



Hurworth School

CODE OF CONDUCT FOR SCHOOL EMPLOYEES

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CODE OF CONDUCT FOR SCHOOL EMPLOYEES

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CODE OF CONDUCT FOR SCHOOL EMPLOYEES

1. PURPOSE

1.1 The purpose of having a Code of Conduct is to:

- To make a clear statement about the standards of conduct expected of employees of Schools in Darlington
- To ensure the highest standards of conduct by identifying School standards which sit alongside professional codes and guidelines
- Help all employees to act in a way which upholds the School's standards and at the same time, protect them from criticism, misunderstanding or complaint.
- To help build trust between the School and the people who come into contact with those working for it.

2. SCOPE

2.1 This Code of Conduct applies to:

- All employees of the School¹. Employees are as defined in section 230 of the Employment Rights Act 1996 or any subsequent legislation.
- Individuals providing services for the School e.g. contractors, agencies, self-employed, and those working for the School as part of partnerships with the School.

2.2 Disregarding this Code will in certain circumstances result in disciplinary action being taken. All employees will be supplied with a copy of this Code, against which their conduct will be measured.

2.3 School Governors are covered by their own Code of Conduct which is attached at Annex A.

3 STANDARDS AND ATTITUDE

3.1 All employees of the School are expected to give the highest possible standard of service to the public, Governors and fellow employees.

3.2 The attitude of employees in dealing with people reflects on the School so it is important that they are helpful, polite and courteous. People's impression of the School is strongly influenced by the views of the people who work for it. Whether or not employees are aware of it, the comments they make will be accepted by others. Employees, therefore, need to consider carefully the affect of what they say.

3.3 All employees are expected to report to their manager or supervisor any perceived or anticipated impropriety, breach of procedure or policy of the School.

¹ For community Schools Darlington Borough Council remains the employer and for the purposes of this policy in these Schools the word School should be read as meaning the School in conjunction with Darlington Borough Council.

3.4 In all cases, it is not enough to avoid actual impropriety, as public perceptions are very important. Employees should at all times avoid any appearance of improper conduct which may give rise to suspicion.

3.5 There are a number of principles that exemplify the standards that are required. They are set out below. A number of these aspects are dealt with in more detail within this Code.

4. THE PRINCIPLES

4.1 Honesty, Integrity, Impartiality and Objectivity

All employees must perform their duties with honesty, integrity, impartiality and objectivity.

4.2 Accountability

All employees must be accountable to the School for their actions.

4.3 Respect for Others

All employees must;

- Treat others with respect
- Not discriminate unlawfully against any person; and
- Treat Governors professionally.

4.4 Stewardship

All employees must;

- Use any public funds entrusted to or handled by them in a responsible and lawful manner; and
- Not make personal use of property or facilities of the School unless properly authorised to do so.

4.5 Personal Interests

All employees must not in their official or personal capacity

- Allow their personal interests to conflict with the School's requirements; or
- Use their position improperly to confer an advantage or disadvantage on any person

4.6 Declaring Interests

All employees must comply with any of the School's requirements:

- To declare interests; and
- To declare hospitality, benefits or gifts received as a consequence of their employment.

4.7 **Openness**

All employees must NOT:

- disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless they are required by law to do so; and
- prevent another person from gaining access to information which that person is entitled to by law.

4.8 **Duty of Trust**

All employees must at all times act in accordance with the trust that the public is entitled to place in them.

4.9 **Safeguarding**

All employees must undertake their work in accordance with requirements laid down (for their job) in support of the School's duties for safeguarding children and young people.

