

ATLP Code of Conduct for Staff



Document Control

Author/Contact:	Sandra Martin HR Director	
Document Reference:	ATLP Code of Conduct for Staff	
Version	02	
Status	Active	
Updated	May 2023 December 2021	
Related Policies	<ul style="list-style-type: none"> • All HR policies • Health & Safety Policy • Acceptable Use Policy • Finance Policy • Equality & Diversity Policy • Data Protection Policy • Disciplinary Policy 	
Review Date/Frequency	Annual review	
Approved/Ratified By	Trust Board	Date: 10/07/23

Contents

1	Purpose.....	4
2	Scope	4
3	Safeguarding and promoting the welfare of children and recognising low level concerns	4
4	Duty of care	5
5	Health & Safety	5
6	Honesty and personal integrity	6
7	Tackling discrimination	6
8	Professional boundaries and relationships	6
9	Confidentiality and data protection.....	7
10	Physical contact with students.....	8
11	Behaviour management	8
12	Social contact with students	8
13	Photography, videos and other images/media	9
14	Acceptable use of technology.....	9
15	Personal Phones and Tablets	9
16	Alcohol and Substance Misuse.....	9
17	Working one to one with students.....	9
18	Curriculum	10
19	Dress and appearance	10
20	Gifts and hospitality.....	10
21	Keeping within the law.....	11
22	Conduct outside of work and at work related functions	12
23	Agency workers	12
24	Review.....	12

Purpose

1. The aim of this Code of Conduct for employees is to set out the standards of conduct expected of all staff and to provide further information for employees. This should be read in conjunction with ATLP HR Policies, the ATLP Disciplinary Policy, ATLP Finance Policy, all HR policies, Health & Safety Policy, Acceptable Use Policy, Equality & Diversity Policy, Data Protection Policy Teachers' Standards, Support Staff Standards and the statutory guidance Keeping Children Safe in Education.
2. This Code should make it clear to employees the expectations the Arthur Terry Learning Partnership ("ATLP") has of them. Employees should note that this Code is not exhaustive in defining acceptable and unacceptable standards of conduct and employees must use common sense in adhering to the underpinning principles. If any employee is ever unsure what the expectations are in any given circumstance, they should speak to their manager/Headteacher or HR.
3. This Code does not form part of any employee's contract of employment, and it may be amended at any time.

Scope

4. The Code applies to all employees regardless of length of service including those in their probationary period. It also applies to consultants, contractors, casual and agency staff [and volunteers] (collectively referred to as staff in this policy although, unlike employees, breaches of the Code will not be managed through the disciplinary procedure. ATLP Advocates, Trustees and Members are further obliged to adhere to the UK Code of Conduct for Board Members of Public Bodies as outlined in the Governance Handbook.
5. As recognisable figures in the local community the behaviour and conduct of staff of the trust outside of work can impact on their employment. Therefore, conduct outside of work may be treated as a disciplinary matter if it is considered that it is relevant to the employee's employment.

Safeguarding, promoting the welfare of children and recognising low level concerns

6. All employees are responsible for safeguarding children and promoting their welfare. This means that employees are required to take action to protect children from maltreatment, prevent impairment of children's health or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care. This will enable all children to have the best outcomes.
7. All employees should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.
8. All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.

9. All employees must be aware of low-level concerns, no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff 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 Local Authority Designated Officer (LADO).

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

- being over 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; or,
- using inappropriate sexualised, intimidating or offensive language.

10. To do this, employees must have fully read and understood the ATLP's child protection and safeguarding policies (including all statutory documentation), be aware of our systems for keeping children safe and must follow the guidance in these policies at all times.

11. All employees must cooperate with colleagues and with external agencies where necessary.

Duty of care

12. Staff must:

- Understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- Always act, and be seen to act, in the students' best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
- Take responsibility for their own actions and behaviour

Health & Safety

13. All employees must ensure that they:

- Familiarise themselves with the Health and Safety Policy produced by the ATLP as published on the ATLP website.
- Comply with Health and Safety Regulations or instructions and use any safety equipment and protective clothing which is supplied to you by the trust
- Comply with any hygiene requirements
- Comply with any accident reporting requirements
- Never act in a way which might cause risk or damage to any other members of the trust community or visitors.

- Inform their line manager of any paid work undertaken elsewhere. This is to comply with the Working Time Regulations, which are a Health and Safety initiative.

