

Code of Conduct & (Staff Behaviour) for Academy Employees

This incorporates: - Social networking, Dignity at work, Governing Body code of conduct.

Vision Statement

At Holy Trinity CE Primary Academy, inspired by and rooted in Christian values and teaching, we nurture children to become aspirational, courageous, compassionate, and joyful young people.

The values of our school: Courage, Joy, Aspiration, and Compassion

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1 INTRODUCTION

- 1.1 The Board of Directors (governing body) is required to set out a Code of Conduct for all Academy employees. Staff have been consulted during the process of agreeing this document and it is therefore adopted by the governing body.
- 1.2 In addition to this policy, all staff employed under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the '[Teachers' Standards 2021](#)' as updated, and in relation to this policy, Part 2 of the Teachers' Standards - Personal and Professional Conduct.
- 1.3 The governors will make sure that this policy reflects national and local requirements to protect and support the children and adults in our school.
- 1.4 We will fulfil our local and national responsibilities as laid out in the following key documents:
 - Working Together to [Safeguard Children](#) (2018)
 - [Keeping Children Safe in Education](#) (2021)
 - The procedures of Safeguarding Vulnerable [People Partnership \(SVPP\)](#)
- 1.5 Employees should be aware that a failure to comply with the Code of Conduct could result in disciplinary action including dismissal.

2 PURPOSE

- 2.1 The purpose of having a Code of Conduct is to:
 - Make a clear statement about the standards of conduct expected of employees of the Academy.
 - Ensure the highest standards of conduct by identifying Academy standards which sit alongside professional codes and guidelines.
 - Help all employees to act in a way which upholds the Academy's standards and at the same time, protect them from criticism, misunderstanding or complaint.
 - Build trust between the Academy and the people who encounter those working for it.
- 2.2 This policy:
 - is based on the Guidance for Safer Working Practice for those working with children and young people in education settings (May 2019 with April 2020 Addendum).
 - aims to provide a guide for adults about acceptable and desirable conduct to ensure that staff maintain safe working practice and so safeguard both children and adults.
 - does not provide a complete checklist of appropriate behaviour for staff in every circumstance. Staff must make judgements about their behaviour to secure the best interests and welfare of the children in their charge and, in so doing, will be seen to be acting reasonably.

3 SCOPE

- 3.1 This Code of Conduct applies to:
 - All employees of Holy Trinity CE Primary Academy both paid and unpaid. Employees are as defined in [section 230](#) of the Employment Rights Act 1996 or any subsequent legislation.
 - Individuals providing services for the Academy e.g., contractors, agencies, self-employed, and those working for the Academy as part of partnerships with the Academy including volunteers.
 - Voluntary workers for the duration of the project in which they are involved.
 - All employees will be supplied with a copy of this Code, against which their conduct will be measured.
- 3.2 This policy is consistent with all other policies adopted by the governors and should be read alongside the Child Protection and Safeguarding policy as well as the following documents relevant to the safety and welfare of our children:
 - Behaviour policy

- SEND policy
- Online/e-safety policy
- Health and safety policy
- Whistleblowing policy
- Complaint's policy

3.3 Governors are covered by their own Code of Conduct, which is attached at **Annex A**.

4 STANDARDS AND ATTITUDE

4.1 All employees of the Academy are expected to give the highest possible standard of service to the public, Governing Body, and colleagues.

4.2 The attitude of employees in dealing with people reflects on the Academy so it is important that they are helpful, polite, and courteous. People's impression of the Academy 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 carefully consider the effect of what they say.

4.3 All employees are expected to report to the headteacher any perceived or anticipated impropriety, breach of procedure or policy of the Academy.

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

4.5 Certain behaviours are at odds with a position of trust. These include, but are not limited to:

- Harassment or discrimination based on any characteristic protected by the Equality Act 2010
- Loss of personal civility including, personal attacks or insults, displays of temper (such as throwing objects), unwanted physical contact (pushing, shoving, hitting) or the threat of the same.
- Staff must not swear, blaspheme, or use offensive language in front of pupils or other staff, nor use language which is discriminatory and demeaning in any way.

5 COMMUNICATION WITH CHILDREN AND PARENTS

5.1 Staff must use their professional judgement when requesting or accepting any social contact (including through social media). This means that they must:

- not accept any request from pupils for contact via any social media platform.
- make a judgement about whether to maintain the connection in any cases where contacts were made before the child started at the school (eg teacher being friend with a parent). Staff must discuss any decision to maintain such contact with the headteacher.

5.2 We acknowledge that staff may have friendships and social contact with parents of children outside of school. Staff will not engage in conduct outside work that could damage their professional reputation or the reputation of the school community.

5.3 Any contact between staff and children and/or parents that is deemed to bring the school into disrepute or that might lead a reasonable person to question the staff member's motivation or intentions will always be investigated and could lead to disciplinary action.

