

## Greenside Primary School

### Staff Code of Conduct

#### **Statement of Intent**

Greenside Primary School expects all of its pupils to receive the highest possible quality of teaching and learning within a positive and respectful environment.

Employees at the school should understand that their own behaviour, and the manner in which they conduct themselves with their colleagues, pupils, parents/carers and other stakeholders, sets an example.

Greenside Primary School recognises that the majority of staff members act appropriately and treat each other with dignity and respect; however, we consider it important to clarify the expected standards.

This document forms part of a staff member's contract of employment and failure to comply with it, and with the associated school policies, may result in disciplinary action being taken, including legal action where this is warranted.

This document applies to all staff members who are:

- Employed by the school, including the headteacher.

This document does not apply to:

- Peripatetic staff members who are centrally employed by the LA.
- School catering and cleaning staff employed by Gateshead council.
- Employees of external contractors.

These employees are governed by their employment contracts and any relevant laws pertaining to their activities within the school, for example, the Data Protection Act 1998.

Dawn Foster (Headteacher)

Joe Robinson (Chair of Governors)

July 2023

## **1. Legal framework**

- 1.1. This policy has due regard to statutory legislation, including, but not limited to, the following:
  - The Data Protection Act 1998
  - The Education Act 2002
  - The Children Act 1989
  - The Working Time Regulations 1998 (as amended)
- 1.2. This policy also has due regard to statutory guidance, including, but not limited to, the following:
  - DfE 'Keeping children safe in education' 2022
  - DfE 'Working together to safeguard children' 2018

## **2. Related school policies**

- 2.1. This Staff Code of Conduct has due regard to the following school policies and procedures:
  - Child Protection Policy
  - Health and Safety Policy
  - Data Protection Policy
  - Equal Opportunities Policy
  - Intimate Care Policy
  - Staff Leave of Absence Policy
  - Whistleblowing Policy
  - Mobile Phone and Camera Policy and Acceptable Use Agreement
  - Behaviour Policy including Use of Reasonable Force (Physical handling)

## **3. Safeguarding pupils**

- 3.1. In accordance with 'Keeping children safe in education' guidance, all staff members have a responsibility to safeguard pupils and protect their welfare.
- 3.2. All staff members have a responsibility to ensure that they provide a learning environment in which pupils feel safe, secure and respected.
- 3.3. In order to effectively safeguard pupils, staff members are required to follow the procedures outlined in this Staff Code of Conduct and the Child Protection Policy, ensuring that they do not act in a way that may put pupils at risk of harm, or lead others to question their actions.
- 3.4. In accordance with the school's Child Protection Policy, staff members will be prepared to identify pupils who may be subject to, or at risk of, abuse and neglect, and will follow the necessary reporting and referral procedures.
- 3.5. Any staff member that has concerns about a staff member's actions or intent that may lead to a pupil being put at risk of harm will report this in line with the Whistleblowing Policy to the Headteacher immediately so appropriate action can be taken.

## **4. Appearance and dress**

4.1. The school expects that staff members will:

- remember that they are role models for pupils, and that their dress and appearance should reflect this;
- ensure that their appearance is clean and neat when at work or representing the school;
- not dress in a way that would cause embarrassment to pupils, parents/carers, colleagues or other stakeholders;
- dress in a manner that is appropriate to their role. Staff should not wear revealing outfits (avoid outfits that are see-through, too short, low-cut or displaying the midriff) and where leggings are worn, they must not be see-through and the accompanying top must reach at least mid-thigh. Jogging bottoms should be worn instead of legging-style trousers when leading PE sessions. In warmer conditions, shorts or three-quarter trousers may be worn for school or PE but these should be smart, loose-fitting and reach below mid-thigh, cycling shorts are not appropriate. Jeans should not be worn at school unless it is a specified non-uniform day.
- endeavour to cover any large tattoos or body art whilst in school if possible; small earrings are acceptable, but other body piercings should be removed. Staff should consider removing jewellery when leading PE sessions.

## **5. Attendance**

5.1. The school expects that staff members will:

- Attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days of work and holidays.
- Make routine medical and dental appointments outside of their working hours or during holidays, where possible.
- Refer to the school's **Staff Leave of Absence Policy** if they need time off for any reason other than personal illness.
- Follow the school's absence reporting procedure when they are absent from work due to illness or injury.

## **6. Professional behaviour and conduct**

- 6.1. Staff members are expected to treat other colleagues, pupils, parents/carers, and external contacts with dignity and respect.
- 6.2. The use of foul and abusive language will not be tolerated.
- 6.3. Discrimination, bullying, harassment or intimidation, including physical, sexual and verbal abuse, will not be tolerated.
- 6.4. Staff members will not misuse or misrepresent their position, qualifications or experience, or bring the school into disrepute.
- 6.5. Staff members will inform the Headteacher if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution.

