

# The Family of Learning Trust

## Code of Conduct



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## **1. Introduction**

- 1.1 This code sets out the minimum standards of conduct that members of staff will be expected to observe when carrying out their duties.
- 1.2 The code exists to protect staff in the event of their actions being subject to challenge. If staff members are in any doubt about anything contained within this code and/or are concerned about anything relating to their personal position, they should speak to their line manager immediately.

## **2. Purpose and scope**

- 2.1 This policy applies to all staff, trainees, external contractors, volunteers and other individuals who work for, or provide services on behalf of, the academy. Throughout this policy these individuals are collectively referred to as 'staff members'.
- 2.2 The code aims to ensure that confidence in the integrity of public sector employees is maintained at all times.
- 2.3 Breach of this code will be viewed as a serious disciplinary matter. Ignorance of the guidelines in the code will not be regarded as a valid excuse.

## **3. Standards**

- 3.1 Staff members are expected to give the highest possible standard of service to our school community (including members of the public).
- 3.2 In performing their duties, staff members must act at all times with integrity, honesty and objectivity, and without bias, and should they have reason to believe that their role may involve any potential conflict of interest this must be declared before an issue arises.
- 3.3 In the event of any staff member being cautioned or charged by police in relation to any criminal matter, or convicted by a court of any criminal offence, they must immediately inform the headteacher (or, if the headteacher is the staff member concerned, the chair of governors).
- 3.4 Staff must never be under the influence of alcohol (or any substance which may affect their ability to care for children) whilst at work. Staff must also seek medical advice if they are taking medication which may affect their ability to care for children and must inform their line manager in the event of such a situation arising.
- 3.5 Staff members are expected to bring to the attention of their immediate supervisor, through agreed procedures (and without fear of recrimination), any impropriety or breach of procedure. If, for any reason, staff members do not feel it appropriate to express their concerns to their immediate supervisor, they should bring the matter to the attention of a more senior manager or, if necessary, the headteacher or chair of governors.
- 3.6 If staff members do not feel it appropriate to bring the matter to the attention of any person in authority at the academy they should refer to the Whistleblowing Policy which details other bodies who it may be appropriate to contact.

#### **4. Politics and religion**

- 4.1 Staff members must not be involved in advising any political group and must not allow their own personal or political opinions to interfere with their work.
- 4.2 Staff members must not allow any religious beliefs to interfere with their delivery of the school curriculum, nor must they take advantage of their position in the academy to allow such beliefs to unduly influence, in a manner inconsistent with the ethos of the academy, pupils in our care and/or other members of staff, whether such influence is exerted within the academy or within the wider community.

#### **5. Use of financial resources**

- 5.1 Staff members must ensure that they use public funds entrusted to them in a responsible and lawful manner, and in accordance with the financial regulations of the academy and the Education Funding Agency and all other relevant policies and legislation.

#### **6. Outside commitments**

- 6.1 Staff members who are directly employed by the academy (regardless of their post and whether or not this is whole or part-time, permanent, temporary etc) must seek the permission of the headteacher and make a written declaration (an oral declaration is not sufficient) to him or her before engaging in any other work or business which might relate in any way to their duties within the academy or which might constitute a conflict of interest with their current post. This includes paid or unpaid work and will include one-off pieces of work as well as regular employment.
- 6.2 If staff members are permitted (as above) to engage in any other business or take up any additional employment, they must not undertake any work in connection with their external business or employment in academy time.
- 6.3 If staff members are permitted (as above) to engage in any other business or take up any additional employment, they must not make use of any academy facilities, such as premises or computers (or other ICT hardware or software), in connection with their external business or employment.
- 6.4 If staff members have any doubt with regard to interpretation of clauses 6.2 or 6.3, they should make a declaration to the headteacher so that a judgment can be made.

#### **7. Fee earning**

- 7.1 Publishing or lecturing and/or interview fees, book royalties or earnings, arising from what might be considered normal duties for, or on behalf of, the academy are dealt with as follows:
  - 7.1.1 If the publication is prepared and written or the lecture is prepared and delivered in working time, the lecturing or publication fee is to be paid to the academy (as employer).
  - 7.1.2 If the publication or lecture is either prepared or delivered in working time the employee receives half the fee and the academy (as employer) the other half.

- 7.1.3 If the employee prepares and delivers the work during their holiday periods, they may keep the fee (but they must be able to demonstrate that the preparation was not done during working time).
- 7.2 However, where the employee is representing the view of the academy or speaking on issues directly related to their work, the whole fee is to be paid to the academy.