Honesty and personal integrity

14. Employees are expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct at the ATLP.
15. Employees must comply with any lawful or reasonable instructions issued by managers.
16. Employees must uphold public trust in the ATLP and maintain high standards of ethics and behaviour, within and outside school, by:
 - Treating students with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position
 - Having regard for the need to safeguard students' well-being, in accordance with statutory provisions
 - Showing tolerance of and respect for the rights of others
 - Not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - Ensuring that personal beliefs are not expressed in ways which exploit students' vulnerability or might lead them to break the law.
17. Employees must have proper and professional regard for the ethos, policies and practices of the ATLP and maintain high standards in their own attendance and punctuality. Employees must treat all colleagues with respect, dignity, fairness and courtesy at all times.
18. Staff must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of Trust property and facilities.

Tackling discrimination

19. Employees are required to understand the types of discrimination and bullying that students and colleagues may be subject to. Employees are required to have read and understood the ATLP's Equality and Diversity and Anti Bullying policies.
20. Employees must not ignore any form of discrimination. This includes inappropriate jokes and banter. Employees must positively promote equality and diversity and inclusion at all times.

Professional boundaries and relationships

21. Employees of the ATLP are in a position of trust in relation to its students which means that the relationship between an employee and a student is not one of equals. It is a specific offence for a person aged 18 or over (e.g., teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual.

22. Employees must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with students.
23. Employees must not make sexual remarks to any student or discuss their own sexual relationships with, or in the presence of students. Employees must not discuss a student's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a member of staff towards any student is unacceptable and illegal.
24. Employees must ensure that professional boundaries are maintained at all times. This means that employees should not show favouritism to any student and should not allow students to engage in any type of behaviour that could be seen to be inappropriate. Students are not employees' friends and should not be treated as such.
25. Employees should be aware that it is not uncommon for students to become attracted to a member of staff or to develop an infatuation. If any member of staff becomes aware of an infatuation, they should discuss it with their Headteacher/Head of Service immediately so that they can receive support on the most appropriate way to manage the situation.
26. For employees who are in a relationship with a colleague, parent or carer, or any other person associated with the ATLP, we expect that they identify this to the Headteacher/Head of Service or HR and ensure that this does not create a conflict of interest or affect their professional judgement or responsibilities in any way. Where an employee has managerial authority over another employee with whom they are in a close personal relationship, the ATLP reserves the right to transfer one or both employees to another role in the ATLP following appropriate consultation with both employees in order to seek agreement to the transfer.

Confidentiality and data protection

27. Members of staff may have access to confidential information about students, colleagues or other matters relating to the Trust. This could include personal and sensitive data, for example information about a student's home life. Employees should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Employees should never disclose this information unless this is in the proper circumstances and with the proper authority.
28. If an employee is ever in doubt about what information can or can't be disclosed, they should speak to their school GDPR contact and/or the ATLP Data Protection Officer.
29. We will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time. Employees are expected to comply with the Trust's systems as set out in our Data Protection Policy. If any employee becomes aware that data is at risk of compromise or loss or has been compromised or lost, they must report it immediately to the Data Protection Officer, in order (where applicable) for relevant breaches to be reported to the Information Commissioners Office within 72 hours.
30. Employees must read and understand our Data Protection Policy and other relevant policies including in relation to criminal records information, recruitment and safer recruitment, internet, email and communications, information security, copies of which are available on the ATLP website, or from your Headteacher/Manager.

Physical contact with students

31. There are occasions when it is entirely appropriate and proper for staff to have physical contact with students. Employees must ensure that they only do so in ways that are appropriate to their professional role and in response to the student's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the student. Employees should always be able to explain why they have made physical contact with a student.
32. There may also be occasions where a student is in distress and needs comfort and reassurance which may include age-appropriate physical contact. If an employee is in this position, then they should consider the way in which they offer comfort, ensuring that it is not open to misinterpretation and is always reported to the Headteacher/Manager or HR.
33. Staff may legally physically intervene with students to prevent them from committing a crime, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Physical force should never be used as a form of punishment.
34. Sexual contact, including grooming patterns of behaviour, with students is unlawful and unacceptable in all circumstances.

Behaviour management

35. Employees should not use any form of degrading or humiliating treatment to punish a student. The use of sarcasm, demeaning or insensitive comments towards students is unacceptable.
36. Where students display difficult or challenging behaviour, employees should follow the trust's behaviour policy using strategies appropriate to the circumstance and situation.