5. **CONFIDENTIALITY AND DISCLOSURE OF INFORMATION**

- 5.1 The School recognises the importance of an open, transparent culture with clear communication and accountability. It is the School's aim to be as open as possible about all its activities. The law requires that certain types of information must be available to auditors, government departments, service users and the public. Different rules apply in different situations. If an employee is in any doubt as to whether they can release any particular information, they should always check with their Head Teacher² first.
- 5.2 The confidentiality of information received in the course of an employees duties should be respected and must never be used for personal or political gain. Employees must not knowingly pass information on to others who might use it in such a way. If an employee believes that information should be disclosed in the public interest they should follow the Confidentiality Reporting Policy before doing so (see below). Failure to do so may result in disciplinary action being taken.
- 5.3 Employees must not communicate confidential information or documents to others who do not have a legitimate right to know. Furthermore, information which is stored whether on computer systems or manually must only be disclosed in accordance with the requirements of the Data Protection Act 1998.
- 5.4 Information given in the course of an employee's duties should be accurate and fair and never designed to mislead.

² Head Teachers can delegate duties to other members of the Leadership Team. For the purpose of this policy the use of the term Head Teacher means Head Teacher or member of the Leadership Team to whom this responsibility has been delegated. In cases relating to the interests of the Head Teacher or the Chief Executive matters should be referred to the Chair of Governors.

6. CONFIDENTIAL REPORTING POLICY

- 6.1 Employees are often the first to realise that there may be something seriously wrong within the School. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 6.2 The School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment employees, and those associated with the School, who have serious concerns about any aspect of the School's work are expected to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 6.3 In order to ensure that this can happen the School has adopted a Confidential Reporting Policy (attached at Annex B).
- 6.4 The Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the School rather than overlooking a problem or 'blowing the whistle' outside.
- 6.5 The policy applies to all employees and those contractors working for the School on School premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the School in their own premises.
- 6.6 The policy is in addition to the School's complaints procedures and other statutory reporting procedures.
- 6.7 The policy has been discussed with the relevant trade unions and professional organisations and has their support.

7. POLITICAL NEUTRALITY

Employees must not allow their own personal or political opinions to interfere with their work and must at all times perform their duties in an objective manner.

8. RELATIONSHIPS

- 8.1 The School is firmly committed to equal opportunities and believes that every employee has the right to work in a safe environment without the fear of discrimination, harassment or abuse. The School will not tolerate or condone harassment or bullying in any form. The School has adopted an anti-harassment and bullying policy which addresses these issues in more detail. This policy aims to prohibit harassment and bullying within the School and covers both employees and Governors. Copies of the policy are available from the Head Teacher or Children's Services HR Team.

Appointment of Staff

- 8.2 It is unlawful for appointments to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post. Employees involved in making appointments should do everything possible to ensure that these are made

on the basis of merit and in accordance with the prevailing School policy on Recruitment and Selection and regulations on safer recruitment.

- 8.3 In order to avoid any possible accusation of bias, employees must not become involved in any appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, if they are a relative of an applicant, or have a close personal relationship with him or her, nor where they have the opportunity to benefit, directly or indirectly, from an appointment without the express prior approval of their Head Teacher.
- 8.4 In this paragraph 'relative' means a spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding person.
- 8.5 'Partner' means a member of a couple who live together or who are involved in a romantic relationship.
- 8.6 'Close personal relationship' would include a person not employed by the School with whom an employee has a close business connection.
- 8.7 Personal relationships between colleagues who work together can give rise to conflicts of interest. Therefore, employees who have entered into a close personal or romantic relationship with a colleague are required to disclose this fact to their Head Teacher. Any information declared or disclosed should be recorded on both employees' personal files and treated in strict confidence.
- 8.8 This information should only be considered to ensure that the existence of the relationship does not impact on the smooth running of the School.

The Local Community and Service Users

- 8.9 Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient service delivery to that community in accordance with the policies of the School. This may involve dealing with troubled, angry and frustrated parents and carers, although employees are entitled not to be expected to place their personal health, safety and welfare at risk.

Contractors

- 8.10 All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to the Head Teacher at the earliest opportunity.
- 8.11 Orders and contracts must be awarded in accordance with contracting procedures and rules and no special favour should be shown to businesses run by, for example, friends, partners or relatives.

9. OUTSIDE COMMITMENTS

- 9.1 The Council recognises that employees are entitled to their private lives. In general, an employee's choices and action outside of work are not the School's concern.

However in order to protect both the employee and the School there are exceptions to this.

