

St Ralph Sherwin Catholic Multi Academy Trust

Code of Conduct for Staff Employed within the Academy Trust (September 2023)

1 INTRODUCTION

The Academy Trust (CMAT) is required to set out a Code of Conduct for all employees. The following Code supplements the CMAT's Safeguarding and Disciplinary Policies.

In addition, all staff employed under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the Teachers' Standards in force at the time and in relation to this Code, specifically Part 2 of the Teachers' Standards - Personal and Professional Conduct.

Employees must understand the responsibilities, which are part of their employment or role and should be aware that a failure to comply with the following Code of Conduct could result in disciplinary action including dismissal. Employees must therefore take responsibility for their own actions and avoid any conduct which could lead any reasonable person to question their integrity, motivation and/or intentions.

2 PURPOSE, SCOPE AND PRINCIPLES

A Code of Conduct is designed to give clear guidance on the standards of behaviour all employees are expected to observe, and each Academy should notify staff of this code and the expectations it sets. The CMAT HR Team will notify staff working in the CMAT Central Team. All CMAT staff are role models and are in a unique position of influence and staff working in schools must adhere to behaviour that sets a good example to all their pupils/students. As a member of the St Ralph Sherwin Catholic Multi Academy Trust community, each employee has an individual responsibility to maintain their reputation and the reputation of the CMAT, whether inside or outside of working hours and uphold its Catholic ethos at all times.

This Code of Conduct applies to:

- all staff who are employed by the CMAT, including the Headteachers and members of the Central Team;

The Code of Conduct does not apply to:

- peripatetic staff who are centrally employed by any other organisation;
- staff employed by external contractors;
- staff working in the Academies or the Central Team on a consultancy, service level or voluntary basis;
- employees of external contractors and providers of services (e.g. contract cleaners). (Such staff are covered by the relevant Code of Conduct of their employing body where applicable. However, anyone working or volunteering at one of our Academies, or within our Central Team, is also expected to observe the standards of behaviour set out in this Code).

This Code of Conduct does not form part of any employee's contract of employment, and it may be amended at any time.

3 SETTING AN EXAMPLE

- 3.1 All staff who work with young people set examples of behaviour and conduct which can be copied by pupils. All staff must, therefore, demonstrate high standards of conduct in order to encourage our students to do the same.
- 3.2 All staff must also avoid putting themselves at risk of allegations of abusive or unprofessional conduct.
- 3.3 Staff must avoid using inappropriate or offensive language at all times.
- 3.4 As role models to our pupils/students, all staff must have regard to their own personal appearance and maintain a professional dress code at all times. Tattoos should not be visible. Revealing clothing or attire which is unsuitable for safety or modesty reasons will be deemed unacceptable as will ripped or torn clothing or clothes with slogans or branding which may be incompatible with the CMAT ethos. CMAT line managers will advise on appropriateness of dress and staff can always speak to their line manager if they are unsure. Where we identify that staff are wearing clothing that we do not find acceptable they will be informed.
- 3.5 This Code helps all staff to understand what behaviour is and is not acceptable

4 SAFEGUARDING AND PROMOTING THE WELFARE OF CHILDREN AND ALLEGATIONS AGAINST STAFF

- 4.1 All staff have a responsibility to safeguard children and promote their welfare. There is a duty to safeguard pupils/students from:
 - physical abuse
 - sexual abuse
 - emotional abuse, including verbal assaults
 - neglect
 - unequal treatment or discrimination
- 4.2 The duty to safeguard pupils includes the duty to report concerns about a pupil to the appropriate Designated Senior Person (DSP) for Child Protection based in each Academy.
- 4.3 **This duty also means that staff must immediately inform their Line Manager/Headteacher/DSP, or suitable senior person in their absence, if they believe a colleague, supply member of staff, contractor, volunteer or visitor is behaving in a way that compromises the safety or well being of any child or young person or have an allegation about another adult within the CMAT. If the concern is regarding the Headteacher, they should contact the CEO, Kevin Gritton.**

An 'allegation' is where anyone working in a school has:

- behaved in a way that has harmed a child, or may have harmed a child, and/or
- possibly committed a criminal offence against or related to a child, and/or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children, and/or

- behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place inside or outside of school.