Social contact with students

37. Employees should not establish or seek to establish social contact, via any channels (including social media), with students for the purposes of securing a friendship or to pursue or strengthen a relationship. Employees should use their work provided equipment only for communicating electronically with students. If there are any circumstances in which an employee has had to provide their personal contact details, including phone numbers, email address etc, to any student then they should report this to their Headteacher/Manager or HR.
38. The Trust's advice to staff is not to connect to students via social media or other communication channels unless this is for professional purposes and that the employee can demonstrate that this is the case.
39. The ATLP is part of the community and we recognise that, as members of the community, employees will come into contact with students and their families outside of the Trust. We expect staff to use their professional judgement in such situations and to report to Headteacher/Manager or HR any contact that they have had with a student or their family outside of school, that they are concerned about or that could be misinterpreted by others.
40. Employees should read and understand our Social Media policy.

Photography, videos and other images/media

41. Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity. Under no circumstances should employees use their personal equipment to take images of students at or on behalf of the Trust.

Acceptable use of technology

42. Staff should only use ICT systems and resources (email and phone) for all ATLP business or only in line with what is allowed.

Employees should read and understand our Acceptable Use Policy.

Personal Phones and Tablets

43. Staff should use ATLP ICT systems and resources for all ATLP business except in exceptional circumstances, or with the prior agreement of their manager. Any photographs/video footage must be taken using ATLP equipment. Staff must only save images on ATLP ICT hardware/computers.
44. Staff who are in contact with pupils should not use personal mobile phones in school during their directed/paid hours of employment unless there are exceptional circumstances and they have requested and been given explicit permission to do so by their Headteacher/Head of Service. Outside of these times, mobile phones should only be used in areas of the school where pupils are not present.

Alcohol and Substance Misuse

45. Staff are expected to arrive at work fit to carry out their job and to be able to perform their duties safely without any limitations due to the use or aftereffects of alcohol or drugs. In this policy drug use includes the use of controlled drugs, psychoactive (or mind-altering) substances formerly known as "legal highs", and the misuse of prescribed or over-the-counter medication.
46. Alcohol and drug-related problems may develop for a variety of reasons and over a considerable period of time. Therefore the ATLP will seek, where appropriate, to treat these problems in a similar way to other health issues. Support may be provided at this point, in order to aid a full recovery, allowing a return to work/effective performance and the full range of duties.

Employees should read and understand our Alcohol, Substance and Addictions Policy.

Working one to one with students

47. There will be times where an employee is working one to one with a student and this is acceptable. Employees need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore, it is important that employees:

- Avoid meeting on a one-to-one basis in secluded areas of the school
- Ensure that the door to the room is open or that there is visual access into the room
- Inform a colleague or line manager of the meeting, preferably beforehand
- Reports to their line manager if the student becomes distressed or angry

Curriculum

48. Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This can be supported by developing ground rules with students to ensure sensitive topics can be discussed in a safe learning environment. This plan should highlight particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied e.g., Health and Social Care, PSHE, Drama.
49. The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political or otherwise sensitive nature. Responding to children's questions requires careful judgement and employees should take guidance in these circumstances from the Designated Safeguarding Lead.

Dress and appearance

50. The ATLP has a dress code policy and all staff should read and adhere to this. ATLP employees are role models to its students and how they present themselves is important. Our expectation is that staff are decently, appropriately and professionally dressed in work at all times. The ATLP does 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. If an employee is unsure whether any item of clothing is inappropriate, then they should not wear it to work. Employees can speak to their line manager or HR if they are unsure. Where it is identified that an employee is wearing clothing that is not acceptable, they will be informed and requested to dress in appropriate clothing.

Gifts and hospitality

51. ATLP staff may not accept gifts from parents above the monetary value of £30.00. Staff must not accept gifts or hospitality from suppliers or associated organisations above the monetary value of £30 without obtaining approval from the CFOO or the Governance & Compliance Manager. Any gift, hospitality, award or prize accepted must be recorded in the ATLP's gift register and advised to the CFOO. Acceptance of gifts, hospitality, awards, prizes and any other benefit that might be seen to compromise the judgement or integrity of the Trust should be avoided.
52. Approval must be sought from the CFOO for purchasing gifts from public funds, that might be seen to compromise the judgement or integrity of the Trust e.g., gifts, awards, prizes. Approved funding of gifts to trustees, governors, staff, students or suppliers, will be documented by the CFOO and have regard to propriety and regularity. The purchase of alcohol using public funds is considered irregular use of public funds and must not be undertaken.