## **8. Personal interests**

- 8.1 The off-duty hours of staff members are their own personal concern. However, staff members must not put themselves in a position where their job and their personal interests conflict.
- 8.2 Staff members must declare in writing any financial or non-financial interests that could in any way be considered to bring about conflict with the academy's interests. If staff members are in any doubt regarding the matter they should make a declaration to the headteacher so that a judgement can be made.
- 8.3 Staff members are required to disclose any personal interest that may conflict with the academy's interests, such as involvement with a group or organisation which may seek to influence the academy's policies.

## **9. Disclosure of information and confidentiality**

- 9.1 No confidential information, or politically or commercially sensitive information, or personal information protected by the Data Protection Act should be released to anyone, without proper authorisation from the headteacher or chair of governors.
- 9.2 Staff members must not use any information obtained in the course of their employment for personal gain nor pass it on to others who might use it in such a way.
- 9.3 If staff members are in any doubt about disclosing information then they are expected to seek guidance from the headteacher.
- 9.4 Any disclosure which complies with the requirements of the Whistleblowing Policy will be regarded as an authorised disclosure.

## **10. Appointment and other employment matters**

- 10.1 Staff members must not be involved in the appointment of another employee, or prospective employee, who is a relative, partner or friend. Neither must a staff member be involved in any other decisions relating to the discipline, promotion or pay or conditions of a third party who is a relative, partner or friend.
- 10.2 If staff members are responsible for appointing employees, they should comply with the academy's Recruitment Policy and must ensure that decisions are based on merit and not on anything other than the applicant's ability to do the job. Similarly, staff members must not canvass on behalf of any applicant.

## **11. Sponsorship**

- 11.1 When an outside organisation wishes to sponsor, or is being asked to sponsor, an academy activity, the basic conventions concerning the acceptance of gifts and hospitality apply.
- 11.2 Where the academy, through sponsorship or other means, gives support in the community, staff members should ensure that any advice given is impartial and that there is no conflict of interest.

## **12. Relationships – contractors and contract tenders**

### **12.1 Contractors**

Staff members must declare in writing to the headteacher any relationships of a business or private nature with any outside organisation that has, or may have, a business relationship with the academy.

- 12.2 Orders and contracts must be awarded on merit and no special favour should be accorded to any businesses, particularly those in which staff members have a pecuniary interest. If staff members have such an interest, they must not be involved in any way in awarding work or orders.
- 12.3 Similarly, staff members must not canvass on behalf of any outside organisation that has a relationship with the academy.
- 12.4 Staff members must make a declaration in writing to the headteacher if they become aware that the academy is entering into a contract in which they have a direct interest.
- 12.5 If staff members engage or supervise or work with contractors with whom they have, or have previously had, some form of relationship or connection in a private, social, domestic or work/professional capacity, they must declare that relationship or connection to the headteacher.

### **12.6 Contract Tenders**

If staff members wish to tender for a contract from the academy, they must declare such an intention to the headteacher as soon as intent has been formed, and at the earliest possible opportunity.

## **13. The press and media**

- 13.1 Staff members must not deal direct with the press or the media unless required to do so as part of their duties, or alternatively have been given express authority to do so by the headteacher (or an appropriate manager).

## **14. Gifts, hospitality, bequests and legacies**

- 14.1 It is a serious criminal offence for staff members to receive corruptly, or to give corruptly, any gift, loan, fee, reward, or advantage for acts of commission or omission or to show favour or disfavour corruptly to any person in their official capacity as a public servant. In the event that an allegation is made it is for staff members to demonstrate that any such rewards have not been obtained corruptly.

