

Policy on STAFF CODE OF CONDUCT

(Staff Behaviour Policy)



Next review: Autumn 2022

Bussage Primary School is a Church of England Voluntary Aided Primary School and this policy is written within the context of the Christian faith, practice and values which underpin our ethos, and which are in keeping with our Trust Deed.

Our school's Christian ethos is that all pupils, whatever their ability or talents, are created in the image of God, and are loved equally by him.

Our school's mission is to provide a learning and development environment in which all pupils and staff can make the most of their God given potential and aspire to "be the best that they can be."

Our school vision is built upon the four cornerstones of WISDOM, HOPE, COMMUNITY and DIGNITY.

Statutory	Yes
Web-Site	Optional
Owner	Headteacher
Principle Author	Headteacher
Committee	Resources (S)

Delegation and Review	
Max. Permitted	Governing Body
Determined	Governing Body
Review	Governors decide
Frequency	3 Years

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1. Related Policies

Which take precedence over this one

Safeguarding (and Child Protection)

Which link directly to this one and should be read alongside

Positive Handling (Pupil Restraint)

Intimate Care

Disciplinary

Whistleblowing

Anti-Bullying

Anti-Harassment

Online Safety (E-Safety)

Confidentiality

Data Protection

Others which need to be consistent with this one

Governor Code of Conduct

Parent Code of Conduct

2. Purpose, Scope and Principles

- 2.1 This policy sets out clear guidance on the standards of behaviour expected from all staff at Bussage Church of England (Aided) Primary School. The principles underlying this guidance are to encourage staff to achieve the highest possible standards of conduct and minimise the risk of any inappropriate conduct occurring.
- 2.2 School staff are in a unique position of trust and influence as role models for pupils. Therefore, staff must adhere to behaviour that sets a good example to all pupils within the school.
- 2.3 Staff also have an individual responsibility to maintain their reputation and the reputation of the school, both inside and outside the work hours and settings.
- 2.4 This policy applies to all staff and volunteers in the school regardless of their position, role or responsibility. References to 'staff' throughout the policy relate to all of the following groups:
 - 2.4.1 All members of employed staff including teaching and support staff
 - 2.4.2 Volunteers, including governors
 - 2.4.3 Casual workers
 - 2.4.4 Temporary and supply staff, either via agencies or engaged directly
 - 2.4.5 Student placements, including those undertaking teacher training and apprentices.

- 2.5 Bussage Church of England (Aided) Primary School requires that all staff have read and agree to comply with this policy.
- 2.6 Where individuals are employees of the school, breaches or failure to observe this policy will result in action being taken under the school's Disciplinary Policy and Procedure which could result in any of a range of sanctions, up to and including, dismissal.
- 2.7 Where individuals are employed and supplied by a third party, the school will report any alleged misconduct to the employer with a request that the employer investigates and disciplines the individual according to their (i.e. the employer's) policies and procedures. Depending on the nature of the offence, this may be accompanied by written notification from the Headteacher to the employer that the individual is no longer permitted to work with the school.
- 2.8 Where individuals are not employed (e.g. self-employed, casual workers or volunteers) the Headteacher will determine what sort of action the school can take but this will usually result in the offender not being permitted to work with the school.
- 2.9 The school premises are not public property. The Headteacher is responsible for the school site as a whole and has the authority to ban any individual from the premises, or limit their access to the premises at his or her discretion though this would normally be only after following an appropriate process.
- 2.10 This code of conduct should not be taken as containing an exhaustive list of acceptable and unacceptable standards of behaviour. In situations where guidance does not exist in this policy staff are expected to exercise their professional judgement and act in the best interests of the pupils and the school at all times.
- 2.11 None of the actions which might or might not be taken as a result of breaches of this policy relieve the school from fulfilling its duties to Safeguard and protect children in its care nor any other public duty obligations which it has (for example, to report criminal behaviour to the Police). So, for example, although the school might not be in a position to take Disciplinary action against an employee of an agency or a volunteer, if the nature of the misconduct warrants it, then the school remains obliged to report such matters to the relevant authorities. It cannot and must not rely on another party to do so.
- 2.12 If at any time a member of staff is in doubt about anything in this policy or wishes to obtain clarification on any point or aspect of their own or someone else's behaviour they should seek the advice of the Headteacher.
- 2.13 Any member of staff who notices anything to be concerned about in the behaviour of any other staff member must report this (see Whistleblowing Policy).

3. Definitions

Behaviours which breach this policy, can be considered to be either Misconduct or Gross Misconduct according to the seriousness of the offence and the nature of the staff member's role.