5.4 Staff must not make sexual innuendos or any comments of a sexual nature to any pupil (other than in the context of sex and relationship education in the PSHE curriculum), nor make any comments trivialising alcohol or drug abuse.

5.5 Occasionally, pupils may develop an infatuation for a member of staff. In such situations, the advice of the headteacher must be sought. Staff should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain

aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is beyond reproach.

5.6 Staff must inform the headteacher of any proposed or pre-existing arrangements between them and the families of children on roll that take place outside school e.g., baby-sitting, sports coaching, music tuition.

5.7 Staff are advised to wait until after an ex-pupil's 18th birthday before accepting any request on social media.

6 THE PRINCIPLES

(There are several 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).

6.1 Honesty, Integrity, Impartiality and Objectivity

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

6.2 Accountability

- All employees must be accountable to the Academy for their actions.

6.3 Respect for Others

6.4 All employees must.

- Treat others with respect
- Not discriminate unlawfully against any person; and
- Conduct themselves in a professional manner.

7 STEWARDSHIP

7.1 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 Academy unless properly authorised to do so.

8 PERSONAL INTERESTS

8.1 All employees must not in their official or personal capacity

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

9 DECLARING INTERESTS

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

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

10 OPENNESS

10.1 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.

11 DUTY OF TRUST

- 11.1 All employees must always act in accordance with the trust that the public is entitled to place in them.
- 11.2 All employees have a legal duty to protect the interests of children and accept the obligations inherent in that responsibility.

12 SAFEGUARDING (SEE SEPARATE POLICY)

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

13 CONCERNS AND ALLEGATIONS

- 13.1 If a member of staff is concerned about the behaviour of a person working or volunteering at the school (including contractors), they will follow the agreed procedure set out in the flowchart 'Allegation against adults', displayed in the staff room/staff cloakrooms... See Safeguarding and Child Protection Policy (September 2021).
- 13.2 The school operates a 'low-level' concerns policy in accordance with KCSIE. 'Low-level' refers to behaviour that is: inconsistent with expectations set out in this policy, including inappropriate conduct outside of work, and/or does not meet the allegations threshold, or is otherwise not considered serious enough to consider a referral to the DOfA.
- 13.3 All concerns, no matter how small, will be shared responsibly and with the right person, recorded and dealt with promptly and appropriately. This will serve our commitment to create and embed a culture of openness, trust, and transparency in which the school's values and expected behaviour set out in this policy are constantly lived, monitored, and reinforced by all staff.
- 13.4 We also encourage all staff to self-refer to the headteacher or DSL where they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

14 HOW TO RAISE A CONCERN?

- 14.1 Initial concerns should be raised with the headteacher. (see 45.3 above)
- 14.2 If a member of staff (other than the Headteacher) is approached by a colleague on a matter of concern as defined in this document, he/she should be advised to take the matter to the headteacher (see 45.3).
- 14.3 Within two working days, the headteacher will arrange to meet you to discuss your concerns. Before the meeting, it would be helpful if you write down what you consider the problem to be, giving names, dates, and places where possible. If there are any other documents that you think might be helpful, please try to bring these with you. You are advised to take a friend, colleague, or school professional association / union representative with you.
- 14.4 You are encouraged to raise your concern in person, or through your professional association / union representative on your behalf, because concerns that are expressed anonymously are difficult to investigate. However, Holy Trinity CE Primary Academy will exercise its discretion in deciding whether to investigate an anonymous allegation. The factors considered will include:
- the seriousness of the issues raised;
 - the credibility of the allegation; and
 - the likelihood of being able to confirm the allegation from attributable sources.

15 CONFIDENTIALITY AND DISCLOSURE OF INFORMATION

- 15.1 This should be read in conjunction with Holy Trinity CE Primary Academy data protection policy.
- 15.2 The Academy recognises the importance of an open, transparent culture with clear communication and accountability. It is the Academy'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 information, they should always check with the headteacher first.
- 15.3 The confidentiality of information received during an employee's 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 Whistle Blowing policy before doing so (see below). Failure to do so may result in disciplinary action being taken.
- 15.4 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 2018.
- 15.5 Governors and trustees should not routinely access child records. Exceptions to this would be for the purpose of an investigation in line with the school's complaint policy and procedures.
- 15.6 Staff governors must be mindful of information that they are entitled to within their staff role must not be used or disclosed in their governor role.
- 15.7 Information given during an employee's duties should be accurate and fair and never designed to mislead.

16 WHISTLE BLOWING (SEE SEPARATE POLICY)

- 16.1 Employees are often the first to realise that there may be something seriously wrong within the Academy. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Academy. 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.
- 16.2 The Academy is committed to the highest possible standards of openness, probity, and accountability. In line with that commitment employees, and those associated with the Academy, who have serious concerns about any aspect of the Academy'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.