- 14.2 There are occasions where pupils or parents may wish to pass small tokens of appreciation to staff members, (for example at Christmas, or as a 'thank you'), and this is acceptable. However, it is not acceptable to receive gifts on a regular basis or to receive gifts of any significant value.
- 14.3 Staff members must not, either directly or indirectly, accept any gift, reward or benefit from a pupil or any member of the public or any group or organisation with whom they are brought into contact by reason of their duties, other than:
- small gifts of a modest value or of a promotional or advertising nature, e.g. calendars, diaries, mugs, inexpensive pens or other similar items
  - small gifts offered during official authorised hospitality, e.g. gifts on the conclusion of any courtesy visit of a type normally given by that organisation
  - small gifts by service users or clients.
- 14.4 Where appropriate, gifts shall be shared between staff members.
- 14.5 Any gifts other than as described above must be declined or returned.
- 14.6 Staff members should always exercise discretion in offering and accepting hospitality. Staff members should bear in mind how it might affect their relationship with the party offering it and how it might be viewed by colleagues and/or other potential suppliers/contractors, and by the public.
- 14.7 When considering offers of hospitality staff members should consider whether:
- the invitation comes from an organisation likely to benefit from the connection with the academy
  - the organisation is seeking (or has already been awarded) a contract with the academy
  - the hospitality is being offered on a frequent basis
  - the hospitality is being offered solely to the staff member or to others as well
  - the hospitality is purely a social or sporting event as opposed to an event which the staff member is attending in an official capacity
  - the scale and location of the hospitality is proportionate to the event
  - the event takes place outside of normal working hours
  - the business element of the hospitality is genuinely instructive or whether the hospitality constitutes more of a social function.
- 14.8 Staff members should handle the refusal of gifts or (offers of) hospitality with tact and courtesy: the intentions of those offering gifts or hospitality may not have been corrupt but simply inappropriate to professional relationships in the public sector.
- 14.9 The same rules as above apply to bequests which must be refused unless of a token nature or unless there are special circumstances approved in writing by the headteacher.
- 14.10 In all instances where staff members wish to accept hospitality, they must seek, in advance, approval in writing from the headteacher, except either where the hospitality is limited to that of a minimum common courtesy, or where the hospitality is being offered to all the delegates and forms an integral part of a conference or seminar.

- 14.11 All gifts and offers of gifts (including inducements such as air miles, trading discounts, vouchers etc) or hospitality over the value of £10 must be declared (including those that have been declined).

## **15. Promoting equality of opportunity and diversity**

- 15.1 In line with the academy's Equality Policy all members of staff are expected to work to eliminate discrimination, promote equality of opportunity and promote good relations. All members of the community should be treated with respect and staff members should endeavour to provide a service of high quality appropriate to their needs.

## **16. Appointments after retirement, resignation or lawful termination of employment**

- 16.1 The academy is concerned to safeguard the integrity of its employees and to avoid the appearance of impropriety amongst staff members.
- 16.2 It is in the public interest that people with experience of education and/or public administration should be able to move into business and other bodies.
- 16.3 It is important, whenever an academy employee accepts an appointment outside the academy, that there should be no cause for any suspicion of impropriety.

## **17. Conflicts of interest procedure – making a declaration**

- 17.1 There are six stages to the process.

### 17.2 Step One – Inform

The staff member should inform their supervisor/immediate line manager of the potential area of conflict.

### 17.3 Step Two – Complete form

The staff member should complete a 'Conflict of Interest Declaration Form' (see Appendix 1) giving details of the potential conflict. They should then pass this to their line manager who will add supporting information as necessary and will outline their view and comments. This should include the level of involvement which managers anticipate having and should also, where appropriate, detail any safeguards that could be put in place.

### 17.4 Step Three – Submit form

The completed form should be sent to the headteacher (or the chair of governors if it is the headteacher who is making the declaration).

### 17.5 Step Four – Decision

The headteacher (or chair of governors) will be responsible for deciding whether or not a conflict of interest exists. He or she will need to be satisfied that this would neither interfere with the performance or duties of the staff member concerned nor lead to any suspicion of improper influence. All declarations of a conflict of interest will be considered on an individual basis according to the particular circumstances.



17.6 Step Five – Confirmation

The headteacher (or chair of governors) will write to the staff member outlining his or her decision. All declarations of conflict of interest will be recorded in the academy's 'Register of Interests'.

17.7 Step Six – Appeal

If they wish to appeal against the decision reached, staff members should use the academy's grievance procedure.

17.8 If the circumstances of staff members change it is their responsibility to inform their manager and make a new declaration as above (ie by returning to step 1).

**18. Other policies and procedures**

18.1 This policy will be supported by the following policies and procedures:

- Equality Policy
- Recruitment Policy
- Whistleblowing Policy

**Appendix 1: Conflict of Interest Declaration Form**

Ref:

Name:

Post:

School:

Nature of Declaration/Code of Conduct paragraph:

Extent of Declaration:

**Certification: I certify that the above declaration is true and that to the best of my knowledge no material omissions have been made.**

Signature of employee making declaration:

.....

Initials and name of authorising manager:

.....

Date: .....