10. CONDUCT

- 10.1 Whether in or outside work, employees must not conduct themselves in any way that creates doubt as to their suitability for their post or brings the School into disrepute. This includes conduct which would bring into question their suitability to work with children.
- 10.2 All adults working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.
- 10.3 There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in the workplace or indicate unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.
- 10.4 Adults in contact with children and young people should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting.
- 10.5 The behaviour of an adult's partner or other family members may raise similar concerns and may require careful consideration by the School as to whether there may be a potential risk to children and young people in the workforce.

11. ADDITIONAL WORK

- 11.1 Employees are able to take on work in addition to their existing contract of employment, providing it does not conflict with the performance of their duties in the role for which they are employed. In order to assess whether or not there might be a conflict, employees are required to inform their Head Teacher before taking any outside employment.
- 11.2 The School will not unreasonably stop employees from undertaking additional employment, but this employment must not, in the School's view, conflict with or be detrimental to its interests, or weaken public confidence in the conduct of its business.
- 11.3 An employee who wishes to take on additional work must ensure that:
 - (a) the additional hours worked do not contravene the Working Time Regulations or otherwise give the School cause for concern about health and safety at work. Details of the Working Time Regulations are available from Children's Services HR Team.
 - (b) the outside work does not place the employee in a position where their duties

and private interests conflict

- (c) the outside work does not damage, or potentially damage, public confidence in the School's conduct or business

12. BOOKS, TRAINING MATERIALS AND INTELLECTUAL PROPERTY RIGHTS

- 12.1 If an employee writes a book for payment on subjects relating to their work for the School they must seek the permission of the School in writing through their Head Teacher.
- 12.2 The School retains intellectual property rights for work undertaken by employees. Research, reports, designs, drawings, software and other developments or similar work, when created in the course of an employee's normal duties, remain the property of the School. These should not be removed from School premises or passed on to third parties by any employee acting in a private capacity without the express consent of the Head Teacher.

13. PATENTS AND INVENTIONS

- 13.1 Any matter, or thing capable of being patented under the Patents Act 1977, made developed or discovered by an employee, either alone or with others, whilst in the performance of their duties should be disclosed to the School through the Head Teacher and, subject to the provisions of the Patents Act, it will belong to and be the absolute property of the School.
- 13.2 Employees must not undertake private or personal work, paid or unpaid, of any description in working hours or on School premises unless they have been given specific permission by the Head Teacher. Where approval is given any payments will be made in accordance with the School Pay Policy.

14. REFUSAL OF A REQUEST TO TAKE ON ADDITIONAL WORK

- 14.1 If an employee has their request to take on additional work refused and wishes to challenge this, they should speak to their Head Teacher or consider raising a grievance under the School's grievance procedure.

15. COMPUTER USE

- 15.1 The School wants employees to use computers to the full and to feel competent and comfortable about doing so. However, it is essential that computers are used appropriately. Any reference to computers should be taken to mean all computer equipment and any associated technology.

16. MISUSE OF COMPUTERS

- 16.1 The misuse of computers is a serious matter and may result in employees being subject to disciplinary and, where appropriate, legal action.
- 16.2 Guidance documents exist within the School in relation to the use of computers and information technology. Employees must be familiar with, and abide by the School's Policy on computer use.

- 16.3 Private use of School facilities, such as computers (including use of the Internet), stationery and fax machines, is governed by these documents. Employees should not arrange to receive correspondence, telephone calls and fax messages in the School related to outside work or private interests.
- 16.4 An employee who is aware or suspects that abuse of computers, email or the internet is taking place is under a duty to report this immediately under the School Confidential Reporting Policy (see paragraph 6 above).
- 16.5 The School will monitor the use of computers etc without notice. A record of any sites accessed by staff is automatically stored on the system and may be examined later if misuse is suspected.

