self-interest.

Private work includes being a director, company secretary, agent or advisor to a company or organisation, even where this is unpaid.

You may undertake paid or unpaid work for yourself or other organisations but there are some rules that you must follow.

You must:

- ensure any private work is done in your own time and not:
    - ➢ during school time;
    - ➢ when you are on sick leave;
    - ➢ when it is seen to be against the interests of the school;
    - ➢ when it may reduce public confidence in the school;
    - ➢ when you are on extended leave or on a career break from your school post.
- not use school property (including information which belongs to the school) or equipment to do your private work (for example making phone calls, postage, photocopies or using computer systems)
- not use your position with the school for private gain;
- ensure that there is no conflict of interest.
- get formal written permission from your head teacher before you take up any (paid or unpaid) private work for any person or organisation that supplies (or receives), or is tendering/applying to supply goods or services to (or from)
    - ➢ the school;
    - ➢ the school's contractors;
    - ➢ the school's suppliers.
- declare in writing to your designated manager any fees paid to you from outside bodies for work you do in the course of your job and on behalf of the School (for example fees for a lecture or broadcast done in work time) and:
    - ➢ you must get permission in advance of undertaking such work and;
    - ➢ any such fees above a certain amount per annum must be shared with the School in accordance with the conditions of service but;

➢ you may keep any fees for lectures or other work that the School does not pay you for, but you must have had permission and the work must be carried out in your own time.

In relation to private tutoring work, staff must not tutor students in the school privately for financial gain, and should not seek to get business from students who are associated in any way with the school either by approaching students or parents, or offering services if asked.

Remember that the responsibility to comply with these rules (or any others which may apply to your area of work or your specific job) and to volunteer any relevant information is yours alone.

11 Use of school assets

School assets comprise not only physical objects and financial resources but also computer data and information generally. To avoid legal challenge to the school, and protect yourself:

- do not take anything that belongs to the school (even waste food or material, unless properly authorised in advance);
- take care to avoid waste, loss or damage to school property;
- ensure you have permission (and suitable insurance) before you make private use of school property or equipment and then only use it appropriately;
- ensure you have permission from your manager before taking or using school vehicles for private journeys (this includes journeys at lunchtime or between work and home);
- where intellectual property of the school e.g. reports, designs, software developments has been created in the course of an employee's normal duties, it remains the property of the school and should not be passed on to third parties. Similar principles apply to copyright of school publications;
- you must not attempt to gain access to any information resource for which you do not have authorisation;
- never use your own software on school equipment;
- never send or forward offensive written or visual material via the school's e-mail service (neither internally nor externally) and always report it immediately to your manager if you receive one;
- do not use the e-mail service for unnecessary e-mails or any which are not connected with your work and never send or forward personal 'e-mail shots' or 'chain e-mails'.

12 School services - contracting out

If there are proposals to contract out (tender) any of the school's services, strict rules are applied to ensure the highest standards of impartiality and integrity are maintained. Specific

information may be sent to employees affected by potential tendering of services. The organisational structure will make it clear which employees belong to the 'client-side' and which to the 'contractor-side'. A contractor may make a legal challenge to the school if it believes there is anti-competitive behaviour.

If you are involved in the potential contracting out of a service, whether on the client side or contractor side, you must ensure that competition between prospective contractors is fair and open and that all competing parties, both external and internal, are treated equally.

In particular:

- immediately notify your manager/supervisor if you are approached by a contractor or supplier seeking unauthorised information or preferential treatment;
- avoid saying or doing anything that may lead a contractor to think you treat them more favourably or less favourably than others. Do not treat any particular contractor more harshly than another, nor give one contractor information not given to others;
- ensure that any work you do in preparation for a proposed contracting out of a service has been properly authorised;
- do not disclose to any contractor or other party any information about the bid or business details of another contractor or in house service;
- do not commit the school to any course of action which could increase the cost of contracting out, or in any way be detrimental to the interests of the school whilst the contracting out proposal is being considered;
- avoid unlawfully disrupting services while options for contracting out are being considered or pursued;
- if you are a potential 'contractor-side' employee (including any support staff also subject to transfer) avoid playing any part in discussion or evaluation of options or bids etc. on behalf of the school, or negotiation with potential bidders: any contact the 'contractor-side' may need with potential purchasers shall be with the approval of and subject to any conditions imposed by the chief executive;
- if you are involved in a 'management buy-out' proposal you must declare your interest and do any work on any tendering in these circumstances in your own time.

