

# Staff Code of Conduct

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## 1. Overview

As an employee of Hatton Academies Trust, you will be involved in complex issues associated with the provision of education and other services. The way you carry out your duties must promote and maintain public confidence and trust in our work. You must comply with Trust policies and comply with statutory requirements, including those related to child protection and safeguarding.

Although there is no single set of rules that can answer all ethical questions, the Trust's Staff Code of Conduct provides an ethical framework for the decisions, actions and behaviour of your work as a public official. If you find yourself in a situation where there is no clear agreement on what is 'the right thing to do', you can:

- refer to this Code of Conduct, Ethical Decision Making Guidance (Appendix A) and/or any applicable guidelines, policies and procedures
- refer to the Trust's code of ethical conduct and the HAT Child Protection Policy and Procedures regarding safeguarding issues
- discuss the situation with your line manager
- contact your Academy Principal, CEO, or Director of Finance & Operations for guidance, clarification or assistance

## 2. What is the Code of Conduct?

This Code of Conduct is designed to provide guidance to all employees, directors, local academy committee members, volunteers and trainees about what is expected from you in your daily work and in your dealings with students, parents, work colleagues, directors, academy representatives and the public. All Trust employees must be familiar with the Code of Conduct and comply with its contents.

*It is important that you read and understand the **whole** of this document and ask your manager or supervisor for clarification if there is anything in it that you do not understand and needs explaining.*

## 3. Who does the Code apply to?

Although the Code does not directly apply to contractors or consultants, the Trust's continued association with these individuals and/or their organisations requires them to observe and comply with the Code. However, in some instances, compliance may be a condition of the contract between a third party and the Academy or Trust, in which case their compliance with the Code would be binding.

## 4. What does the Trust expect from you?

**In summary, you are required to:**

- Safeguard, protect and promote the welfare of children and young people at all times in accordance with Trust and your Academy policies and procedures, and current "Keeping Children Safe in Education" and 'Working Together to Safeguard Children' guidance.
- Attend work in a condition which enables you to fully undertake your duties in a safe manner.

- Ensure that reasonable care is taken at all times for the health, safety and welfare of yourself and other persons, and comply with policies and procedures relating to health and safety within the Academy.
- Act honestly and with integrity at all times.
- Maintain confidentiality for all issues and information which you are privy to in your professional capacity.
- Act professionally in the company of students, parents and the wider community ensuring that confidential information is not divulged to students at any time.
- Act with dignity and treat all others with dignity and respect.
- Work in accordance with the terms and conditions of your contract of employment and job description.
- Understand and apply the Trust and your Academy's rules, policies and procedures.
- Be committed to delivering quality services to service users.
- Understand and act in accordance with the Trust's and your Academy's vision and values, policies and procedures.
- Protect all confidential data and information (electronic, paper based and verbal) in accordance with data protection laws in accordance with the Trust's Data Protection Policy.

#### **4.1 Dress Standards**

The Trust's expectation is that all staff are decently, appropriately and professionally dressed in work at all times. We aim to promote a professional, respectful and inclusive environment which accommodates individual preferences and comfort. As such, we encourage all staff to 'dress for your day' which allows individuals to choose appropriate clothing based on their daily work activities.

We acknowledge that diversity, in all its forms, amongst our staff provides a source of enrichment to our Trust community and to the learning experience for our students. We do not discriminate on the basis of gender, race, religion, disability or any other protected characteristic as set out in the Equality Act 2010. We are supportive of individuals' choices of clothing on the grounds of, for example, religion, culture or medical need, provided that the choice of clothing does not impact detrimentally on health & safety and/or security of the academy or the person's ability to do their job.

We do not permit the wearing of clothes that are revealing, allow underwear to be seen, have offensive logos or writing, or are ripped or torn at any times. Tattoos and ear/nose piercings are permitted but staff must avoid displaying any offensive or extreme body modifications.

If a member of staff is unsure whether any item of clothing is inappropriate then they should seek support from their line manager first, before wearing it to work. Where we

identify that someone is wearing clothing that we do not find acceptable, it will usually be the responsibility of their line manager, or a senior leader, to informally raise this with them.

Please contact the HR Team if you require any advice about the Trust's dress standards.

## **5. Workplace Behaviour and Personal Conduct**

You should treat students, colleagues, directors, academy representatives, parents and members of the public with dignity and respect at all times and in all circumstances.

### **You should:**

- Ensure that your conduct is not discriminatory or harassing to others.
- Ensure that child welfare and safety is paramount and you are familiar with all Trust policies and procedures
- Ensure your behaviour and performance meets workplace standards at all times when you are representing the Trust or your Academy, or are likely to be identified or associated with your role as a Trust employee (whether or not you are officially 'on duty' at the time).
- Make sure you are familiar with and follow the Trust's policies on equal opportunities and the prevention of discrimination, harassment and bullying.