## **7. Conduct outside of work**

- 7.1. Staff may undertake work outside school, either paid or voluntary, provided that it does not conflict with the interests of the school. The nature of the work cannot be seen to bring the school into disrepute, nor be at a level which may contravene the working time regulations or affect an individual's work performance.
- 7.2. Staff will not engage in outside work which could seriously damage the reputation and standing of the school or the employee's own reputation, or the reputation of other members of the school community. In particular, criminal offences that involve violence, possession or use of illegal drugs or sexual misconduct are unacceptable.
- 7.3. Staff will not engage in inappropriate use of social network sites which may bring themselves, the school, school community or employer into disrepute; this is explored further in section 16.

## **8. Smoking, alcohol and other substances**

- 8.1. Staff will not smoke on, or within a close radius of, the school premises.
- 8.2. Staff will not smoke whilst working with or supervising pupils off-site, such as when on educational visits and trips.
- 8.3. The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. Staff members must never attend work under the influence of alcohol or illegal drugs.
- 8.4. If alcohol or drug usage impacts on a staff member's performance, the school has the right to discuss the matter with the employee and take appropriate action in accordance with the school's disciplinary procedures, including referral to the police.

## **9. Health and safety**

- 9.1. Staff members will:
  - Be familiar with and adhere to the school's Health and Safety Policy, and ensure that they take every action to keep themselves and everyone in the school environment safe and well.
  - Comply with health and safety regulations and use any safety equipment and protective clothing which is supplied to them.
  - Comply with hygiene requirements.
  - Comply with accident reporting requirements.
  - Inform the Headteacher of any paid work which is undertaken elsewhere, for compliance with The Working Time Regulations 1998 (as amended).
  - Comply with all risk assessments and arrangements designed to reduce the risks of Covid-19.

## **10. Declaration of interests**

- 10.1. Staff members are required to declare their interests, both personal and financial, where the group or organisation they are affiliated with would be considered to be in conflict with the ethos of the school.
- 10.2. For the purpose of this policy, a financial conflict of interest is one where there is, or appears to be, opportunity for personal financial gain, financial gain for close relatives

or friends, or where it may be reasonable for a third party to take the view that financial benefits may affect an individual's actions.

10.3. The term 'financial interest' means anything of monetary value, including:

- Payments for services
- Equity interests
- Intellectual property rights
- Hospitality or gifts

10.4. Examples of financial interests that must be declared include, but are not limited to, equity interests in services considered for use by the school.

10.5. Non-financial conflicts of interest can also come into conflict, or be perceived to come into conflict, with an individual's obligations or commitments to the school. These interests may include any benefit or advantage, including but not limited to, direct or indirect enhancement of an individual's career, or gain for immediate family or someone with whom the individual has a close relationship.

10.6. Examples of situations that could give rise to non-financial conflicts of interest include the following:

- Pressure or temptation to accept gifts, inducements or hospitality
- Participating in the appointment, hiring, promotion, supervision or evaluation of a person with whom the individual has a close personal relationship
- Where a member of staff has or develops a close personal relationship with a colleague

10.7. Membership to a trade union or staff representative group does not need to be declared.

10.8. Staff members will also carefully consider whether they need to declare their relationship with any individual where this might cause a conflict with school activities.

10.9. Failure to make a relevant declaration of interests is a very serious breach of trust and, therefore, if employees are in doubt about a declaration, they are advised to contact the school or trade union.

10.10. All declarations, including nil returns, will be submitted in writing to the Headteacher for inclusion on the Register of Business Interests.

## **11. Relationships with pupils**

11.1. The school expects that staff will:

- Maintain professional boundaries and relationships with pupils at all times, and will consider whether their actions are warranted, proportionate, safe and necessary.
- Act in an open and transparent way that would not lead to others questioning their actions.
- Ensure that they do not establish social contact with pupils for the purpose of securing a friendship, or to pursue or strengthen a relationship.
- Ensure that they do not develop personal or sexual relationships with pupils; this includes sexual remarks and discussing their own sexual relationships with, or in the presence of, pupils.
- Only contact pupils via the school's established mechanisms; personal phone numbers, email addresses or social media platforms will not be used to contact pupils.