13 Confidentiality

Data protection and disclosure of information

Pupils, parents, carers, suppliers and employees are entitled to protection of their privacy. In addition, the General Data Protection Regulations (GDPR) 2018 imposes a legal duty on individuals. The GDPR data principles require that data must be:

- Processed lawfully, fairly and transparently
- Collected for specific explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary

- Accurate and up to date
- Kept for no longer that is necessary
- Kept securely

In schools these principles also apply to general disclosure of information, both manual and computerised.

You are entitled to know what information is held about you as an employee and correct any errors (there are some limited exceptions such as information related to current investigations). For example, Ealing has both computerised and manual human resources information systems and if you want to see what information is on your computer record or is held in your HR personal file you should notify the HR Shared Service Centre in writing.

You must:

- not improperly disclose, or use (directly or indirectly) any information (either about school business, employees or members of the public) that you receive in the course of your work or allow others to do so;
- not use data held by the School for any purpose other than that for which it is registered to be kept and used
- ensure that all data is kept secure (i.e. locked away or protected by computer passwords) and that data on VDUs and paper files are not left within view of unauthorised persons;
- not disclose or display information about other employees (e.g. sickness absence records, addresses or contact numbers) and any such data must only be accessed by authorised users for legitimate purposes;
- not conceal any matter that it is your duty to report.

14 Breaking the law

Breaking the law either at or away from work could damage public confidence in the school, or could make you unsuitable for the work you do. You need to consider carefully whether you should advise the Headteacher immediately if the police make any criminal charge against you or if you are convicted of a criminal or civil offence.

When applying for future jobs you will need to take care about disclosing any past criminal convictions in line with the Rehabilitation of Offenders Act 1974. In general, you do not need to disclose a conviction or charge if it is spent. If you are in any doubt, you should contact Human Resources or the employee counselling service in complete confidence. Contact details are available on the intranet.

On the 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure. In addition, employers should no longer be able to take an individual's old and minor cautions and convictions into account

when making decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. All convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

Staff working in a school are legally define as working in a regulated activity and are therefore required to apply for a Disclosure and Barring Service disclosure. The DBS website provides a comprehensive list of relevant categories

https://www.gov.uk/government/organisations/disclosure-and-barring-service

Any information you give us about convictions will be kept confidential and will only be considered in relation to the job you are applying for.

You need to notify your manager in writing if:

- you are convicted of a criminal offence which would make you unfit for the job you do;

- you are charged with a crime which (if convicted) would make you unfit for the job you do.

Please note

Failure to disclose this information could in itself lead to disciplinary action leading to dismissal.

15 Civil rights

The School recognises that employees who are NOT politically restricted by the Local Government and Housing Act 1989 (see below) may, in their own time, exercise their rights as citizens to lobby and campaign on issues including opposing School policy.

However, if you speak as a private individual direct to the press, or at a public meeting, or where your remarks may be reported to the press, you should ensure that nothing you say might lead the public to think you are acting in your capacity as a School employee. Where you are speaking on behalf of a recognised trade union you should make this clear.

Elections

In the run up to local, parliamentary and European parliamentary elections, all activities of the School and its employees are sensitive and employees must be very careful not to do anything which appears to promote or support any candidate or party. Adherence is not optional and any breach could result in conviction, surcharge or a challenge to the election itself.

To avoid potential difficulties:

- do not display election material in School buildings or on vehicles

- clear any School publicity you may be involved in or arrange (including photo-calls)with the head of communications

- deal with correspondence and enquiries and the provision of facilities and information fairly between candidates

- if you are in charge of a residential establishment and before allowing entry, consider the wishes of the occupants and ensure even handed treatment of all candidates who wish to canvass for support among residents

- have regard to more detailed guidance issued by the Director of Legal and Democratic Services at election times

- consult your head teacher immediately if you are not sure about any of the above.

16 The media

The school's public image and reputation are affected by how it is presented in the media. All employees are therefore required to observe certain rules when liaising with journalists.

All media enquiries MUST be referred immediately to the Headteacher. They may wish to liaise with the council's media team in the Marketing and Communications Department (tel 020 8825 8686 email press@ealing.gov.uk). This ensures that information given to the media is accurate and reflects the council's view. No other council staff are allowed to talk to journalists.

To ensure that the council can respond to media enquiries at all times, the media team provides a 24 hour service 7 days per week including on Bank Holidays. It can be contacted outside normal business hours via the out of hours service 020 8825 5000.