17 POLITICAL NEUTRALITY

- 17.1 Employees must not allow their own personal or political opinions to affect their work and must always perform their duties in an objective manner.

18 RELATIONSHIPS

- 18.1 The Academy is firmly committed to equalities and believes that every employee has the right to work in a safe environment without the fear of discrimination, harassment, or abuse. The Academy will not tolerate or condone harassment or bullying in any form. The Academy has adopted an anti-harassment and bullying policy as annex B which addresses these issues in more detail. This policy aims to prohibit harassment and bullying within the Academy and covers both employees and the governing body.
- 18.2 It is unlawful for appointments to be made based on 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 based on merit and in accordance

with the prevailing Academy policy on Recruitment and Selection and guidance “keeping children safe in education”.

18.3 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 headteacher.

- **“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.
- **“Partner”** means a member of a couple who live together or who are involved in a romantic relationship.

18.4 ‘Close personal relationship’ would include a person not employed by the Academy with whom an employee has a close business connection.

18.5 Personal relationships between colleagues who work together can give rise to conflicts of interest. Therefore, employees who have entered a close personal or romantic relationship with a colleague are required to disclose this fact to the headteacher. Any information declared or disclosed should be recorded on both employees’ personal files and treated in strict confidence.

18.6 This information should only be considered to ensure that the existence of the relationship does not impact on the smooth running of the Academy.

19 THE LOCAL COMMUNITY AND SERVICE USERS

19.1 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 Academy. 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.

20 CONTRACTORS

20.1 All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to the headteacher at the earliest opportunity.

20.2 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.

21 OUTSIDE COMMITMENTS

21.1 The governing body recognises that employees are entitled to their private lives. In general, an employee’s choices and action outside of work are not the Academy’s concern. However, to protect both the employee and the Academy there are exceptions to this as the following explains:

22 CONDUCT

22.1 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 Academy into disrepute. This includes conduct which would bring into question their suitability to work with children.

22.2 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 to

maintain the confidence and respect of the public in general and all those with whom they work.

- 22.3 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.
- 22.4 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.
- 22.5 Employees are bound by all aspects of the confidentiality and data protection policies and children must not be put at risk or the Academy be brought into disrepute due to a breach of these policies. Where the behaviour of anyone associated with a staff member is detrimental to the Academy, or in any way places the children or staff of the Academy at risk, we will investigate the cause of this behaviour to determine if this is a direct result of the employee breaching policy. In such cases, the employee will be considered jointly culpable for these actions and be subject to disciplinary action.

23 ADDITIONAL WORK

- 23.1 Employees can 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. To assess whether or not there might be a conflict, employees are required to inform the headteacher before taking any outside employment.
- 23.2 The Academy will not unreasonably stop employees from undertaking additional employment, but this employment must not, in the Academy's view, conflict with or be detrimental to its interests, or weaken public confidence in the conduct of its business.
- 23.3 An employee who wishes to take on additional work must ensure that:
- the additional hours worked do not contravene the Working Time Regulations or otherwise give the Academy cause for concern about health and safety at work. Details of the Working Time Regulations are available from the Academy's HR provider.
 - the outside work does not place the employee in a position where their duties and private interests' conflict
 - the outside work does not damage, or potentially damage, public confidence in the Academy's conduct or business

24 BOOKS, TRAINING MATERIALS AND INTELLECTUAL PROPERTY RIGHTS

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

25 PATENTS AND INVENTIONS

- 25.1 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 Academy through the headteacher and, subject to the provisions of the Patents Act, it will belong to and be the absolute property of the Academy.
- 25.2 Employees must not undertake private or personal work, paid or unpaid, of any description in working hours or on Academy premises unless they have been given specific permission by

the headteacher. Where approval is given, any payments will be made in accordance with the Academy's Pay Policy.

26 REFUSAL OF A REQUEST TO TAKE ON ADDITIONAL WORK

26.1 If an employee has their request to take on additional work refused and wishes to challenge this, they should speak to the headteacher or consider raising a grievance under the Academy's Grievance Procedure.

27 COMPUTER USE

27.1 The Academy 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.

28 MISUSE OF COMPUTERS

28.1 The misuse of computers is a serious matter and may result in employees being subject to disciplinary and, where appropriate, legal action.

28.2 Guidance documents exist within the Academy in relation to the use of computers and information technology. Employees must be familiar with and abide by the Academy's Policy on computer use.

28.3 Private use of Academy 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 Academy related to outside work or private interests.

28.4 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 Academy's whistle blowing policy.

28.5 The Academy 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.

29 USE OF SOCIAL NETWORKING SITES

29.1 The growing popularity of personal web logs (blogs) and social networking sites, such as Facebook and MySpace, or any online platform, may raise issues for the Academy, particularly where employees choose to write about their work and the Academy in which they are employed.