3.1 Gross misconduct (Zero Tolerance)

Misconduct of such a nature that the school cannot allow the continued presence of the offender at work and that, if the offence is established and

there are no acceptable mitigating circumstances, will result in dismissal without any previous warnings. A dismissal for gross misconduct is justified at the first offence and may, depending on the circumstances, be without notice. It is strongly recommended that in cases where gross misconduct and/or summary dismissal is considered then the Headteacher and/or Governing Body should seek the advice of their HR advisers.

3.2 Misconduct

Misconduct is any other adverse behaviour (including, but not limited to, breaches of this code) which is not serious enough to be considered as Gross Misconduct (see above). Misconduct will not normally warrant dismissal without previous warnings. In the case of misconduct an employee shall be entitled to at least a formal written warning before any decision to dismiss is subsequently made (if the behaviour is repeated or continues).

4. Professional Behaviour and Conduct

- 4.1 Staff are expected to demonstrate the highest possible standards of personal and professional conduct and behaviour and consistently act with honesty and integrity. Bussage C of E Primary School expects staff to treat each other, pupils, parents and the wider community with dignity and respect at all times.
- 4.2 Staff must act in accordance with their duty of care to pupils and ensure that the safety and welfare of pupils are accorded the highest priority.
- 4.3 Staff should show fairness in their treatment of children and avoid behaviours such as embarrassing or humiliating pupils, making jokes at the expense of pupils discriminating against or favouring pupils and sarcasm.
- 4.4 Staff must have regard for the ethos and values of the school and must not do or say anything which may bring the school or governing body into disrepute. Care should be taken by staff to avoid any conflict of interest between activities undertaken outside school and responsibilities within school. Staff should act in accordance with the school's policies and procedures at all times.

5. Dress and Appearance

- 5.1 The school recognises that dress and appearance are matters of personal choice and self-expression. However, all staff must dress in a manner that is appropriate to a professional role and that promotes a professional image.
- 5.2 Staff should dress in a manner that is not offensive, revealing or sexually provocative and in a manner that is absent from political or contentious images or slogans.
- 5.3 Staff should dress safely and appropriately for the tasks they undertake.
- 5.4 Tattoos and body art should be covered while staff are in school. Discreet earrings are acceptable but all other body piercings should be removed while on school premises.

6. Smoking, Alcohol and other Substances

- 6.1 Bussage C of E Primary School is a non-smoking site. Staff must not smoke on school premises or outside school gates. Any member of staff wishing to smoke must leave the school grounds.
- 6.2 Staff must not smoke whilst working with or supervising pupils offsite.
- 6.3 Smoking includes vaping and e-cigarettes.
- 6.4 Staff must not consume or be under the influence of alcohol, illicit drugs or other illegal substances whilst supervising children.

7. Relationships with Pupils

- 7.1 Staff must maintain professional boundaries with pupils appropriate to their position and must always consider whether their actions are warranted, proportionate, safe and applied equitably. Staff should act in an open and transparent way that would not lead any reasonable person to question their actions or intent. Staff should think carefully about their conduct so that any risk of misinterpretation is minimised.
- 7.2 Staff must not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. If a young person seeks to establish social contact you should exercise your professional judgement in making a response and be aware that such social contact could be misconstrued.
- 7.3 Staff must not develop personal or sexual relationships with pupils and should not engage in any sexual activity with a pupil. Sexual activity does not necessarily involve physical contact. More information can be found in the Sexual Offences Act 2003¹, sections 1-15.
- 7.4 Staff should be aware and mindful of The Sexual Offences Act 2003, in particular sections 16-24 (Abuse of Position of Trust).
- 7.5 Staff must not make sexual remarks to a pupil, discuss their own sexual relationships with, or in the presence of, pupils or discuss a pupil's sexual relationships in an inappropriate setting or context.
- 7.6 All contact with pupils should be only through Bussage C of E Primary School's authorised mechanisms. Personal phone numbers, email addresses or communication routes via all social media platforms should not be used and staff should not share their home address with pupils. Staff should never have pupils personal contact information held on their own personal mobiles. If contacted via an inappropriate route the member of staff must inform the Headteacher immediately.
- 7.7 The school's staff must not accept friend invitations or become friends with any pupil of the school on any social media platform. Staff should also refrain from following any social media accounts of pupils or their parents. Staff must read the school's e-safety policy carefully and follow all advice and guidance contained within it. Staff should take great care in this area and the school recognises the rights of staff to be in appropriate contact with friends or relatives. So, for example, a parent or grandparent of a pupil who is a member of staff MAY have a legitimate reason to relate appropriately with a pupil or their parents via

¹ The Sexual Offences Act, 2003 (as amended) : <https://www.legislation.gov.uk/ukpga/2003/42/contents>

social media in such (or similar) exceptional circumstances. If staff are in any doubt, it is strongly recommended that they discuss such specific exceptional circumstances with the Headteacher in advance.