We will deal with any such allegation quickly and in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

All staff should be aware that under the **Sexual Offences Act 2003**, it is a crime for an adult aged 18 or over in a position of trust to engage in sexual activity with a person under the age of 18, even if consensual (see s16-19 Sexual offences Act, 2003) This also includes 'grooming' behaviour, i.e. meeting a child under 16 with the intent to commit a relevant offence, and inappropriate text/email messages or images, and gifts.

Staff should also see section 17 below on 'Low level concerns'.

If a member of staff feels unable to raise an issue or believes that their genuine concerns are not being addressed, they should seek free support and advice from the NSPCC Whistleblowing Helpline by calling 0800 0280285 (line is available from 8:00am to 8:00pm Monday to Friday) or emailing help@nspcc.org.uk.

- 4.4 All staff are provided with a copy of relevant extracts from Keeping Children Safe in Education and all staff required to read at least Part 1 of the latest version which can also be accessed via the link below:

<https://www.gov.uk/government/publications/keeping-children-safe-in-education>

Staff must also be familiar with the document "Guidance for safer working practice for those working with children and young people in education settings" (Safer Recruitment Consortium, May 2019) and must comply with the expectations detailed in that document. A link to the Safer Recruitment Consortium website is provided below and the Guidance document is available by clicking on the link in the 'Guidance for safer working practice' section:

<https://saferrecruitmentconsortium.org/>

All staff must undertake training in safeguarding as deemed necessary by the CMAT. If additional online training is provided then completion of these modules is compulsory.

- 4.5 Staff must not demean or undermine pupils, their parents or carers, or colleagues but must treat everyone with dignity and respect for example it is not acceptable to make jokes or sarcastic comments at the expense of pupils, embarrass or humiliate pupils or discriminate for or against them.
- 4.6 Staff must take reasonable care of pupils under their supervision with the aim of ensuring their safety and welfare. This is achieved through compliance with relevant risk assessment and Health and Safety policies.
- 4.7 Employees must comply with the CMAT's IT and Social Media Policies and should note that the use of personal mobile phones or devices to record or photograph children or young people is prohibited.

5 PUPIL DEVELOPMENT

- 5.1 Staff must comply with CMAT/Academy policies and procedures that support the well-being and development of pupils when working at a specific academy and must always act, and be seen to act, in the best interests of our pupils and young people.
- 5.2 Staff must co-operate and collaborate with colleagues and with external agencies where necessary to support the development of pupils
- 5.3 Staff must follow reasonable instructions that support the development of pupils

6 CONDUCT, HONESTY AND INTEGRITY

- 6.1 Staff must maintain high standards of honesty and integrity in their work. The following statements define the behaviour and attitudes which set the required standard for conduct at our CMAT.
- 6.2 To have regard at all times for the Catholic character of the Academy and the CMAT and not, at any time, do anything in any way detrimental or prejudicial to this. Employees uphold public trust in our Academies and the CMAT and must maintain high standards of ethics and behaviour, within and outside the Academy/CMAT, by:
 - treating pupils/ student, colleagues, parents/carers and others with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position;
 - having regard for the need to safeguard the well-being of pupils/students, in accordance with statutory provisions;
 - showing tolerance of and respect for the rights of others;
 - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs;
 - ensuring that personal beliefs are not expressed in ways which exploit pupils'/ students' vulnerability or might lead them to break the law.
- 6.3 Staff must have proper and professional regard for the ethos, policies and practices of our Academies/CMAT and maintain high standards in their own attendance and punctuality ensuring for example that they arrive at a time which enables them to begin their contracted hours promptly.
- 6.4 Staff must maintain the highest standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of Academy/CMAT property and facilities.
- 6.5 All staff must comply with the provisions of the Bribery Act 2010. A person may be guilty of an offence of bribery under this act if they offer, promise or give financial advantage or other advantage to someone; or if they request, agree or accept, or receive a bribe from another person. If you believe that a person has failed to comply with the Bribery Act, you should refer to the Whistleblowing procedure for the CMAT/Academy.