29.2 Employees should ensure that the content of their blogs/social networking sites does not bring the Academy into disrepute or breach their obligations in relation to confidentiality and appropriate behaviour.

29.3 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 refer to the Academy 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 Academy. In addition, employees, must adhere to the rules below.

29.4 Employees must not:

- Disclose any information that is confidential to the Academy 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 Academy's website.
- Include any information, sourced from the Academy, which breaches copyright.

- Make defamatory remarks about the Academy, colleagues, Governing Body, pupils, and parents.
- Publish any material or comment that could undermine public confidence in the individual as an employee of the Academy or in their position of trust within the community; and/or
- Misrepresent the Academy, by posting false or inaccurate statements about the work of the Academy.

30 MOBILE PHONES (INCLUDING ALL FORMS OF ELECTRONIC COMMUNICATION)

- 30.1 Staff are not permitted to use their phones, cameras, smart technology, or any device that can be used for photographing or recording children, when on duty for any purpose.
- 30.2 Employee's mobiles must be kept always switched off or on silent and not handled or answered during lessons or meetings, except with the permission of the headteacher. Staff should not leave the classroom during lessons to use their mobile phones. Mobile phones may only be used during morning/lunch break in the staff room.
- 30.3 Employees are to limit personal telephone calls while at work and such calls are to be made or received primarily during scheduled break periods and not in the classroom or while delivering a lesson.
- 30.4 There may be times when an employee needs to use the academy telephone or personal mobile phone for personal business or emergency situations. If this is likely to occur during non-break periods, the headteacher should be consulted on methods to minimize disruption to others.
- 30.5 If an employee has a particular reason for a specified period of time, they may request, via the headteacher that they leave their phone on during working hours.
- 30.6 Staff mobiles should be kept in a locker or bag and not left on display.

31 USE OF THE ACADEMY AS A PERSONAL ADDRESS

- 31.1 Employees must never register the academy address as their own personal residence so personal correspondence addressed via the academy is not permitted.
- 31.2 The headteacher may consent to employees using the academy as a delivery address for small packages if they are unable to plan to receive them at home. The number of requests will be monitored to ensure reasonable use and that the efficient business of the academy is not compromised.

32 PERSONAL INTERESTS

- 32.1 Employees may have a variety of personal interests, which may from time to time impact on their role for the Academy. To protect the Academy and the employee from any accusations of wrong doing the Academy has in place a number of safeguards which demonstrate that these interests are not allowed to influence the way the Academy conducts its business.
- 32.2 Whatever an employee's role within the organisation, they must declare to the headteacher any financial or non-financial interests which could bring about conflict with the Academy's interests.
- 32.3 If employees are in any doubt about a potential conflict of interest, they should bring the matter to the attention of the headteacher so that a decision can be made as to how best to proceed.
- 32.4 Employees must not make, or become involved with, any official or professional decisions about matters in which they have a personal interest.
- 32.5 Section 117 of the Local Government Act 1972 requires employees to make a formal declaration about contracts or proposed contracts with the Academy 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.

33 GIFTS AND HOSPITALITY

- 33.1 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.
- 33.2 The academy has adopted a “Gifts and Hospitality Policy” see. <http://holy-trinity.co.uk/policies-2/>

34 SPONSORSHIP – GIVING AND RECEIVING

- 34.1 When an outside organisation wishes to sponsor or is seeking to sponsor a Academy activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Care must be taken when dealing with contractors or potential contractors.
- 34.2 Where the Academy 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 the headteacher of any such interest. Similarly, where the Academy 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.

35 EQUALITIES

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

36 TENDER PROCEDURES

- 36.1 Employees should exercise fairness and impartiality when dealing with all customers, contractors, and subcontracts.
- 36.2 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 the headteacher.
- 36.3 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.
- 36.4 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.

37 CORRUPTION

- 37.1 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.
- 37.2 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 headteacher.

38 FINANCIAL PROCEDURE RULES

- 38.1 All employees involved in financial activities and transactions on behalf of the Academy, including budgetary control, payments of accounts, payments of salaries and wages, petty

cash and orders of works, goods or services must follow the EFA Academies Financial Handbook.

- 38.2 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.

(Adapted from the NGA Code of Conduct for School Governing Boards)

The governing body of Holy Trinity CE Primary Academy has adopted the following principles and procedures:

The governing board has the following core strategic functions:

Establishing the strategic direction, by:

- Setting the vision, values, and objectives for the school
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

Ensuring accountability, by:

- Appointing the headteacher
- Monitoring progress towards targets
- Performance managing the headteacher
- Engaging with stakeholders
- Contributing to school self-evaluation

Ensuring financial probity, by:

- Setting the budget
- Monitoring spending against the budget
- Ensuring value for money is obtained
- Ensuring risks to the organisation are managed

As individuals on the board, we agree to the following:

Role & Responsibilities

- We understand the purpose of the board and the role of the headteacher.
- We accept that we have no legal authority to act individually, except when the board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open government and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing board.
- We will actively support and challenge the headteacher.