17. USE OF SOCIAL NETWORKING SITES

- 17.1 The growing popularity of personal web logs (blogs) and social networking sites, such as Facebook and MySpace, may raise issues for the School, particularly where employees choose to write about their work and the School in which they are employed.
- 17.2 Employees should ensure that the content of their blogs/social networking sites does not bring the School into disrepute or breach their obligations in relation to confidentiality and appropriate behaviour.
- 17.3 Employees should not access personal blogs/social networking sites during working hours. When accessing such sites outside working hours employees are advised not to write about their work or make reference to the School on external web pages. Where an employee chooses to do so he/she should make it clear that the views expressed are his/hers only and do not reflect the views of the School. In addition employees must adhere to the rules below.
- 17.4 Employees must not:
- Disclose any information that is confidential to the School or any third party or disclose personal data of information about any individual/colleague/ pupil/parent which could be in breach of the Data Protection Act;
 - Disclose any information which is not yet in the public arena;
 - Post illegal material, e.g. material which incites racial hatred;
 - Link their own blogs/personal web pages to the School's website;
 - Include any information, sourced from the School, which breaches copyright;
 - Make defamatory remarks about the School, colleagues, Governors, pupils and parents;

- Publish any material or comment that could undermine public confidence in the individual as an employee of the School or in their position of trust within the community; and/or
- Misrepresent the School, by posting false or inaccurate statements about the work of the School.

18. PERSONAL INTERESTS

- 18.1 Employees may have a variety of personal interests, which may from time to time impact on their role for the School. To protect the School and the employee from any accusations of wrong doing the School has in place a number of safeguards which demonstrate that these interests are not allowed to influence the way the School conducts its business.
- 18.2 Whatever an employee's role within the organisation, they must declare to their Head Teacher any financial or non-financial interests which could bring about conflict with the School's interests.
- 18.3 If employees are in any doubt about a potential conflict of interest, they should bring the matter to the attention of their Head Teacher so that a decision can be made as to how best to proceed.
- 18.4 Employees must not make, or become involved with, any official or professional decisions about matters in which they have a personal interest.
- 18.5 **[Community Schools only]** Section 117 of the Local Government Act 1972 requires employees to make a formal declaration about contracts or proposed contracts with the School in which they have a pecuniary interest. It is a criminal offence to fail to comply with this provision. Pecuniary interests are considered at Section 95 of the Local Government Act 1972.

19. GIFTS AND HOSPITALITY

- 19.1 A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence.

20. GIFTS GENERALLY

- 20.1 Casual gifts offered to employees by contractors, organisations, firms, parents and carers or individuals such as calendars, diaries, pens, food, drink, flowers and other small gifts need not be declared. The general rule is that a gift below the value of £25 does not need to be declared. However it will not be appropriate to accept a gift below that value if it is more than minimal and may be perceived as an inducement.
- 20.2 In cases where employees are given alcoholic beverages as gifts they need to ensure that they do not contravene the Alcohol at Work Policy.
- 20.3 Employees should decline any personal gift offered to them, or to a member of their family, with a value of £25 or over by any person or organisation having dealings with the School.

- 20.4 When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to the School, there may be a problem returning it, in which case it should be reported immediately to the Head Teacher.
- 20.5 A checklist is provided at Annex C which should be used to help employees decide whether or not it is appropriate to accept a gift.
- 20.6 The Head Teacher will keep a record of all gifts given to employees or the School where the value exceeds £25 or when a gift was declined. See Annex D.

21. HOSPITALITY

- 21.1 Offers of hospitality are a normal part of the courtesies of business life but in the public sector it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence.
- 21.2 Hospitality is sometimes offered to representatives of the School in an official or formal capacity. Hospitality can take many forms and could include attending exhibitions, seminars, sporting events, shows or concerts. Training events with very low training content and free catering, drink or transport may also be hospitality.
- 21.3 Employees need to exercise discretion when accepting offers of hospitality particularly when the host is seeking to do business with the School or who may stand to benefit in some way from dealing with the School.
- 21.4 Offers of hospitality should only be accepted where there is a clear benefit to the School in doing so e.g. networking, building contacts. If there is no or limited benefit employees should not attend.
- 21.5 Hospitality offered by charitable or social organisations, usually in connection with an invitation to speak to the body, can be accepted.
- 21.6 All offers of hospitality should be reported to the Head Teacher before it is accepted. The Head Teacher will keep a record of all hospitality accepted by employees of the School. See annex D.