- 6.6 Gifts from suppliers or associates of the CMAT/Academy must be declared in line with CMAT/Academy procedures, with the exception of “one off” low value token gifts from pupils or parents. As a general rule, only small tokens of appreciation, such as flowers or a bottle of wine, may be retained by employees. Personal gifts from individual members of staff to pupils are inappropriate and could be misinterpreted.
- 6.7 The following are examples of behaviour that the CMAT will regard as unacceptable:
- Using aggressive/offensive language or adopting an aggressive manner (for example by repeatedly shouting)
 - Telephoning people unnecessarily at home (for example by demanding work when someone is on sickness absence rather than making a welfare call to check how they are doing)
 - Ridiculing or demeaning others either in person or via Social Media
 - Spreading malicious gossip about others in their absence.
 - Discussing your own or someone’s private life inappropriately.

This list is not exhaustive and is simply a guide to help individuals to consider their own behaviour and that of others.

7 TACKLING DISCRIMINATION

- 7.1 Employees are required to understand the types of discrimination and bullying that pupils/students and colleagues may be subject to. Employees must ensure they have read and understood our Anti-Bullying Policy.
- 7.2 Employees must not ignore any form of discrimination. This includes inappropriate jokes and banter. Employees must positively promote equality and diversity and inclusion at all times.
- 7.3 It is against the law to discriminate against anyone because of a ‘protected characteristic’. These are listed below:
- Age
 - Being married or in a civil partnership
 - Being pregnant or on maternity leave
 - Disability
 - Gender reassignment
 - Race, including colour, nationality, ethnic or national origin
 - Religion or belief
 - Sex/Gender
 - Sexual orientation
- 7.4 The CMAT will not tolerate any form of discrimination either direct or indirect on the grounds of protected characteristics and failure to comply with this may result in disciplinary action being taken against an employee or group of employees which could result in a formal sanction including dismissal.

8 PROFESSIONAL BOUNDARIES AND RELATIONSHIPS

- 8.1 Staff in our CMAT are in a position of trust in relation to our pupils/students which means that the relationship between an employee and a student is not one of equals.
- 8.2 Staff must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with pupils/students.
- 8.3 Staff must not make sexual remarks to any pupil/student or discuss their own or any other sexual relationships with, or in the presence of pupils/students. Any sexual behaviour by a member of staff towards any pupil/student is unacceptable and illegal.
- 8.4 Staff must ensure that professional boundaries are maintained at all times. This means that employees should not show favouritism to any pupil/student and should not allow pupils/students to engage in any type of behaviour that could be seen to be inappropriate. Pupils/Students are not employees' friends and should not be treated as such.
- 8.5 Staff should be aware that it is not uncommon for students to become strongly attracted to a member of staff or to develop an infatuation. If any member of staff becomes aware of an infatuation, this should be reported to Headteacher/SLT Line Leader immediately so that they can receive support on the most appropriate way to manage the situation.
- 8.6 For staff who are in a relationship with a colleague, parent or carer, or any other person associated with the Academy/CMAT we expect that they identify this to the Headteacher (CEO if employed in Central Team) and ensure that this does not create a conflict of interest or affect their professional judgement or responsibilities in any way.

9 CONDUCT OUTSIDE WORK AND AT WORK RELATED FUNCTIONS

- 9.1 Unlike some other forms of employment, working at our Academy/CMAT means that staff conduct outside of work could have an impact on their role.
- 9.2 Keeping Children Safe in Education places a duty on the employer to manage an allegation "that might indicate a person would pose a risk of harm" if a person working in the CMAT has:

"behaved or may have behaved in a way that indicates they may not be suitable to work with children"

Staff working in our Academies or the Central Team must be mindful of the above and ensure that no element of their conduct either inside or outside of work could expose them to such an allegation.
- 9.3 Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the Academy or CMAT or the employee's own reputation or the reputation of other members of the CMAT community. Employees should be aware that any conduct that we become aware of that could impact on their role within the Academy/CMAT or affect the Academy/CMAT's reputation may be addressed under our disciplinary procedure. This includes also conduct via a variety of methods of communication such as social media, word of mouth, written, phone and text.