Commitment

- We acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing board, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.

- We will get to know the school well and respond to opportunities to involve ourselves in school activities.
- We will visit the school, with all visits to school arranged in advance with the staff and undertaken within the framework established by the governing board and agreed with the headteacher.
- We will consider seriously our individual and collective needs for training and development, and will undertake relevant training.
- We accept that in the interests of open government, our names, terms of office, roles on the governing body, category of governor and the body responsible for appointing us will be published on the school's website.

Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other governors in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the headteacher, staff and parents, the local authority and other relevant agencies and the community.

Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- We will exercise the greatest prudence at all times when discussions regarding school business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote.

Conflicts of interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time. We accept that the Register of Business Interests will be published on the school's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- We will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the governing board.

Breach of this code of conduct

- If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the chair that we believe has breached this code, another governor, such as the vice chair will investigate.

The Seven Principles of Public Life

(Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

Governors will sign the Code at the first governing body meeting of each school year and a record will be kept by the clerk.

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1. Dignity at work policy statement

- 1.1 Holy Trinity CE Primary Academy governing body is committed to creating a positive and safe working environment for its staff, paid and unpaid, in line with its core values. The governing body wants to create and maintain a working environment where individuals are treated with dignity and respect. The governing body is opposed to all forms of unlawful discrimination, bullying or harassment of any kind. The governing body, headteacher and senior staff are firmly committed to the success of this policy and all steps taken towards its achievement.
- 1.2 Everyone has the right to be treated with respect and dignity in the workplace, irrespective of their level, status or position within the organisation.
- 1.3 Holy Trinity CE Primary Academy has set clear standards of behaviour that it has communicated to all employees. Usually employees within the school maintain high standards of professional conduct. If any individual believes that they are not being treated with respect in accordance with the Code of Conduct for Staff, they have the right to challenge such behaviour and/or to raise a complaint. All employees are encouraged to challenge unacceptable behaviour.
- 1.4 Bullying or harassment negatively impacts on the wellbeing, morale and creativity of not only individuals experiencing such behaviour, but on the whole school community.
- 1.5 Bullying or Harassment, whether perpetrated by colleagues, parents/carers, visitors or service users, will not be tolerated. All allegations will be treated seriously and sensitively. They will be investigated promptly and a speedy resolution sought. Appropriate action, which may include disciplinary action, will be taken where an allegation of bullying and harassment has been upheld. Confidentiality will be maintained throughout the process.
- 1.6 Clear guidance and training can be provided to support the implementation of this Policy and Procedure. This policy complements and is consistent with our current and developing documents on:
 - Locally and nationally issued guidance on staff behaviour and professional conduct;
 - Grievance Procedure;
 - Disciplinary Procedure;
 - Pay Policy;
 - Performance Management Procedure;
 - Capability Procedure;
 - Whistle blowing Procedure
 - Equalities Policy
 - Behaviour Policy
 - Home school agreement
 - Safeguarding and child protection
 - Confidentiality

2. Introduction

- 2.1 The Governing body is responsible for taking all reasonable practical steps to promote dignity and to prevent and eliminate all forms of bullying or harassment. The headteacher will ensure that all employees are aware of the school's policies and understand what standards of behaviour are expected.

2.2 The Governing body is also responsible for ensuring that all employees know how to deal with bullying or harassment should it occur. To assist, the governing body has produced procedures such as this, including appropriate support, for employees who are subject to harassment or bullying.

2.3 This policy aims to:

- Encourage early and speedy resolution of complaints of bullying and harassment;
- Encourage professional behaviour and a productive working environment;
- Educate and develop our workforce to challenge and tackle bullying and harassment;
- Ensure that all parties concerned are treated fairly.

2.4 Individuals considering putting forward a complaint under this procedure must consider whether the grievance or dignity at work procedure is the most appropriate to use. It would not be possible to switch from one procedure to another once a formal complaint has been raised.

3. Who does the Dignity at Work Policy apply to?

3.1 The following policy applies to all Holy Trinity CE Primary Academy employees. This includes temporary, casual and volunteer workers who are expected to comply with the standards of behaviour set out in the Code of Conduct for Staff.

3.2 External agency or supply staff are not employees of the school and should raise any incident of bullying and harassment with their Agency who may pursue the issue with us.

3.3 The Governing body expects that in raising concerns under this Procedure, staff will be acting in good faith. Accordingly, if on enquiry there has been a misunderstanding/ misinterpretation and concerns are not confirmed, no action will be taken. However, should it be established in any case that concerns have been raised or allegations made maliciously, frivolously, or for personal gain, disciplinary action could be taken in line with the school's disciplinary procedure.