### **5.1 Grievances**

If you have a concern or grievance in relation to certain aspects of your employment then you can use the procedure set out in the Dignity and Respect at Work Policy. This provides guidance on how issues may be resolved informally through early intervention or mediation. Any employee who requests a resolution in good faith will not suffer any adverse consequences as a result of submitting the request. Following the resolution procedure is essential if your concern/complaint is to be dealt with properly and effectively (refer to the same policy).

### **5.2 Reporting Absence**

If you are unable to attend work for any reason, you must follow the instructions for your academy as soon as possible and in advance of your normal work start time, so that your absence is known and appropriate action is put in place to cover your role. You should also advise your line manager unless you have agreed with the HR Manager or your Principal that he/she will do this for you. Further information is available in the Trust's Attendance Management Policy.

### **5.3 Punctuality**

All employees are expected to be at their work stations and ready to work no later than the start time stated in their terms and conditions of employment. If you are going to be late for work you must contact your line manager and follow the absence procedure applicable to your academy. Lateness will be recorded as unauthorised and deductions may be made from pay at the discretion of the Principal. Regular or persistent lateness will be managed in accordance with the Trust Disciplinary Policy.

Teaching staff are expected to be on site at least 10 minutes before and after the start and end to the school day.

#### **5.4 Misconduct**

The Code of Conduct guides and assists employees acting in good faith. If, in your decisions, actions or conduct you wilfully fail to comply with the standards outlined in the Code of Conduct, this could result in disciplinary action, which could include dismissal (see the Trust's Disciplinary Policy).

#### **5.5 Learning and Development**

You are obliged to participate in relevant learning and development opportunities to develop the skills and knowledge necessary to perform your job and to enhance the delivery of services to the Trust community. You should seek feedback on your work performance and reasonably engage in any plans for improving your work performance (as outlined in your performance management / appraisal).

#### **5.6 Alcohol and Drugs**

You must not consume alcohol, use illicit drugs or other illegal substances while at work\*, nor supply such substances to others or encourage others to do so. You must also ensure that the use of any drug does not adversely affect your ability to attend work, work performance and safety of yourself or others, and does not bring the Academy into disrepute.

\*The term "while at work" includes academy trips and activities off site (including residential trips).

The Trust has a Vicarious Liability for employees in the extended workplace (e.g. at Christmas parties, social gatherings) and celebration evenings which take place outside of the working day whether or not on academy premises (including Proms). It is recognised that staff may wish to consume alcohol at such events and therefore staff must ensure that their behaviour, conduct and/or alcohol consumption does not lead to actions or misdemeanours which bring the reputation of the Trust/Academy into disrepute nor lead to allegations of misconduct from colleagues or third parties which may constitute grounds for disciplinary action.

Similarly, if you are taking legally prescribed or over-the-counter drugs, you must ensure that their use does not adversely affect your work performance and the safety of yourself and others. If you are a supervisor or manager, you will need to consider the options available for assisting employees who are required to take legally prescribed drugs and whose level of performance has been impaired. In these circumstances, a risk assessment should be undertaken with guidance from the HR Manager. Employees have a duty to notify the Academy if they are prescribed drugs which may present side effects which could affect their performance, safety and well-being.

The Trust reserves the right to request staff take a breathalser test where concerns exist.

Further guidance is available in the Trust's Drugs & Substance Misuse Policy.

### **5.7 Smoking (including e-cigarettes and vaping)**

The Trust academies are strictly no smoking sites at all times. Smoking on a Trust Academy site will be considered a breach of the Trust's policies on Smoking and Fire Safety. Smoking within Trust buildings would be considered an act in breach of the Smoke Free (Premises and Enforcement) Regulations 2006. Smoking in vehicles used for academy trips and activities with other members of staff or students present is not permitted.

Staff should actively discourage students from smoking and report students who smoke on Trust premises to an appropriate senior member of staff. Staff are not allowed to give or sell cigarettes or tobacco products of any kind to pupils, regardless of their age.

The use of e-cigarettes, vaporisers or imitation smoking devices is not permitted on the premises by pupils, staff or visitors at any time.

### **5.8 Intimate Acts**

Staff must refrain from performing any intimate acts in the course of their duties.

### **5.9 Health, Safety and Well-Being**

All employees have a personal and legal responsibility under the Health and Safety at Work Act 1974 for themselves, students, colleagues and all visitors to the Trust's buildings and premises.

These responsibilities are identified in the Trust's Health and Safety policy.