22. SPONSORSHIP – GIVING AND RECEIVING

- 22.1 When an outside organisation wishes to sponsor or is seeking to sponsor a School activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 22.2 Where the School wishes to sponsor an event or services, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full prior disclosure to Head Teacher of any such interest. Similarly, where the School through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

23. EQUALITY

- 23.1 All members of the local community, parents and carers, and other School employees have a right to be treated with fairness and equity. Employees should become familiar with and observe all School policies relating to equality issues in addition to the requirements of the law.

24. TENDER PROCEDURES

- 24.1 Employees should exercise fairness and impartiality when dealing with all customers, contractors and subcontracts.
- 24.2 Employees responsible for engaging or supervising contractors and who have previously had, or currently have, a relationship in a private or domestic capacity with a particular contractor, must declare that relationship to their Head Teacher.
- 24.3 If employees become privy to confidential information on tenders or costs relating to external contractors, they must not disclose that information to any unauthorised person or organisation.
- 24.4 All employees must ensure that no special favour is shown to current, or recent former, employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

25. CORRUPTION [*Community Schools only*]

- 25.1 Employees must be aware that it is a serious criminal offence under the Prevention of Corruption Acts for them to receive or give any gift, loan, reward or advantage in their official capacity 'for doing, or not doing, anything' or 'showing favour, or disfavour to any person'. If an allegation is made against an employee, it will be for them to demonstrate that any such rewards have not been corruptly obtained.
- 25.2 For their own protection, if anyone makes an approach to an employee which seems to them, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, they must report the matter to their Head Teacher.

26. FINANCIAL PROCEDURE RULES

- 26.1 All employees involved in financial activities and transactions on behalf of the School, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders of works, goods or services must follow the Scheme for Finance in Schools and the School Finance (England) Regulations.
- 26.2 They must ensure that they use public funds entrusted to them in a responsible and lawful manner and strive to ensure value for money to the local community.

CODE OF CONDUCT: GOVERNORS

Governor conduct is underpinned by the following key principles:

- to act in the best interests of the school - this may require balancing short and long term issues, school and community issues etc.
- to work as a member of a team at all times and be loyal to collective decisions.
- to recognise that all governors have the same rights and responsibilities unless particular responsibilities are conferred on them by the full governing body.
- to understand that no governor can act alone except in exceptional circumstances prescribed in the regulations - the power of the governing body rests in it acting as a single body.

And that governors must:

- respect confidentiality.
- listen to and respect the views of others.
- express their own views clearly and succinctly.
- take their fair share of work/positions of responsibility.
- know, understand and work within the prescribed regulatory framework.
- report any evidence of fraud, corruption or misconduct to an appropriate person or Authority.

And should always:

- prepare for meetings by reading papers beforehand.
- attend training and take responsibility for their own learning & development as a governor.
- attend meetings promptly, regularly, and for the full time.

CONFIDENTIAL REPORTING POLICY**1. INTRODUCTION**

- 1.1 Employees are often the first to realise that there may be something seriously wrong within the School. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment employees, and those associated with the School, who have serious concerns about any aspect of the School's work are expected to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3 This policy document makes it clear that employees can come forward without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the School rather than overlooking a problem or 'blowing the whistle' outside.
- 1.4 The policy applies to all employees and those contractors working for the School on School premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the School in their own premises.
- 1.5 The policy is in addition to the School's complaints procedures and other statutory reporting procedures.
- 1.6 This policy has been discussed with the relevant trade unions and professional organisations and has their support.

2. AIMS AND SCOPE OF THIS POLICY

- 2.1 This policy aims to :-
- (a) Encourage employees to feel confident in raising serious concerns and to question and act upon concerns about practice.
 - (b) Provide avenues for employees to raise those concerns and receive feedback on any action taken.
 - (c) Ensure that employees receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.
 - (d) Reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

2.2 There are existing procedures in place to enable an employee to lodge a grievance relating to their own employment. The Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:-

- (a) Conduct, which is an offence or a breach of law.
- (b) Disclosures related to miscarriage of justice.
- (c) Health and safety risks, including risks to the public as well as other employees.
- (d) Damage to the environment.
- (e) The unauthorised use of public funds.
- (f) Possible fraud and corruption.
- (g) Sexual or physical abuse of pupils.
- (h) Other unethical conduct.