4. Responsibilities of the headteacher, line manager, employees, and witnesses

4.1 All governors and staff have a responsibility to familiarise themselves with this policy and procedure and the Code of Conduct for Staff and ensure that they are distributed and understood by all employees. Employees are responsible for promoting a positive working environment free from bullying or harassment.

4.2 Staff are encouraged to challenge and discourage offending behaviour and to support colleagues who are experiencing bullying or harassment.

4.3 Any individual named as a witness will be expected to co-operate at all stages. In particular, they are expected to provide their statements in a timely manner and make themselves available to attend meetings in order to facilitate the case proceeding in accordance with the timescales set out within the Dignity at Work procedures.

4.4 All parties' involved are bound by our confidentiality policy at all times. Information must not be shared with anyone except those directly involved. This does not preclude a confidential consultation with a friend, colleague, trade union or HR service provider representative for support.

5. What is Bullying and Harassment?

5.1 The definitions of bullying and harassment as outlined by ACAS are as follows:

- **Bullying**

“Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.”

- **Harassment**

“Unwanted conduct affecting the dignity of staff within the workplace”. It may be related to any of the protected characteristics within our equalities policy or any personal characteristic of the individual and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

5.2 Examples of bullying and harassment are as follows:

- Spreading malicious rumours, or insulting someone.
- Copying correspondence, whether manual or electronic, that is 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 or victimisation.
- Unfair treatment.
- Overbearing supervision or other misuse of power or position.
- Unwelcome sexual advances – touching, standing too close, display of offensive materials.
- Telling or circulating jokes that may be offensive on any grounds including, but not limited to, those listed under the definition of “Harassment” above.
- Making threats or comments about job security without foundation.
- Deliberately undermining a competent worker by overloading and constant criticism.
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

5.3 Individuals should challenge any behaviour they find unacceptable to give the opportunity for the person bullying or harassing to stop.

6. Harassment, Intimidation and Bullying of Employees by third parties.

6.1 The governors acknowledge that Holy Trinity CE Primary Academy staff may suffer harassment/bullying in a variety of forms, for instance; pupils, parents/carers etc. The governing body has a duty of care to seek to prevent this from happening in the course of their employment.

6.2 The governors will provide support for any staff who is the victim of such behaviour in the course of his or her employment. The governors will arrange to investigate any complaint of harassment made by staff against Holy Trinity CE Primary Academy stakeholders and take appropriate action.

6.3 The governors’ response to harassment/bullying of its staff by School users may be restricted by the lack of applicable sanctions or by statutory duties to provide services. Within these

restrictions, however, the following guidelines will be observed by Governors where staff has been subjected to harassment/bullying in the course of their employment by Holy Trinity CE Primary Academy and take appropriate action:

- Any member of staff who has been subjected to such behaviour must be dealt with sympathetically and supportively by senior staff, and must be offered suitable counselling.
- The headteachers should deal explicitly with perpetrators and may withdraw the services of Holy Trinity CE Primary Academy if behaviour is not moderated. If the case involves a pupil then the behaviour policy would take precedence over this statement.
- The headteacher must use her/his discretion in appropriate circumstances.

Training

Induction

- The welfare of all children on roll is of paramount importance. All staff including volunteers are informed of this policy at induction and given the chance to question and discuss the expectations set out.
- Staff will receive safeguarding and child protection training with regular refreshers.
- Staff will be given advice and instruction on disclosing gifts and hospitality that could be mis-construed.

Staff support

- Work in schools is both rewarding and demanding. We support staff by prioritising time to discuss the challenges of their role linked to any aspect of this code of conduct with the headteacher or senior leader and seek further support as appropriate.

7. Monitoring and reviewing the Policy

- 7.1 This policy will be continuously monitored and regularly reviewed to ensure that it is effective for dealing with employment matters and supporting employees during any allegations of bullying or harassment. The staff will be consulted on any changes arising from reviews.

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1. Procedure for Dealing with Bullying and Harassment

- 1.1 Employees should refer to the following procedure if they have concerns with regards to bullying or harassment rather than using the school's' grievance procedure.
- 1.2 It is preferable for all concerned to try to resolve matters informally if possible. This is likely to produce solutions that are speedy, effective and restore positive relations in the workforce. It will also help to minimise embarrassment and the risk of breaching confidentiality.
- 1.3 Informal or formal actions are options available to the employee who feel that they have been the subject of bullying or harassment, or have witnessed it.
- 1.4 There may be a situation where someone is in a position of authority over others, such leader of learning, who becomes the target of bullying by a number of staff. This can happen to any manager, supervisor or individual with responsibility for others in the workplace. Such group behaviour may include refusal to carry out jobs in the exact way in which they have been told to do so but will still perform the job, or working at a slower rate than they do for other's. The Governing body takes any situation of such bullying seriously and will not tolerate such behaviour in the workplace. Such matters will be dealt with promptly in line with Holy Trinity CE Primary Academy's disciplinary procedure.