In summary, the policy states that you must:

- Look after the health and safety of yourself and others who may be affected by your actions or failure to carry out certain actions at work.
- Co-operate with your manager, attend training sessions and carry out reasonable instructions.
- Report any hazards or defects to the Health & Safety Officer immediately that they are observed.

### **5.10 Offensive Weapons**

Staff are not permitted to bring offensive weapons (as defined in the Offensive Weapons Act 1996) onto a Trust site. This includes, but is not limited to: firearms (including replicas and air-weapons), knives or any article with a blade or point, martial arts weapons, any article capable of causing electric shock or bodily harm.

Where any article falling within the definition of any offensive weapon is to be used for educational purposes, prior permission must be sought from the CEO and a thorough risk assessment undertaken.



### 5.11 Tools and Equipment in the Work Place

Staff must take responsibility for controlling potentially dangerous tools and equipment used in the workplace. Where such implements are used by students in an educational setting, staff must ensure adequate procedures are in place to prevent items going missing or misuse (e.g. scissors, scalpels, glue guns, pairs of compasses).

Staff who work with tools as part of their daily activities must ensure adequate procedures are in place to prevent items going missing or misuse. Tools used for hot work within the Academy may only be used with the express permission of the Principal and provided that their use has been risk assessed in document form.

## 6. Protecting the Academy, its Students and its Employees

### 6.1 Safeguarding: Promoting the Welfare of Children and dealing with low-level concerns

As an employee in a school environment, you have a statutory responsibility to understand and follow the Trust policies and procedures on child protection and safeguarding. For details of all policies these can be found on your Academy website or the Trust website, and in the safeguarding section of the staff handbook. Regular statutory training sessions will take place which you must attend.

We recognise the importance of responding to and dealing with any low-level concerns regarding the actions of colleagues in a timely manner to safeguard the welfare of children. Colleagues includes all staff, volunteers, directors, supply staff, external visitors and contractors.

All staff must remember that the welfare of the child is paramount.

All low-level concerns must be raised with the academy Principal in a timely manner. Do not wait to raise a concern. All concerns raised will be investigated and recorded by the Principal.

The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of the school may have acted in a way that:

- Is inconsistent with the HAT code of conduct, including inappropriate conduct outside of work, **and**
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority

Examples of such behaviour could include, but are not limited to:

- Being overly friendly with children
- Having favourites
- Taking photographs of children on their mobile phone
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- Humiliating pupils

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- Empowering staff to share any low-level concerns with the Principal or CEO (If the concern is against the Principal) as soon as possible
- Empowering staff to self-refer
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- Helping to identify any weakness in the school's safeguarding system

Safeguarding is more than protecting individual children and encompasses a wide range of issues including:

- Pupil Health and Safety
- Bullying of all kinds
- Pupils' medical needs
- Female Genital Mutilation (FGM)
- Child sexual Exploitation
- Online safety & Conduct
- Children missing from education
- Radicalisation and extremism
- Racism and hate
- Academy Security and Visitors
- Drugs and Substance Misuse
- Ensuring material shared with students (in lessons or otherwise) does not cause offence
- Sexual violence and sexual harassment between children in schools.

Any material shown to students **must be vetted in advance** to ensure that the content is appropriate to the circumstances. Consideration should be given to: (this is not an exhaustive list):

- Sexual content
- Discriminatory content
- Radical content
- Profane content
- Violent content
- Extremism
- Demonstration of any illegal act
- Offensive/upsetting content

You have a statutory duty and responsibility to refer all child protection issues to your DSP or to your Principal.

## **6.2 Other Employment**

Employee's must notify the CEO/DFO if they are employed or intend to be employed by another organisation at the same time as being employed by Hatton Academies Trust. Where there is an incompatibility with their employment with the Trust, this will be discussed with the employee.

It is important that you ensure that any additional employment does not conflict with the interests of the Trust or affect your ability and credibility to do your job. You must also ensure that Academy/Trust time and/or resources are not utilised in connection with any other employment.

If in doubt, the best thing to do is to discuss the circumstances with your manager or Principal.

## **6.3 Use of Authority**

You should not use your official position, status, powers or authority to seek to improperly influence a decision or action. You are expected to provide honest, impartial and comprehensive advice regardless of your personal assessment on a matter. If your personal views conflict with the performance of your official duties or if you believe that you cannot act impartially, you should contact your line manager and attempt to resolve the conflict.

When requested, you are expected to provide directors, the CEO, senior leaders, line managers and co-workers with advice which is frank, independent, based on an accurate representation of the facts and as comprehensive as possible. When exercising a discretionary power, you should ensure that the power is being used properly, impartially, equitably and is consistent with relevant legislation, delegations, procedures or guidelines. In exercising any power associated with your employment, you must ensure that you are either statutorily authorised to do so or that you have been delegated the power by a person with the necessary authority to issue the delegation.