2.3 Thus, any serious concerns that an employee has about any aspect of service provision or the conduct of Governors or School employees or others acting on behalf of the School can be reported under the Confidential Reporting Policy. This may be about something that:-

- (a) Makes them feel uncomfortable in terms of known standards, their experience or the standards they believe the School subscribes to.
- (b) Is against the School's procedures, rules and policies.
- (c) Falls below established standards of practice.
- (d) Amounts to improper conduct.

2.4 This policy does not replace the School's complaints procedure.

3. SAFEGUARDS

HARASSMENT OR VICTIMISATION

3.1 The School is committed to good practice and high standards and wants to be supportive of employees.

3.2 The School recognises that the decision to report a concern can be a difficult one to make. If what an employee saying is true, they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.

3.3 The School will not tolerate any harassment or victimisation (including informal

pressures) and will take appropriate action to protect employees when they raise a concern in good faith.

- 3.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect an employee.

CONFIDENTIALITY

- 3.5 All concerns will be treated in confidence and every effort will be made not to reveal an employee's identity if they so wish. At the appropriate time, however, an employee raising a concern may need to come forward as a witness.

ANONYMOUS ALLEGATIONS

- 3.6 This policy encourages employees to put their name to an allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the School.

- 3.7 In exercising this discretion the factors to be taken into account would include :

- (a) The seriousness of the issues raised.
- (b) The credibility of the concern.
- (c) The likelihood of confirming the allegation from attributable sources.

UNTRUE ALLEGATIONS

- 3.8 If an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an employee makes an allegation frivolously, maliciously or for personal gain, disciplinary action will be considered.

4. HOW TO RAISE A CONCERN

- 4.1 As a first step, employees should normally raise concerns with their Head Teacher. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if it is believed that the Head Teacher is involved the concern should be raised with the Chair of Governors.

- 4.2 Concerns may be raised verbally or in writing. Employees who wish to make a written report are invited to use the following format :

- (a) the background and history of the concern (giving relevant dates); and
- (b) the reason why they are particularly concerned about the situation.

- 4.3 The earlier a concern is expressed the easier it is to take action.

- 4.4 Although employees are not expected to prove beyond doubt the truth of an

allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

- 4.5 Employees may wish to consider discussing their concern with a colleague first and may find it easier to raise the matter if there are two (or more) employees who have had the same experience or concerns.
- 4.6 Employees may invite their trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns which have been raised.

5. HOW THE SCHOOL WILL RESPOND

- 5.1 The School will respond to an employee's concerns. Employees should bear in mind that testing out a concern is not the same as either accepting or rejecting it.
- 5.2 Where appropriate, the matters raised may :
- (a) be investigated by management, internal audit or through the disciplinary process.
 - (b) be referred to the Police.
 - (c) be referred to the External Auditor;
 - (d) be referred to the Local Authority Designated Officer (LADO) and/or the Children's Duty Team; or
 - (e) form the subject of an independent inquiry.
- 5.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the School will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 5.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 5.5 Within ten working days of a concern being raised, the person with whom a concern is raised will write to the employee :-
- (a) acknowledging that the concern has been received;
 - (b) indicating how it is proposed that the matter is dealt with;
 - (c) giving an estimate of how long it will take to provide a final response;
 - (d) telling the employee whether any initial enquiries have been made;

- (e) supplying the employee with information on staff support mechanisms; and
- (f) informing the employee whether further investigations will take place and if not, why not.

5.6 The amount of contact between those considering the issues and the employee will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the School will seek further information from the employee.

5.7 Where any meeting is arranged, offsite if the employee wishes, they can be accompanied by a Union or professional association representative or a friend.