## **12. Physical contact with pupils**

- 12.1. The school understands that there are circumstances in which it is entirely necessary for staff to have physical contact with pupils, e.g. when applying first aid and assisting with intimate care, but staff will only do so in a professional and appropriate manner in line with relevant school policies.
- 12.2. When physical contact is made with pupils, it is imperative that it is conducted in a way which is responsive to the pupil's needs, is of limited duration and is appropriate to their age, stage of development, gender, ethnicity and background.
- 12.3. Staff will seek the pupil's permission, where possible, before initiating contact.
- 12.4. Staff will always use their professional judgement when determining what physical contact is appropriate, as this may differ between pupils. As such, the pupil's feelings and wishes will always be taken into account.
- 12.5. Staff will never touch a pupil in a way which is indecent, and will always be prepared to explain their actions.
- 12.6. Staff will be aware that even well-intentioned physical contact may be misconstrued by a pupil, an observer or by anyone to whom this action is described and, therefore, will be prepared to justify their actions.
- 12.7. Staff will not engage in rough play, tickling or fun fights with pupils.
- 12.8. Extra caution will be taken where it is known that a pupil has previously suffered from abuse or neglect.
- 12.9. Physical contact will never be secretive; if a member of staff believes an action could be misinterpreted, this will be reported to the Headteacher and appropriate procedures will be followed.
- 12.10. Where it is necessary in PE classes for teachers to demonstrate use of equipment, this will be conducted with another member of staff if possible; if a pupil is required to participate, their consent will be given before doing so.
- 12.11. If a child is in distress and in need of comfort as reassurance, staff may use age-appropriate physical contact, such as placing their hand on the pupil's shoulder. Staff will remain self-aware of their actions at all times and ensure that their contact is not threatening, intrusive or subject to misinterpretation.
- 12.12. Staff may also use reasonable force as a means of physical contact with pupils for restraint purposes; such instances will always be in accordance with the school's Behaviour Policy (includes use of Reasonable Force / Physical Handling).

## **13. Showering and changing**

- 13.1. Pupils are entitled to respect and privacy whilst they are changing before/after PE; however, a level of supervision is required to ensure that pupils are safe, and that they are not subjected to bullying.
- 13.2. The supervision will be appropriate to the needs and ages of the pupils, and sensitive to the potential for embarrassment.
- 13.3. Staff will announce their intention of entering the changing room to allow pupils to maintain their privacy.
- 13.4. Staff will never change or shower in the same area as pupils.

## **14. Transporting pupils**

- 14.1. When it is necessary to transport pupils off-site, staff will ensure that the transport arrangements of the vehicle meet all legal requirements, they have an appropriate license, and the vehicle is roadworthy, has a valid MOT certificate and is insured.
- 14.2. Staff will gain consent from parents/carers before transporting pupils, and will be aware that the welfare of all pupils in the vehicle is their responsibility.
- 14.3. Two or more staff will be present in the vehicle to avoid any discrepancy regarding safeguarding concerns.

## **15. Financial inducements**

### 15.1. Staff members will:

- Familiarise themselves and comply with the school's financial regulations.
- Declare to the governing body, in writing, any gifts received, with the exception of:
  - Low cost, functional items suitable for business rather than personal use and displaying the supplier's logo – these items may be accepted.
  - Gifts offered by parents/carers or pupils to school staff to express their gratitude, but staff members should always refuse monetary gifts.
  - Hospitality in the form of meals and drinks where it is part of a normal business meeting.
  - Authorised visits to exhibitions, demonstrations, conferences, business meals and social functions in connection with the school's business, which shall be at the school's expense.
- Not accept a personal gift, payment, or other incentive from a business contact – any such gifts should be returned.
- Declare any gift that cannot be returned to the governing body, who will decide how it will be used.
- Only accept offers to specific events after authorisation from the governing body.

## **16. E-safety**

- 16.1. Staff will adhere to the procedures outlined in the school's Acceptable Use Agreement at all times.
- 16.2. Staff are required to employ the highest security settings on any personal profiles they may have.
- 16.3. Staff will not engage in inappropriate use of social networking sites; this includes contacting pupils or their family members, accepting or inviting friend requests from pupils or their family members, or following pupils or their family members on social media.
- 16.4. The school understands that some staff members are also parents/carers of pupils at the school and, therefore, may wish to make contact with other parents/carers. When doing so, staff will exercise their professional judgement and will not contact family members on social media if this would lead to a conflict of interest.
- 16.5. Staff will remain mindful of their use of social media and their web-based presence; this includes written content, videos or photographs, and views expressed directly or

indirectly which may bring themselves, the school or the school community into disrepute.