Keeping within the law

53. Staff are expected to operate within the law. Unlawful or criminal behaviour, at work or outside work, may lead to disciplinary action, including dismissal, being taken. However, being investigated by the police, receiving a caution or being charged will not automatically mean that an employee's employment is at risk.

Disqualification under the Childcare Act

54. The 2018 regulations are made under section 75 of the Childcare Act 2006. They set out the circumstances in which an individual will be disqualified for the purposes of section 75 of the act. Schools are prohibited from employing a disqualified person in connection with relevant childcare provision unless the individual in question has been granted a waiver by Ofsted for the role they wish to undertake. Staff are covered by this legislation if they are employed or engaged to provide early years childcare (this covers the age range from birth until 1 September following a child's fifth birthday, that is up to and including reception year) or later years childcare (this covers children above reception age but who have not attained the age of 8) in nursery, primary or secondary school settings, or if they are directly concerned with the management of such childcare. Childcare disqualification is an additional requirement to the general child safeguarding arrangements provided under the Disclosure and Barring Service (DBS) regime, which apply to all children.
55. Applicants to roles covered under the legislation will be asked to declare if they are disqualified in line with Disclosing offences – Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)
56. Those already in post in relevant childcare roles are required to inform their Headteacher immediately if their circumstances change during their employment. In addition, staff in such roles will be required to make an annual declaration.

Further details can be found - <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006>

57. Employees must ensure that they:

Uphold the law at work.

Never commit a crime away from work which could damage public confidence in them or the Trust, or which makes them unsuitable for the work they do. This includes, for example:

- submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)
- breaching copyright on computer software or published documents
- sexual offences which will render them unfit to work with children or vulnerable adults
- crimes of dishonesty which render them unfit to hold a position of trust.

58. Tell the Headteacher/Head of Service or HR immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed at the Trust (this includes outside of their working hours). In the case of a Headteacher or above, tell the Director of Education/CFOO/CEO/Chair of the Trust Board as appropriate. The appropriate line manager in consultation with HR will then need to consider

whether this charge or conviction damages public confidence in the Trust or makes the employee unsuitable to carry out their duties.

Conduct outside of work and at work related functions

59. Unlike some other forms of employment, working at the ATLP means that an employee's conduct outside of work could have an impact on their role.
60. Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the Trust or the employee's own reputation or the reputation of other members of the Trust community. Employees should be aware that any conduct that the Trust becomes aware of that could impact on their role within the school/trust or affect the school/trust's reputation will be addressed under our disciplinary procedure.
61. The ATLP therefore expects employees to make us aware immediately of any such situations that have happened outside of the Trust.
62. Employees are required to demonstrate responsible behaviour at work-related functions and work-related social events that take place outside normal work hours and to act in a way that will not have a detrimental effect on the ATLP's reputation.
63. Staff must not behave in a way outside work that may impact on their suitability to work with children. This includes behaviour which does not directly involve a child/children. Should the ATLP become aware of any such incident or behaviour, the Trust may treat the issue as a safeguarding matter and manage it in accordance with the Keeping Children Safe in Education statutory guidance document. Employees should be aware that any behaviour that is considered could have impact on an employee's suitability to work with children will be addressed under the ATLP disciplinary procedure and may lead to a referral to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (where appropriate).
64. The ATLP therefore expects employees to make it aware immediately of any such situations that have happened outside of the Trust.

Agency workers

65. The ATLP will investigate allegations made against agency workers with the cooperation of the agency. Whilst it may decide to cease using the services of an agency worker, this will not prevent it from investigating allegations and liaising with the Local Authority Designated Officer (LADO) to determine a suitable outcome. The Trust expects agency workers and agencies to cooperate with its investigations and with external agencies where applicable.
66. The ATLP will discuss with the agency whether it may be appropriate for them to consider suspending an agency worker, or whether it is prepared to redeploy an agency worker during an investigation.

Review

67. This Code of Conduct is reviewed and amended annually by the Trust. The ATLP will monitor the application and outcomes of this code of conduct to ensure it is working effectively.