## **6.4 Conduct Outside Working Time**

Generally, what you do outside work is your own concern, but you should avoid doing anything that might adversely affect the safeguarding and welfare of children and young people, or the reputation of your Academy or the Trust or bring the Academy/Trust into disrepute. It is in all our interests that we portray the Academy or Trust in the local community in a positive light.

In your official capacity (as a Trust employee) or personal capacity, you must not allow your personal interests to conflict with the Academy's requirements or use your position to improperly confer an advantage or disadvantage on any person. If you are not sure whether or how this may affect you in your role, speak to your manager or Principal.

## **6.5 Contact with students and parents/carers and acceptable use of technologies e.g. social media**

Staff must adhere to (and agree to adhere to) Hatton Academies Trust's Online Safety policy and have signed the HAT Staff Acceptable Use Agreement.

Outside working time, contact with students and parents/carers on a social basis is forbidden with the exception of students/parents/carers who are relatives or close family friends. Where a student is a relative or close family friend, parental consent should be obtained and staff should declare the relationship to their line manager.

Staff should communicate with students and parents/carers ONLY through your academy communication systems e.g. via email or Edulink, and not through personal accounts, and ONLY in relation to academy matters.

Friending/following/liking current student's personal accounts is strictly forbidden.

Staff must not post content onto any online platform which could put both staff and students reputation at risk or bring the reputation of the Trust into disrepute.

It is strongly recommended that staff should not have ex-students or siblings of current students as "friends" on any social media platform. The exception is when ex-students have been left long enough i.e. Over 25 years old or are not connected in any way with a Trust academy.

Staff are advised to carefully consider whether to use social media apps, and in particular dating apps, due to the personal nature of conversations which can occur on these. Staff are asked to consider their security and be fully aware of who they are talking to.

Staff are discouraged from using images of themselves as "profile images" or their real names on social media profiles.

Staff are advised to ensure that their privacy settings of their personal social media accounts/pages are limited to 'friends'.

## **6.6 Criminal Charges and Convictions**

All appointments of academy employees are excluded from the provisions of non-disclosure under the Rehabilitation of Offenders Act 1974. In all circumstances, Disclosure and Barring Service (DBS) checks are conducted on all successful applicants for positions in the Academy. For further information see the Academy's Recruitment Policy.

Once you are an employee, you must notify the Academy in writing if you are charged with any offence or if you are convicted of any offence (including motoring offences). If you are charged with an offence, the notice must be given immediately after you are charged (i.e. next working day). If you are convicted of any offence, the notification must be given immediately after you are convicted (i.e. next working day). It should be noted that the term "conviction" includes a finding of guilt, regardless of whether or not a conviction is recorded. You must also declare cautions, bind-overs, pending prosecution and police investigations. Failure to notify the Academy will constitute grounds for disciplinary action.

## **6.7 Use of Trust and Academy Property, Facilities and Equipment**

Trust and Academy facilities are to be used for the Trust and Academy's business and for no other purpose unless you have your Principal's permission beforehand. Reasonable personal use of telephones (for local calls), photocopiers, computers and faxes is allowed provided you have been authorised to do so by your manager or Principal.

However, no private work may be carried out in the Trust's time, or on Trust's premises or with the use of the Trust/Academy equipment.

The Trust allows reasonable, non-official use of internet and email, as long as individual or service performance is not compromised or adversely affected as a result. As a general rule, such use should be restricted to outside of working hours, or during unpaid breaks.

All usage of Academy ICT equipment must comply with the Trust and Academy's Online Safety Policy and Staff Acceptable Use Agreement and will be monitored. In accordance with the Trust's Data Protection Policy and the Acceptable Use Agreement, staff who are allocated ICT equipment (including mobile phones) should not store personal information on these devices including personal photos, documents etc.

Staff who are allocated a laptop/PC/mobile phone/tablet for their duties should:

- Save all Academy related work to an online platform such as Office 365 or your Academy server where possible and not to the hard drive within the device. Furthermore this will ensure that a backup is made on a regular basis
- Whilst working remotely without access to Academy servers, you should ensure that any information saved is saved to an online platform such as Office 365.
- Ensure the laptop is not used by non-employee's including family, friends, relatives
- Staff wishing to take equipment abroad should seek prior permission from the Principal
- Staff should note the use of USB or external hard drives for storing Academy related work is not allowed. If this is required then you should contact the Trust DFO in the first instance.