- 9.4 In particular, criminal offences that involve violence or possession or use of illegal drugs or sexual misconduct are likely to be regarded as unacceptable.
- 9.5 Staff must follow the Acceptable Use Policy when using information technology and be aware of the risks to themselves and others
- 9.6 Staff are required to demonstrate responsible behaviour at work-related functions and work-related social events that take place outside normal work hours and to act in a way that will not have a detrimental effect on our reputation.

10 UNDERTAKING ADDITIONAL EMPLOYMENT

- 10.1 No personal business activity or outside work of any sort maybe undertaken by employees during their normal working hours for the Academy/CMAT. However during other times, staff may undertake work outside the CMAT/Academy, either paid or voluntary, provided that it does not conflict with the interests of the CMAT/Academy nor be to a level which may contravene the working time regulations or affect an individual's work performance or is detrimental to their health and safety.
- 10.2 If such additional employment is undertaken, no Academy/CMAT equipment, accommodation or resources may be used in connection with these activities.

11 PERSONAL USE OF SOCIAL MEDIA

- 11.1 Staff must be especially careful when using Social Media not to engage in conduct outside work which could damage the reputation and standing of the Academy/CMAT. The term 'Social Media' may include (but is not limited to) blogs, social networking sites, forums, bulletin boards, online gaming, video/photo sharing sites, chatrooms and instant messenger.
- 11.2 The following are examples of the personal use of Social Media that the CMAT will regard as unacceptable:
 - Publishing or forwarding material which could be deemed to undermine the Catholic ethos of the CMAT;
 - Publishing or forwarding material which may be considered discriminatory on the grounds of a Protected Characteristic (see section 7.3) or which is contrary to the duty to positively promote equality and diversity and inclusion at all times. This includes, but is not limited to, material of a racist or sexist nature or material which seeks demean or threaten those with a particular religious belief or which could be considered to ridicule or be hurtful to those with a disability;
 - Publishing or forwarding material (including pictures and messages) that may be considered threatening, hurtful, demeaning or defamatory to others;
 - Discussing your own or someone's private life inappropriately online.

This list is not exhaustive and is simply a guide to help individuals to consider their own behaviour and that of others.

- 11.3 Failure to meet the expected standard of behaviour in the personal use of Social Media may result in disciplinary action, which could lead to a formal sanction including dismissal.

12 DATA PROTECTION AND CONFIDENTIALITY

- 12.1 Staff may have access to confidential information about pupils/students and/or their parents or carers, colleagues or other matters relating to the Academy/CMAT. This could include personal and sensitive data, for example information about a pupil's/student's home life. Employees should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Employees should never disclose this information unless this is in the proper circumstances and with the proper authority. If staff are ever in doubt about what information can or cannot be disclosed they should speak to the Headteacher/their Line Manager.
- 12.2 The Academy/ CMAT holds and processes data that is protected under the Data Protection Act 1998. Employees are expected to comply with the Academy's/CMAT's systems for collecting, storing and using data. If any employee becomes aware that data is at risk of compromise or loss, or has been compromised or lost they must report it immediately to the Headteacher or, in the case of a centrally based CMAT role, their Line Manager.
- 12.3 Staff must ensure that they have read and understood all of our policies that relate to data including our IT policies.
- 12.4 All staff are likely at some point to witness actions which need to be confidential. For example, where a pupil is bullied by another pupil (or by a member of staff), this needs to be reported and dealt with in accordance with the appropriate Academy procedure. It must not be discussed outside of the Academy, including with the pupil's parent or carer, nor with colleagues in the Academy except with authorisation from a senior member of staff with the appropriate role and authority to deal with the matter. The only exception to this is where there is a genuine Whistleblowing situation as detailed in section 4.3 above.
- 12.5 However staff have an obligation to share with their manager or the Designated Senior Person any information which gives rise to concern about the safety or welfare of a pupil. Staff must never promise a pupil that they will not act on information that they are told by the pupil.

13 PHYSICAL CONTACT WITH PUPILS/STUDENTS

- 13.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils/students. Employees must ensure that they only do so in ways that are appropriate to their professional role and in response to the pupil's/student's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the pupil/student. Employees should always be able to explain why they have made physical contact with a pupil/student. Employees should ensure that they have read and understood our Physical Contact Policy.