8. Gifts/Hospitality

- 8.1 Staff need to take care that they do not accept any gift/offer of hospitality that might be construed as a bribe by others, or lead the giver to expect any kind of preferential treatment. However, there may be occasions where pupils or parents wish to give a small token of appreciation to staff, for example at religious festivities or at the end of the year.
- 8.2 It is unacceptable to receive gifts on a regular basis or to suggest to pupils that gifts are appropriate or desired. Money must never be accepted as a gift. If you are unsure whether to accept a gift you should consult the Headteacher.
- 8.3 Staff must not accept significant gifts or hospitality from pupils, parents, carers, actual or potential contractors or outside suppliers. All such gifts/offers of hospitality should be reported to your the Headteacher and recorded. It is hard to define exactly what constitutes a "significant" gift but anything with a monetary value of, say, £10 or more could be considered significant.
- 8.4 Personal gifts must not be given by staff to pupils and any reward to pupils should be in accordance with Bussage Primary School's pupil behaviour policy, recorded and not based on favouritism.

9. Physical Contact with Pupils

- 9.1 In addition to any guidance below, staff are required to adhere to the school's policies and procedures relating to Safeguarding and Child Protection, Positive Handling (Pupil Restraint) and Intimate Care.
- 9.2 There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with pupils it should be in response to their needs at that time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background.
- 9.3 Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and, so far as is possible, use a level of contact which is acceptable to the child and for the minimum time necessary.
- 9.4 It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should therefore, use their professional judgement at all times.
- 9.5 Staff should be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described. Staff should never touch a child in a way which may be considered indecent. Always be prepared to explain

actions and accept that all physical contact be open to scrutiny. Staff must not engage in rough play, tickling or fun fights with pupils.

- 9.6 Extra caution should be exercised where a child is known to have suffered previous abuse or neglect. Such experiences may sometimes make a child exceptionally needy and demanding of physical contact and staff should respond sensitively by deterring the child through helping them to understand the importance of personal boundaries.
- 9.7 Staff supervising PE and games or providing musical tuition should demonstrate the use of a particular piece of equipment/instrument on another member of staff if possible. However, they may be required to initiate physical contact with pupils to support a child to perform a task safely, to demonstrate the use of a particular piece of equipment or instrument or to assist them with an exercise. Contact under these circumstances should be done with the pupil's agreement, for the minimum time necessary and in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.
- 9.8 Physical contact must never be secretive, for the gratification of the adult or represent a misuse of authority.
- 9.9 If a member of staff believes that an action might have been or might be misinterpreted, the incident and circumstances should be urgently reported to your line manager, recorded and, if appropriate, a copy record placed on the child's file. It may be appropriate to inform the pupil's parent/carer when they are collected from school.

10. Child in Distress

- 10.1 There may be occasions when a pupil is in distress and in need of comfort as a reassurance. This may include age appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.
- 10.2 Such incidents should always be recorded and shared with your line manager. If you have a particular concern about the need to provide this type of care and reassurance you should seek further advice from your line manager.

11. Showers and Changing

- 11.1 Pupils are entitled to respect and privacy whilst they are changing or showering after PE/games or swimming. However, there also needs to be an appropriate level of supervision in order to safeguard young people, meet health and safety requirements and to ensure that bullying does not take place. The supervision should be appropriate to the needs, age and gender of the pupils and sensitive to the potential for embarrassment.
- 11.2 Staff should be vigilant about their own behaviour and announce their intention of entering a changing room. Staff must not change or shower in the same place as children.

12. One to One Situations

- 12.1 Staff working individually with pupils should be aware of the potential vulnerability of pupils and staff in such situations. Staff should manage these situations with regard to the safety of the pupil and to themselves.

- 12.2 Individual work with pupils should not be undertaken in isolated areas or rooms where there is no external viewing panel. Where it is necessary to close doors for reasons of confidentiality a colleague should be made aware of this and asked to remain vigilant.