5.8 The School will take steps to minimise any difficulties which the employee may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings the Council will arrange for them to receive advice about the procedure.

5.9 The School accepts that employees need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, the employee will be informed of the outcome of any investigation.

6. HOW THE MATTER CAN BE TAKEN FURTHER

6.1 This policy is intended to provide employees with an avenue within the School to raise concerns. The School hopes employees will be satisfied with any action taken. If employees are not and they feel it is right to take the matter outside the School, the following are possible contact points :

- (a) the external auditor;
- (b) the employee's Trade Union;
- (c) a local Citizen Advice Bureau;
- (d) the relevant professional bodies or regulatory organisations;
- (e) a relevant voluntary organisation;
- (f) the Police.

6.2 If employees do take the matter outside the School, they should ensure that they do not disclose confidential information and should check with the contact point about this.

GIFTS AND HOSPITALITY

Checklist for considering whether to accept a gift or hospitality

The question in all cases is one of judgement, and the following checklist of queries should help employees to decide whether a gift or an offer of hospitality should be accepted or declined.

- (a) Is the value of the gift or hospitality £25 or over?
- (b) If under £25 is it intended as an inducement?
- (c) Is the extent of the hospitality, or nature of the gift reasonable and appropriate?
- (d) Does the donor have any form of contractual relationship with the School, does it provide goods or services to the School of any kind?
- (e) Is the invitation/gift directed to a large group of unrelated individuals or open to the public, or has an individual been targeted because of their employment with the School and the nature of their role?
- (f) What is thought to be the motivation behind the invitation/gift?
- (g) For hospitality does the employee wish to attend if so why? Is it because there will be genuine benefits to the School in terms of networking and contracts gained? Or is a desire to go centered around personal enjoyment.
- (h) Would acceptance of the invitation be, in any way, inappropriate or place the employee under pressure in relation to any current or future matter involving the School?
- (i) For gifts is there a difficulty in returning the gift? If it would cause offence can the gift be given to charity?

If an employee decides to accept a gift over £25 they must declare this to their Head Teacher. If an employee declines a gift of over £25 the Head Teacher should also be informed and the reasons for the gift being declined should be recorded.

Hurworth School

An addendum to the Code of Conduct for School Employees

Accepted by: The Governing Body

Senior Leadership Team Lead Reviewer: Deputy Head Teacher

Created : September 2009

Review Cycle: 3 Years

Date for Review: October 2012

1. Current legal procedures and good employment practice will operate at the school. The School Governing Bodies Disciplinary, Support and Grievance Procedures will also apply. The professional advice of Human Resources will be used whenever appropriate. Every attempt will be made to resolve issues at an early stage through informal action wherever possible.

2. The school's equality scheme applies to all colleagues.

3. Absence from work - procedures relating to absence will operate as indicated below

Planned absence should be discussed with the Head Teacher and arrangements made for cover internally or externally with the member of staff responsible for organising cover.

Staff absence due to unforeseen circumstances should be notified to the Head Teacher, the Deputy Head Teacher or an Assistant Head Teacher, preferably the day before the absence or at the latest by 8.15am on the morning of the absence. This avoids last minute alterations to cover arrangements, which can hamper the smooth running of the timetable.

In the event of an unforeseen or foreseen absence the school will employ a supply teacher from the fourth day of absence.

When a member of staff is absent through illness, a self certification form should be obtained from the school office on the day of their return. A medical certificate is required for absence of more than seven day's absence through illness.

The following guidance should contribute to minimising the disruptive effect of teacher absence from the classroom, which can be for a number of reasons, e.g. moderation, meetings, INSET etc.

In case of absence be aware of the following:

- Staff should complete the relevant cover lesson sheet and this together with resources should be given to the member of staff responsible for organising cover.
- Keys to rooms, cupboards should also be left with the member of staff responsible for organising cover.
- HOD should ensure that classes don't have three consecutive lessons without specialist teacher monitoring.
- Clear department policy information is given to any supply teacher to enable them to carry out their role effectively within the department.