## **6.8 Dealing with Trust/Academy's Money**

All employees must ensure that they use public funds or parental contributions entrusted to them in a responsible and lawful manner. All cash receipts (without exception) must be banked with the academy finance department as soon as possible following receipt. You should never transfer funds from your own private account to a student's account or vice-versa under any circumstances.

It is Trust policy that teachers should not collect money as part of their normal duties. Where possible, all monies collected should be paperless and transacted through your academy parent payment system (e.g. ParentMail/Parent Pay).

All employees should strive to ensure value for money for the Trust/Academy. Should you have responsibility for budgets and/or purchasing, you must ensure that you understand and comply with the Trust's financial procedures. Queries or concerns should be addressed to the DFO or the Finance & Payroll Manager.

When committing Academy/Trust funds to a purchase, you must ensure that there is an approved budget for such expenditure before any commitment is made and that the expenditure is within the limits that you are personally authorised to incur. Any potential contracts with third party providers must not be entered into without the express consent of the Trust. In the first instance potential new contracts should be discussed with your Principal who will discuss with the DFO/CEO.

Employees involved in a tendering process and dealing with contractors must be clear on the separation of client and contractor roles within the Trust. You must declare any

financial or pecuniary interest, whether direct or indirect, that you or your partner or any relative may have in any contract or proposed contract with the Trust or your Academy.

You should also consider declaring non-financial interests, for example, where you do voluntary work for an organisation. If you are in any doubt then you should make a declaration. Annually you will be required to complete a form declaring any pecuniary or business interests.

If you have been delegated responsibility as a budget holder, you must ensure that you comply with the Trust Finance Manual.

### **6.9 Conflict of Interest**

If a conflict occurs between your private interests and public duties you must resolve the conflict in favour of your public duties. You can seek advice from the DFO regarding declaration and registration of conflicts of interest.

You must advise your manager in writing of any personal or immediate family private interests that may give rise to a conflict of interest with your official duties, particularly if you are involved in making decisions affecting staff appointment, contracting, tendering or regulatory functions.

You should comply with any reasonable request from the CEO to provide information relating to your personal interests or the interests of a dependent or spouse.

#### **Examples of conflicts (or perceived conflicts) between personal interests and public duties that should be declared and in some cases avoided include:**

- Staff who have access to computer databases containing personal details updating their own personal records or those of close relatives.
- As a purchasing officer liaising with an organisation owned by (or whom employs) one of your close relatives.
- Employees being contracted to provide services to the Academy/Trust outside of their paid employment.
- Generating work which involves travel to provide an opportunity to visit friends.
- A supervisor who is in a position to approve higher duties or provide other benefits to a subordinate where a close personal relationship exists (such as a partner or family member or close personal friend).
- Involvement with an interview panel when a relationship exists with one of the applicants.

The above list of examples is not exhaustive.

### **6.10 Gifts and Hospitality**

An employee shall not "under colour of his office or employment accept any fee or reward other than their proper remuneration (i.e. salary/pay)". (Local Government Act 1972).

As a Trust, the Board of Directors adopts the above statement as best practice, with specific emphasis on those gifts that may affect or alter the subsequent behaviour of the employee.

Should you be placed in a position where refusal of a gift would cause offence (this may be particularly relevant around Christmas and other festivals) it is suggested that consideration be given to passing the gift to a charity of choice. This does not apply to gifts from friends and colleagues at work or personal thank you gifts from students to staff.

If you are in any doubt, you should seek the guidance of your Principal or DFO before accepting any gifts or hospitality offered. For detailed guidance, please refer to the Trust's Gifts & Hospitality Policy.

### **6.11 Sponsorship**

Where the Trust or an Academy sponsors an event or service, an employee, or any partner, spouse or relative must not benefit from the sponsorship. Employees must seek guidance from their manager if they are involved with any event or service that the Academy proposes to sponsor.

### **6.12 Political, Professional and Trade Union Activity**

You should ensure that your right to engage in political or professional activities does not result in an actual or perceived conflict of interest with your official duties with the Trust.

You should ensure that you are able, and be seen to be able, to remain unbiased in the performance of those duties. Employees serve the Trust as a whole and in carrying out your work you must be politically neutral, ensuring that individual rights of all stakeholders to the Academy are respected. In your capacity as a Trust employee, you should not attend meetings of political groups unless specifically authorised by the CEO. Such neutrality does not mean that you cannot be a member of a political party.

If you are a member of a professional body, you are expected to uphold the standards of performance and conduct set by the relevant professional association and this Code of Conduct. If you believe a conflict exists between your official role and the standards of your profession, you must raise your concerns with your line manager.

If you are a workplace representative of a trade union or professional association, you should ensure that when you make public comment, it is clear that comment is made on behalf of the union or association you represent and not the Trust. Provisions relating to time to undertake official union roles are outlined in the Trust's Special Leave policy.