## **17. Premises, equipment and communication**

- 17.1. School equipment and systems are available only for school-related activities and will not be used for the fulfilment of another job or for personal use, unless specifically authorised by the Headteacher.
- 17.2. Illegal, inappropriate or unacceptable use of school equipment or communication systems may result in disciplinary action and, in serious cases, could lead to an employee's dismissal.
- 17.3. Employees receiving inappropriate communication or material, or who are unsure about whether something he/she proposes to do might breach this policy, should seek advice from the Headteacher.
- 17.4. The school reserves the right to monitor emails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems.
- 17.5. Communication systems may be accessed when the school suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity. Access will be secured by the Headteacher, only with the permission of the governing body.
- 17.6. Passwords should not be shared and access to computer systems must be kept confidential except on the express request of the Headteacher. Breach of this confidentiality may be subject to disciplinary action.
- 17.7. School equipment that is used outside the premises, e.g. laptops, will be returned to the school when the employee leaves employment, or if requested to do so by the Headteacher.

## **18. Photography and videos**

- 18.1. Photographs and videos will only be taken using school equipment – using personal mobile phones for this purpose is prohibited.
- 18.2. Consent will be obtained from parents/carers and pupils in the event of any images or videos of pupils which the school wishes to use, e.g. to publish on the website.
- 18.3. The wishes of the pupil will also be taken into account when taking images or videos, ensuring that those who do not wish to have their photograph taken or be filmed are respected.
- 18.4. The Headteacher will always be notified of the proposed use of the imagery or video and the equipment, and ensure that the use of such is included in plans where this is necessary.
- 18.5. All photographs and videos will be available for scrutiny, and staff will be prepared to justify the images or footage taken.
- 18.6. Careful consideration will always be given to the activities which are being filmed or photographed, in order to ensure that images or videos are not indecent and cannot be misused.



## **19. Data protection and confidentiality**

- 19.1. Staff members are required, under the Data Protection Act 1998, to collect, maintain and dispose of sensitive or personal data in a responsible manner.
- 19.2. Staff members will not disclose sensitive information about the school, its employees or the LA to other parties.
- 19.3. The only exception whereby it is acceptable for a staff member to disclose information which would otherwise be considered confidential is when the confidential information gives rise to concerns about the safety or welfare of a pupil.
- 19.4. Staff members have the right to request access to data that is held about them; such requests will be made to the Headteacher in writing, in accordance with the school's Data Protection Policy

## **20. Probity of records**

- 20.1. The deliberate falsification of documents, such as references, academic qualifications or legal documents, is unacceptable. Where a staff member falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

## **21. Contacts**

- 21.1. Staff members shall not use school business contacts for acquiring materials or services at trade/discount prices for non-school activities, unless participating in concessionary schemes arranged by trade unions or other such groups.

## **22. Dealing with low-level concerns**

- 22.1. As part of the whole school approach to safeguarding, school promotes an open and transparent culture in which all concerns about all adults working in or on behalf of the school or college (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.
- 22.2. Allegations against staff that meet thresholds set out in KCSIE 2023 will be dealt with using local authority procedures. Where there is a concern that does not meet these thresholds, it will be considered a 'low-level' concern and dealt with as detailed below.
- 22.3. The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – 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 LADO.
- 22.4. Examples of such behaviour could include, but are 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.
- 22.5. Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse. It is crucial that any such concerns, including those which do not meet the harm threshold, are shared responsibly and with the right person, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from potential false allegations or misunderstandings.
- 22.6. We hope to achieve the purpose of the low-level concerns policy by:
- ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others;
  - empowering staff to share any low-level safeguarding concerns
  - addressing unprofessional behaviour and supporting the individual to correct it at an early stage;
  - providing a responsive, sensitive and proportionate handling of such concerns when they are raised; and,
  - helping identify any weakness in the school or colleges safeguarding system.
- 22.7. Low-level concerns about a member of staff, supply staff, volunteer or contractor should be reported in line with whistle-blowing procedures. Reports about supply staff and contractors will be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.
- 22.8. Staff are encouraged and should feel confident to self-refer, where, for example, 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.
- 22.9. All low-level concerns should be recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.
- 22.10. Records will be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR)
- 22.11. Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the school or college should decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it should be referred to the LADO. Consideration will be given to whether there are wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies could be revised or extra training delivered to minimise the risk of it happening again.
- 22.12. Records of low-level concerns will be retained at least until the individual leaves their employment.
- 22.13. When responding to reports of low-level concerns, if the concern has been raised via a third party, the headteacher will collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously;
- to the individual involved and any witnesses.

22.14. The information collected will help to categorise the type of behaviour and determine what further action may need to be taken. All of this will be recorded along with the rationale for the decisions and action taken.

### **23. Monitoring and review**

- 23.1. This policy will be reviewed on an annual basis by the Headteacher and any changes made will be communicated to all members of staff.
- 23.2. All members of staff are required to familiarise themselves with this policy annually and as part of their induction programme.

**Policy Reviewed: July 2023**

**Review: July 2024**