2. Informal Action

- 2.1 Where possible, the employee should tell the person who is causing the problem that the conduct in question is unwanted and/or offensive and must stop. This may be all that the victim of bullying or harassment wants.
- 2.2 If the behaviour is causing distress, embarrassment or hurt and as a result the employee does not feel able to approach the colleague or has tried without success to deal with the issue, then in order to proceed with the matter informally they should seek the support of their leader of learning or headteacher in the first instance, unless their leader of learning or headteacher is implicated. If the headteacher is implicated the staff member should raise the issue with the chair of the board of governors. Support may also be sought from another work colleague or trade union representative.
- 2.3 Employees should be protected from victimisation after raising concerns or seeking resolution of a genuine complaint whether the complaint is upheld or not.

3. Mediation and Conciliation

3.1 Mediation

- 3.2 Mediation is the unbiased and objective intervention by an independent third party to help in the full discussion of a problem and the agreement on an outcome. Mediators do not take sides or lead the parties into any particular course of action; they will ensure that all the issues have been raised and that there is no misunderstanding between the parties.

- 3.3 It is Holy Trinity CE Primary Academy's policy to resolve grievances as far as possible through the informal stage and expects both the employee and the headteacher or leader of learning to exhaust the early stages of the procedure.
- 3.4 Any of the parties have the right to request the assistance of a mediator to assist in the resolution of issues arising from bullying or harassment. However it will be at the discretion of the headteacher (or if the headteacher is one of the parties involved then the chair of governors) to determine whether mediation from an external provider would be a suitable option to deal with the matter.
- 3.5 Both parties must agree to mediation. If either of the parties does not agree to mediation, mediation cannot be used to resolve the issues.
- 3.6 If the parties are able to resolve the matter through mediation, no further action will be taken.
- 3.7 If any party does not agree to mediation they should state their reasons, in writing, to the headteacher (or chair of governors if the headteacher is one of the parties involved) within 5 school days of their refusal to participate in mediation.

4. Conciliation

- 4.1 Conciliation takes place where an agreement has been reached and a conciliator will monitor the resolution and help restore a positive working relationship. The conciliator outlining the details will provide a written statement.
- 4.2 Conciliation is the process of assisting all parties to return to an effective working relationship once a decision has been made. Conciliation may be appropriate to help restore working relationships where they have become strained as a result of attempts to resolve the issues. It will at the discretion of the headteacher (or chair of governors if the headteacher is one of the parties involved) to decide whether conciliation from an external provider would be a suitable option to deal with the matter.
- 4.3 The person providing mediation or conciliation will provide the parties with a written statement outlining the issues addressed and agreed action to be taken by the parties to resolve the issue. Where a complaint has not been substantiated, but the complaint was genuinely raised, conciliation may be offered to restore working relationships. Conciliation will also be used to restore working relationships within the workplace where a case has been substantiated.

5. Timescale for Informal Resolution

- 5.1 In most instances parties should attempt to resolve their issues within 20 school days. Where mediation is being used the issues may take longer to resolve. However, if not resolved within 40 school days, with mediation, any of the parties can refer the matter to the formal procedure.

6. Formal Action

- 6.1 If the complainant decides to continue formally under the Bullying or Harassment procedure, the matter should be raised with the headteacher in writing by providing full written details of the complaint, including details of attempts to resolve the matter informally and the

outcome of any mediation. If the headteacher is involved, either as the complainant or the other party, the issues should be brought to the attention of the chair of governors.

- 6.2 The headteacher or chair of governors will appoint an Investigating Officer (whom may have the support of an HR advisor) to investigate the complaint. The Investigating Officer must not have had any previous involvement with the case.
- 6.3 Formal complaints should normally be made within 10 school days of the failure to reach a satisfactory outcome informally or within 10 school days of the behaviour causing serious concern where this could not be raised informally.
- 6.4 In the case of a series of events, the complaint should be brought within 10 school days of the last event, unless there is good reason for the delay, for example, attempts to resolve the issue with the other party, illness or other good reason.
- 6.5 Where an employee is bringing a formal complaint they must outline what attempts have been made to resolve the matter informally, or give clear reasons for invoking the formal procedure immediately. Where the action complained of raises serious misconduct issues or may demonstrate a possible case of gross misconduct, the headteacher (or chair of governors if the headteacher is one of the parties involved) may invoke the disciplinary procedures in place of this procedure.