### **6.13 Information Disclosure and Confidentiality**

As a Trust employee, you may obtain information that has not been made public and is strictly confidential. You must never disclose information given in confidence by anyone, or information acquired which you believe is of a confidential nature, without the consent of a person authorised to give it or unless you are required to by law.

You must not prevent another person from gaining access to information to which that person is entitled by law. You must not disclose confidential information for your own

personal use or for use by anyone else known to you, or to the disadvantage or the discredit of your Academy, the Trust or anyone else.

You must always observe the provisions of the UK Data Protection Act 2018 (DPA 2018), the Freedom of Information Act 2000 and the Trust's procedures for the release of personal information held about other employees or members of the public. Breach of confidentiality may be considered a disciplinary offence, which could result in dismissal.

When you leave your employment with the Trust, you must still respect the confidentiality of official information that may have been available to you in the course of your duties and not use this information for private, commercial or political gain.

The Trust's Data Protection/Freedom of Information Officer is the DFO and should be notified immediately of any known Data Protection breach or Freedom of Information Act request received in any Trust Academy. Each Academy also has a GDPR champion who can be used as a source of advice.

#### **6.14 Preventing Extremism and Radicalisation**

The Trust Academies will promote the British values of democracy, the rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs. All staff are expected to adhere to the "Preventing Extremism and Radicalisation Safeguarding Policy", and the procedures therein. There is no place for extremist views of any kind in our Trust. Any prejudice, discrimination or extremist views, including derogatory language, displayed by staff will always be challenged and where appropriate dealt with in line with the Trust's Disciplinary Policy, and the matter may be referred to the Teaching Regulation Agency for their consideration as to whether a Prohibition Order is warranted.

#### **6.15 Intellectual Property**

Intellectual property is a legal term that refers to the rights and obligations received and granted, including copyright. Ownership of intellectual property is determined by considering the circumstances in which it was conceived and developed. The Trust owns the copyright to all material made in the Trust Academies or under its direction. Whether you are an employee or a contractor, copyright in material you produce in the course of your work belongs to the Trust, unless otherwise explicitly provided for in your contract of employment.

#### **6.16 Security and Visitors**

You must visibly display your Identification Badge at all times while you are on a Trust Academy site, including weekends and evenings. All employees are required to challenge anyone in a secure area of the Academy's premises without either a Staff ID or Approved Visitor's Badge (green). You must not allow any individual not displaying an ID Badge to follow ("tailgate") you into any secure area of the Academy's premises.

If you come to work without your badge, you must report to the Academy Reception to collect and use a temporary replacement. If you lose your ID Badge, you must report it immediately to your manager. You will be required to pay for a replacement badge.

If you have a visitor coming to see you at your Academy's premises, you must follow the Visitor Procedures, escorting all visitors who are not listed on the academy's approved



visitor list (i.e. are wearing a red badge). You should check with the HR Manager or Principal for clarification.

### **6.17 Public Comment on Trust Policy and Administration**

'Public comment' in this section includes public speaking engagements, comments on radio and television, letters to newspapers, and expressing views in books, journals, on the internet or notices if it is expected that the comments will spread to the community at large.

All media requests for information and enquiries must be referred to the CEO or DFO, or permission sought from them prior to comment.

#### **When making authorised public comment in an official capacity, you must:**

- Ensure it is part of your official role.
- Not misrepresent the facts concerning Trust policy or administration.
- Comply with the confidential information provisions of the Data Protection Act.
- Respect the confidentiality of information that has not been approved for release either by the CEO or Board of Directors.

In your capacity as a private citizen, you have the same rights as any other member of the public to openly discuss or comment on community and social issues. However, there are some circumstances where you may still need to take care in making such comments. For example, a situation could arise when public comment, although made in a private capacity, may appear to be an official comment on behalf of the Trust or your Academy. In such circumstances you should indicate clearly that your comment is made in a private capacity and does not represent the official view of the Academy/Trust.

It is your responsibility to take all reasonable steps to ensure that any comment will be understood as representing your personal views as a private citizen. If you are a workplace representative of a trade union or professional association, you should ensure that when you make public comment, it is clear that comment is made on behalf of the union or association you represent and not the Trust.

If you are in any doubt, contact the DFO or the CEO.

### **6.18 Audit and Risk Management**

An effective audit function and risk management framework are important mechanisms for the Trust to ensure effective internal control, good financial systems and management of risk. All employees have a responsibility to contribute to this work and, where an agreed action plan makes you personally responsible for progressing a particular audit action, it is your responsibility to ensure that it is undertaken within the agreed timescale.