If you are aware of an issue that will cause media interest, or are told that someone intends to contact the media about the council or its services, you should immediately inform a member of the media team.

In particular:

- o Never speak, write or give interviews to the media about school business without the prior permission of the media team and the head teacher.
- o Never publicise confidential information gained in the course of your work.
- o Never maliciously undermine or bring the school into disrepute by passing on material that is confidential and against the interests of the School and its employees.
- o Never highlight personal issues about your employment to the media.
- o Never bring the School into disrepute by expressing extreme views.

If there is something that the school (or an employee) is doing that concerns you, you believe something is against the public interest or should be 'exposed' follow the school's 'whistle blowing policy' that is available on the intranet or by contacting Human Resources.

Appendix One – Types of Misconduct

Gross misconduct

Gross misconduct is the kind of act or behaviour that would destroy the trust, which is the basis on which your contract of employment is made and justifies the school in dismissing you without notice. Such misconduct would mean that the school would not be able to put its trust in you as an employee any longer.

Gross misconduct

- Serious failure to comply with or operate the School's Equality and Diversity policies.

Examples include; serious acts of discrimination, harassment, or verbal abuse against employees, clients, parents or members of the public on grounds of race, sex, disability, age, sexual orientation or religious beliefs; the display or circulation within the workplace or school community of any literature or material (such as pornographic or racist materials) via any medium that could offend other persons;

- Serious bullying or harassment;
- Serious infringement of the school's Health & Safety policy, procedures or guidance;
- Serious failure to comply with or operate the school's Code of Conduct e.g. holding unauthorised paid employment during paid school time; conducting inappropriate relationships with vulnerable clients; not declaring a personal interest which may infringe the employee's impartiality;
- Serious negligence that causes or might cause unacceptable loss, damage or injury;
- Bringing the reputation of the school into serious disrepute;
- Incapability whilst on duty brought on by alcohol or illegal drugs;
- Serious failure to comply with or operate the school's information systems and security standards e.g. gaining unauthorised access to passwords and breaches of the use of the email and internet policy including emails with pornographic attachments;
- Serious breach of financial regulations or procedures;
- Unauthorised removal, possession, use or theft of property belonging to the school, an employee, client, parent or member of the public;
- Acts of violence including the assault of an employee, client, parent or member of the public during working hours or in connection with their employment of work;
- Falsification of qualifications or information to obtain employment with the school or which are a statutory or essential requirement of employment or which result in additional remuneration;
- Conduct that is of a sexual nature on the school site;
- Deliberate falsification of records i.e. attendance sheets, timesheets, subsistence and

expense claims etc.;

- Acceptance of bribes or other corrupt or fraudulent practices;
- Defrauding the school
- Disclosure of highly confidential matters to public sources or the deliberate unauthorised use or disclosure of any information or computer generated information from which a living individual can be identified (Subject to the Public Interest Disclosure Act 1998);
- Committing a criminal or civil offence at or away from work that renders the employee unsuitable to remain in the school's employment or which may seriously damage the school's reputation. Or where there are reasonable grounds to believe that a serious criminal offence has been committed which may be connected or unconnected with their employment.
- Failure to have behaved appropriately towards children or if found not to have reported having observed children being treated inappropriately.

Other types of misconduct

Other types of misconduct are listed below (the list is not exhaustive). These will usually result in a sanction that is less than dismissal, but dismissal may sometimes be the result depending on the circumstances such as if the misconduct is serious or repeated.

- Attendance and Time-keeping
- Failure to comply with attendance and time-keeping requirements;
- Failure to follow procedures for booking and returning from leave;
- Persistent absence and/or excessive absence without medical reason.
- Telecommunications related issues
- Abuse of telephone, fax, e-mail or Internet for personal reasons;
- Inappropriate use of e-mail or Internet (gross misconduct in serious cases);
- Recording conversations or meetings without having been given permission by the employee/manager concerned.
- Behaviour
- Failure to follow a legitimate management instruction;
- Prolonged time-wasting;
- Inappropriate behaviour towards a colleague, manager, pupil or a person in the care or charge of the school, parent or member of the public (gross misconduct in serious cases).
- Poor Working Practices

- Failure to maintain proper records;
- Failure to follow school procedures e.g. financial regulations, safety standards.
- Malicious complaints/grievances made against another employee or manager

(gross misconduct in serious cases)

- Other breaches of the school's Code of Conduct.