4. Dress. A professional, smart and non-extreme code of dress is expected from all staff at the school.
5. Attendance at work - if the weather conditions are extreme then all staff will be expected to make every reasonable effort to attend at work. If conditions (e.g. heavy snow) call into question the feasibility of this, it will be expected that a phone contact is made to ascertain the situation that prevails. Avoidable failure to attend at work will result in deductions of salary. Therefore the failure of the first means of transport will simply require the colleague to make use of other potential methods of travelling to work.
6. Smoking is established as harmful both to the smoker and those in his/her vicinity. Hurworth School is a non smoking site. Candidates for teaching and non-teaching posts will be made aware of this and any visitors or working persons breaking this principle maybe subject to disciplinary action.
7. Alcohol/Drugs. Appendix A attached to this policy will be applied with regard to staff.
8. The use of mobile phones by staff is allowed only in the following designated staff areas, the staff room, staff workroom & school offices. Staff should not use a mobile phone during contact time, unless in specific circumstances at the discretion of the Head Teacher. (Teachers must not contact pupils directly via mobile phones and we strongly recommend that teachers do not contact former students via text messages etc)
9. The accessing of social network ICT sites e.g. Twitter, Facebook is prohibited on the school site. (Teachers must not add current pupils to their social networking sites and we strongly recommend that teachers do not add former students).
10. The accessing of inappropriate ICT material is prohibited.
11. The chewing of gum is prohibited on the school site.
12. Teachers must adhere to the Code of Conduct for School Employees (April 2010)
13. Each member of staff is entitled to and must attend a Health and Safety induction meeting where this policy and other essential information will be shared. Following this meeting the member of staff must sign an acknowledgement of receiving this information and understanding its detail. A copy of this acknowledgment is held in personnel files.
14. Data collection sheet must be completed and returned to the School Bursar.
15. Each member of staff will be asked to sign a data processing notice

Conclusion

If communicated clearly to colleagues and acted upon, this policy should minimise the likelihood of disciplinary procedures and enable colleagues to understand the principles that apply to them in their place of work.

APPENDIX A: ALCOHOL AND DRUGS POLICY AND PROCEDURES

Policy:

It is a school priority to discourage the use of drugs or alcohol. Members of staff have a vital role model responsibility in this area.

Procedures:

Serious Misconduct caused by Alcohol or Drugs

Intoxicated members of staff

If a member of staff is known to be, or strongly suspected of being, intoxicated by alcohol or drugs during working hours, the Head Teacher will be consulted. Arrangements will be made for the member of staff to be escorted from the school premises immediately. In this instance the member of staff will be subject to the protocols of the school's Disciplinary, Capability & Grievance Policy.

Consumption of alcohol on the premises

The only times when consumption of alcohol will be acceptable will be on agreed occasions e.g. social events, farewell parties for staff retiring or leaving.

Drug Abuse

Drug abuse by members of staff is regarded extremely seriously, whether it occurs during working hours or at other times and whether on or off school premises.

Members of staff who take drugs which have not been prescribed on medical grounds will, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct and disciplinary procedures can follow, as will any members of staff believed to be buying or selling drugs, or in possession of unlawful (i.e. unprescribed) drugs.

Dependency Problems

If the Head Teacher feels a member of staff's unsatisfactory performance may be drug or alcohol related, he or she will arrange to hold an informal meeting with the member of staff.

Treatment

Where the member of staff acknowledges that he or she has a drug or alcohol-related problem and is given help and treatment, this will be on the understanding that:

(a) While they are undergoing treatment if absence from work is appropriate this will be treated as sick leave and the member of staff will be entitled to sick pay.

(b) Every effort will be made to ensure that on completion of the recovery programme he or she is able to return to the same work. However, where such a return is not reasonably practicable, the full circumstances surrounding the case will be reviewed with the benefit of an up-to-date medical

opinion and a course of action agreed. This may include the offer of suitable alternative employment, the consideration of retirement on the grounds of ill health, or dismissal.

In all cases the Head Teacher would contact Human Resources for all advice and guidance on matters of drug and alcohol misuse / dependency in staff.