## **7. Working Together**

### **7.1 Managerial Roles and Responsibilities**

As a manager, you have a responsibility to set a good example for employees through your own behaviour and attitudes, especially in relation to upholding the ethical

principles, obligations and standards as set in this Code of Conduct. You should ensure that you maintain the principles of accountability, continuous improvement, fairness, flexibility and equality in the workplace.

You should ensure that employees understand performance standards expected from them and objectively assess their performance against these standards. All staff are obliged to fully partake in performance management/appraisal systems and processes.

You must ensure that relevant legislation, and Trust and Academy policies and procedures are accessible to all employees in your workgroup.

You should ensure that all employees who report to you are familiar with the requirements and objectives of their job, and have access to the information, training, supervision, feedback and work conditions needed to achieve them.

You should be honest and objective in reporting the skills and qualities of employees in testimonials; references and performance reports, ensuring your decisions can be substantiated against objective standards and indicators. All references from the Trust or your Academy must be authorised by the Principal or CEO (for teaching staff) or the Principal/DFO (for support staff). Managers should refer to the Trust's Reference Policy before responding to a request for a reference.

You are required to act promptly, thoroughly and fairly when responding to, or investigating grievances and reports of breaches of the Code of Conduct.

To avoid any accusation of bias, you must not be involved in the appointment of any applicant if you are a relative or friend to them. Similarly, you must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative, partner or friend.

If you are in any doubt, you should discuss the matter with your manager.

## **7.2 Following Instructions**

You are expected to follow all reasonable and lawful instructions related to your work given by a person with the authority to issue such instructions.

- You should accept that you may not personally agree with all decisions made by your manager.
- You may refuse to comply with an instruction that is unlawful and report the matter to an appropriate senior member of staff.
- You should tell the person giving an unreasonable instruction that the instruction is, in your view, unreasonable and allow them the opportunity to respond. In the interim, you are generally required to carry out the instruction unless:
  - carrying out the instruction would endanger a person's health or safety or
  - a conflict of interest may exist or
  - it does not comply with Academy or Trust policy and practice or
  - it would compromise the safety and/or well-being of a child in your care.

Managers must be able to justify their instructions and decisions in line with their delegations, authority, and Trust or Academy policies and procedures, and be open and respond promptly to constructive questions.

If you object to an instruction on genuine conscientious grounds, or if there may be a perceived conflict with a professional code of ethics, you should attempt to negotiate and resolve the matter with your manager to achieve a mutually acceptable solution. If a local resolution is unable to be reached, refer the issue to a senior leader.

### 7.3 Conflict in the Workplace

Conflict between work colleagues can often lead to accusations of discrimination, bullying, harassment or victimisation. Good managers should create a climate of open and positive dialogue amongst their team. If an employee feels able to approach management at an early stage, then problems can often be nipped in the bud before they escalate. Managers who offer their team the time and space to express their feelings and concerns can often help to clear the air amongst colleagues.

**Discrimination** is when someone is treated less favourably because of a protected characteristic (ie age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation). Associative discrimination is when someone is treated unfavourably on the basis of another person's protected characteristic (for example a person may be treated less favourably if they have a disabled child). When someone is treated unfavourably because others believe they have a protected characteristic, even though in reality they don't have it, it is perceptive discrimination.

**Bullying** may be characterised as: "Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient". Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the 'grey' areas that cause most problems.

**Harassment** as defined in the Equality Act 2010 is: "Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual".

**Victimisation** is defined in the Equality Act as: "Treating someone badly because they have done a 'protected act' (or because you believe that a person has done or is going to do a protected act).

A 'protected act' is:

- Making a claim or complaint of discrimination (under the Equality Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that you or someone else has breached the Act.
- Doing anything else in connection with the Act.

Discrimination, bullying, harassment and victimisation of any kind are in no-one's interest and will not be tolerated in the Trust.

## 7.4 Maintaining a Professional and Respectful Workplace

The Trust are committed to providing a work environment that is respectful, professional, safe, accepting of cultural differences, and free from inappropriate and abusive workplace behaviour.

Employees at every level of the Trust are personally responsible for creating and maintaining a work environment that is respectful, professional and free from inappropriate and abusive workplace behaviour.

All employees should foster an environment that encourages professionalism and does not tolerate disrespectful and abusive behaviour. All employees are expected to behave respectfully and professionally.