- 13.2 There may also be occasions where a pupil/student is in distress and needs comfort and reassurance which may include age appropriate physical contact. If an employee is in this position then they should consider the way in which they offer comfort, ensuring that it is not open to misinterpretation and is always reported to the Designated Safeguarding Lead/Headteacher.
- 13.3 Staff may legally physically intervene with pupils/students to prevent them from committing a crime, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Physical force should never be used as a form of punishment.
- 13.4 Sexual contact, including grooming patterns of behaviour, with pupils/students is unlawful and unacceptable in all circumstances.

14 SOCIAL CONTACT WITH PUPILS/STUDENTS

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

15 WORKING ONE TO ONE WITH PUPILS/STUDENTS

- 15.1 There will be times where an employee is working one to one with a pupil/student and this is acceptable. Employees need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore it is important that employees:
- Avoid meeting on a one to one basis in secluded areas
 - Ensure that the door to the room is open or that there is visual access into the room
 - Inform a colleague or line manager of the meeting, preferably beforehand
 - Report to their line manager if the pupil/student becomes distressed or angry.

16 KEEPING WITHIN THE LAW

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

16.2 Employees must ensure that they:

- Uphold the law at work
- Never commit a crime away from work which could damage public confidence in them or the Academy/CMAT, or which makes them unsuitable for the work they do. This includes, for example:
 - submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)
 - sexual offences which will render them unfit to work with children or vulnerable adults
 - crimes of violence
 - possession or use of illegal drugs
 - crimes of dishonesty which render them unfit to hold a position of trust.
 - breaching copyright on computer software or published documents
- Write and tell the Headteacher (or CEO if they are the Headteacher or work in the CMAT Central Team) immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed at the Academy/CMAT (this includes anything which may have occurred outside of their working hours). The Headteacher and/or the CEO/CMAT Directors will then need to consider whether this charge or conviction damages public confidence in the Academy/CMAT, could affect the employee's suitability to work with children or in any way makes the employee unsuitable to carry out their role/duties. Failure to disclose information may result in disciplinary action which could lead to dismissal.

16.3 Staff in posts covered by the disqualification requirement under the Childcare Act 2006 (as amended by the 2018 guidance) must still comply with the requirement to disclose offences relevant to themselves and to keep this information up to date throughout the year.

17 LOW LEVEL CONCERNS - 'KEEPING CHILDREN SAFE IN EDUCATION'

17.1 As part of the CMAT's commitment to safeguarding, all employees are expected to observe professional boundaries at all times and to be mindful of not engaging in behaviour which could be classed as a 'low level concern' under 'Keeping Children Safe in Education'.

17.2 KCSIE defines 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 that raises safeguarding concerns, and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

17.3 However KSCIE states that this does not mean that a 'low level concern' is insignificant and therefore appropriate follow up action will be taken by the CMAT as necessary.

17.4 KSCIE states that 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; and/or,
- using inappropriate sexualised, intimidating or offensive language.

17.5 As part of the Academy's/CMAT's commitment to safeguarding, all employees must also comply with the CMAT requirement that any such concerns about adults working at a CMAT Academy or in the Central Team (including supply teachers, volunteers and contractors) are reported promptly to the Headteacher/Designated Safeguarding Person (or CEO for Central Team).

17.6 A link to 'Keeping Children Safe in Education' is provided at section 3.3 above and further information about low level concerns is given in KCSIE (September 2022) paragraphs 422-428.

18 DISCIPLINARY ACTION AND INVESTIGATION

18.1 Where the CMAT has reason to suspect that staff may have breached this Code of Conduct and/or the Disciplinary Policy and/or the Teachers' Standards – Personal and Professional Conduct then a full investigation will be carried out which may include but is not limited to:

- referral to the Police;
- breathalyser testing for alcohol;
- searching of bags;
- monitoring of email

The action taken will depend on the seriousness and nature of the breach.

18.2 All staff need to recognise that failure to meet these standards of behaviour and conduct may result in disciplinary action, including dismissal. These standards are in addition to those set out in the Disciplinary Policy and the Teacher's Standards.

19 REVIEW

19.1 This Code of Conduct is reviewed and amended on an annual basis by the CMAT. We will monitor the application and outcomes of this Code of Conduct to ensure it is working effectively.