7. Formal Investigation

7.1 Deciding the Approach

- 7.2 The Investigating Officer will deal with the matter in a confidential manner and make recommendations to the headteacher (or chair of governors if the headteacher is one of the parties involved), who will then decide on the most appropriate course of action. This may include:

- Advising that a formal investigation is/is not appropriate
- Attempting to resolve the issue between the parties with their consent
- Referring the matter to mediation, with the agreement of the parties, if this has not already been attempted
- Advising or recommending at the instigation of action under the disciplinary procedure
- Instigating a formal investigation of the complaint under the bullying and harassment procedure

- 7.3 The Investigating Officer will provide the complainant and the other party with a written statement of the way in which the complaint is to be progressed, within 15 school days from receipt of the complaint.

8. Process for Formal Investigation

- 8.1 The Investigating Officer will investigate the complaint, ideally within 30 school days from receipt of the formal complaint. All parties, and their witnesses, are expected to make every effort to comply with the timescales set out in this procedure. Both parties will have the right to representation by a colleague of their choice or by an accredited trade union representative.

8.2 Care must be taken to protect the rights of all parties concerned and to ensure that the parties receive a fair hearing and that presumptions about the parties or the complainant are not made.

8.3 The headteacher will keep a record of all complaints received.

9. When the formal allegation is made against a member of the governing body

9.1 The governing body's aim is that at all times governors behave in accordance with the code of conduct agreed by the governing body. Also, that governors and staff work in a spirit of support and challenge and that behaviour at meetings is above reproach.

9.2 However the governing body recognises that it is possible that a headteacher or member of staff may feel that they have been subjected to bullying and /or harassment from an individual governor.

9.3 In such cases the headteacher or member of staff will make the formal complaint to the chair of governors (unless they are the subject of the allegation, in which case it will be made to the vice chair of governors). The Chair (or Vice Chair) is strongly advised to seek advice from the local authority Governor Service's team.

9.4 The chair of governors (or vice chair) will then appoint another governor to carry out the role of investigating officer as set out below and report their findings to them.

9.5 If the chair of governors (or vice chair of governors) considers that the complaint is substantiated and warrants serious action they will bring the matter to the full governing body with a recommendation for action, in accordance with the procedures for suspending a governor. Any suspension would then be a decision for the full governing body.

10. Outcomes

10.1 If the complaint is substantiated, the Investigating Officer, together with HR advisor will make recommendations to the headteacher (or chair of governors if the headteacher is one of the parties involved) for them to decide on a course of action.

10.2 Once the headteacher (or Chair of Governors) has reached a decision they should notify the Complainant within 40 school days of the formal complaint being received.

10.3 Where the Investigating Officer forms the view that the complaint is potentially of a serious nature requiring further investigation, this will be reported to the headteacher (or chair of governors if the headteacher is one of the parties involved). If the disciplinary procedure is initiated any evidence used in the bullying and harassment investigation will be made available to the Disciplinary Investigator.

10.4 In the event of a resolution of the complaint, the headteacher (or chair of governors if the headteacher is one of the parties involved) will keep a record of the complaint, the discussions between the parties and of any witnesses' statements, and any agreements for action made between the parties. The record will be kept for 12 months.

11. Use of Other Procedures

- 11.1 Where allegations are so serious that it is not appropriate to deal with them under the Bullying or Harassment procedure, the headteacher should instigate the School's Disciplinary procedure.
- 11.2 The whistle blowing procedure can be used where bullying or harassment is being witnessed. For example, where a member of staff is being subjected to bullying or harassment and feels too intimidated to raise a complaint under the Bullying or Harassment procedure, or where a colleague observes an individual being subjected to bullying or harassment.

12. Right to Appeal

- 12.1 Either party can ask for a review of the findings of the investigation, setting out their reasons for their request. Appeals will only be considered due to:
- A serious breach of the procedure
 - Any significant new evidence which has come to light
- 12.2 A request for an appeal on any of the grounds specified above should be lodged with the clerk to governors within 10 school days of the notification of the decision. The clerk will acknowledge receipt of the request.
- 12.3 Arrangements for the appeal should be set up within 20 school days of the request being received by the clerk to governors.
- 12.4 The chair of governors (or vice chair of governors if the chair has been previously involved in the case) will appoint a committee of three governors (not previously involved in the case) to consider the appeal. The committee should seek the advice of an HR advisor during this process. The committee will then review the reasons put forward for the appeal and all of the evidence, statements and other paperwork considered at the formal stage. The decision made by the committee will be final.

13. Victimisation

- 13.1 Challenging bullying or harassment can be difficult and distressing and is not undertaken lightly. Employees with a genuine belief that they or a colleague have been subjected to bullying or harassment and who make attempts to deal with the issue should not receive less favourable treatment as a result. Victimisation occurs where less favourable treatment is given to those who bring proceedings, give evidence or information or allege breach of this Policy or of the Code of Conduct for Staff. Victimisation may also contravene the Equalities Act 2010.