Inappropriate or unacceptable behaviour in the Trust includes (but is not limited to):

- spreading malicious rumours
- insulting someone by word or behaviour
- copying emails/memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion (i.e. deliberately creating a culture of ignoring colleagues and coercing others to ignore colleagues)
- victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- abusing authority
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism or sabotaging their work
- preventing individuals progressing by intentionally blocking promotion or training opportunities
- derogatory comments about staff and/or students on social media
- showing disrespect for another employee, supervisor/manager, subordinate, parent, pupil, contractor or visitor in the workplace

Inappropriate workplace behaviour does not include:

- Counselling, disciplinary discussions or job performance evaluations, including constructive critique, coaching and feedback regarding an employee's conduct or work performance [whether between supervisor(s), managers(s) and/or coworkers]
- A direct or assertive style, including high workplace expectations
- Legitimate responses to situations that require immediate action and may require a stern and frank conversation
- Differences of opinion and non-aggressive conflicts and problems in working relations
- Legitimate law enforcement activities

Managers or supervisors should address inappropriate behaviour that they observe, experience, or become aware of, and should do so as close to the time of the occurrence as possible and appropriate.

If an employee observes or experiences inappropriate workplace behaviour and the employee feels comfortable in doing so, they should directly address the behaviour by:

- Redirecting inappropriate conversations or behaviour to workplace business; and/or
- In a private setting, telling an offending employee his/her behaviour is offensive and asking him/her to stop.

If an employee observes or experiences inappropriate workplace behaviour and does not feel comfortable addressing the issue directly with the person who is exhibiting the behaviour, he/she should report the situation to their line manager without delay. Inappropriate workplace behaviour must be addressed and corrected before it becomes pervasive, causes further workplace disruption or lowers employee morale.

Any employee found to have engaged in inappropriate workplace behaviour may be subject to disciplinary action, up to and including dismissal. Likewise, any supervisor who fails to address inappropriate behaviour may be subject to disciplinary action, up to and including dismissal.

## **8. Reporting Breaches of the Code and Whistleblowing**

If you are concerned about any practice you see in your Academy which you think conflicts with the Code of Conduct, you should obtain advice from your manager, your department head, Trade Union representative, the Trust HR Manager or any other appropriate person as identified in the Trust's policies referred to in the Code of Conduct.

The Public Interests Disclosures Act 1998 and the Trust's Disclosure (Whistleblowing) Policy can provide safeguards for employees and public officials who disclose unlawful and improper conduct including breaches of this Code. Public interest disclosures should be made in accordance with the academy's Whistleblowing Policy.

Managers who are made aware of any member of their team who is in breach of the code of conduct should deal with this matter informally with the employee directly to establish if there are mitigating circumstances or legitimate reasons for the breach. Where mitigating circumstances or legitimate reasons do not exist, the matter should be referred to a senior member of staff for further investigation.

Complaints about the conduct of senior staff should be referred to the CEO. Complaints about the CEO should be reported to the Chair of the Board of Directors.

## Appendix A - A Quick Guide to making an ethical decision

Not every ethical dilemma can be detailed in a Code of Conduct. This is because every situation is different. To help you assess a situation, a useful rule is – **when in doubt, talk about it**. You can talk with your manager, a colleague, trade union representative, or your Senior Leadership Team link or the Principal.

It is important to analyse all the relevant facts and circumstances before deciding what is the ethical thing to do.

### 1. What is the problem? – describe the situation

- What is happening and who is involved?
- Who is affected?
- What are the job expectations?
- What are the actual or foreseeable consequences and impact?
- What guidance is there in legislation and the Code of Conduct?
- Which academy policy or procedure applies?
- Why do I feel uncomfortable with this?

### 2. Is it an ethical problem? – apply the Code of Conduct

- What ethics obligations and standards apply?
- Would the public see the proposed conduct, decision or advice as fair, honest and appropriate?
- Is the public's confidence in the Trust or your Academy at risk?
- Are the values of natural justice, accountability and reasonableness met?
- Has the academy's duty of care been compromised?
- Are my personal and professional beliefs and values compromised?

### 3. What action should be taken? – identify options

- Do I have the power or authority to deal with the issue?
- Who else should I talk to?
- What options are available that meet the relevant ethics principles?
- What is consistent with current policy and practice?
- What are the pros and cons of each option?
- How would the public view these options?
- What feels right to me as a professional public official?

### 4. What is the most ethical option? – choose a course of action

- Is the decision fair and equitable as outlined in the ethics principles?
- Does it provide a reasonable balance between competing interests and values?
- Is it consistent with relevant legislation, policy and practice?
- Can the decision be justified to Directors, the CEO and the public?
- Can the decision be easily explained?
- Is it easy to document the key issues and explain the reasons for the decision?
- Do I feel comfortable?

### 5. What changes may need to occur? – follow up

- Is this ethical issue an isolated event or does it represent a wider Academy/Trust issue?

- Who needs to be advised and how?
- What do I need to do to prevent the situation occurring again?