13. Transporting Pupils

- 13.1 In certain circumstances it may be appropriate for staff to transport pupils offsite, for example sports fixtures, swimming lessons or other out of school activities. A designated member of staff should be appointed to plan and provide oversight of all transport arrangements and to respond to any difficulties that may arise.
- 13.2 Staff should ensure that the transport arrangements and the vehicle meet all legal requirements. Staff should ensure that the driver has the appropriate license for the vehicle, that the vehicle is roadworthy, has a valid MOT certificate and is appropriately insured and that the maximum capacity is not exceeded.
- 13.3 Staff should ensure that the driver is not distracted while the vehicle is in motion for any reason other than an emergency and should also ensure all passengers are wearing correctly fastened seatbelts. Staff should never transport pupils while under the influence of alcohol or drugs.
- 13.4 Prior to transporting pupils offsite consent must be obtained from pupils' parents/guardians and staff should be aware that the safety and welfare of the pupils is their responsibility until this is safely passed back to their parent/carer.

14. E-Safety (Online Safety)

- 14.1 Staff should follow the school's policies relating to online safety, acceptable use and data protection.
- 14.2 Staff must not engage in inappropriate use of social network sites which may bring themselves, the school or the school community into disrepute. Staff should adopt the highest security settings on any personal profiles they have.
- 14.3 Staff should remain mindful of their digital footprint and exercise caution in all their use of social media or any other web based presence they have. This includes written content, videos or photographs and views expressed either directly or by 'liking' certain pages or posts or following certain individuals or groups. Staff should exercise care when using dating websites where staff could encounter pupils.
- 14.4 Staff must not make contact with pupils, must not accept or initiate friend requests nor follow pupils' accounts on any social media platform. Staff must not communicate with pupils via social media, websites, instant messenger accounts or text message. The only acceptable method of contact is via the use of school email accounts or telephone equipment.
- 14.5 Staff should not make contact with pupils' family members, accept or initiate friend requests or follow pupils' family member's account on any social media platform.
- 14.6 However, the school acknowledges that staff who are also parents may wish to make contact with other parents, who are friends or relatives, over social media. Staff must exercise

caution and professional judgement in these circumstances and should not have any contact with pupils' family members via social media if that contact is likely to constitute a conflict of interest or call into question their objectivity.

- 14.7 Personal mobile phones and devices may not be used during lessons. They should be switched off (or in silent mode) when in school. A personal mobile phone or device may not be used to capture images, send images or send files to other mobile phones or devices in school. Mobile phones and devices are not permitted to be used at all in certain areas within the school site such as changing rooms or toilets.
- 14.8 Mobile phones and personally-owned mobile devices (and other personal property) brought in to school are the responsibility of the owner. The school accepts no responsibility for the loss, theft or damage of personally-owned mobile phones, mobile devices (or other staff property).

15. Photography, Video and Images of Children

- 15.1 Many school activities involve recording images as part of the curriculum, extra school activities, publicity or to celebrate an achievement. In accordance with The Data Protection Act the image of a pupil is personal data. Therefore, it is a requirement under the Act for consent to be obtained from the parent/guardian of a pupil for any images made. It is also important to take into account the wishes of the pupil, remembering that some pupils do not wish to have their photograph taken or be filmed.
- 15.2 Using images for publicity purposes will require the age-appropriate consent of the individual concerned and their parent/guardian. Images should not be displayed on websites, in publications or in a public place without their consent. Staff should also be clear about the purpose of the activity and what will happen to the photographs/images/video footage when the lesson or activity is concluded.
- 15.3 Photographs/stills or video footage of pupils should only be taken using school equipment for purposes authorised by the school and should be stored securely and only on school equipment.
- 15.4 Staff should ensure that a member of the Senior Leadership Team is aware of the proposed use of photographic/video equipment and that this is recorded in lesson plans. All photographs/stills and video footage should be available for scrutiny and staff should be able to justify all images/video footage made.
- 15.5 Staff should remain aware of the potential for images of pupils to be misused to create indecent images of children and/or for grooming purposes. Therefore, careful consideration should be given to how activities which are being filmed or photographed are organised and undertaken. Particular care should be given when filming or photographing young or vulnerable pupils who may be unable to question how or why the activities are taking place. Staff should also be mindful that pupils who have been abused through the use of video or photography may feel threatened by its use in a teaching environment.

16. Confidentiality (see Policies on Confidentiality and Data Protection)

17. Whistleblowing (see Policy on Whistleblowing)

18. Compliance

- 18.1 All staff must complete the form in Appendix 2 to confirm they have read, understood and agree to comply with this policy. This form should be signed and dated and a copy retained on the member of staff's file.

19. Monitoring and Review

- 19.1 The content and implementation of this policy is overseen by the governing body and will be reviewed every three years or sooner if required.

Appendix 1 Some Examples of Gross Misconduct

The following are examples of offences that would normally be considered as gross misconduct. This list is not exhaustive and the Headteacher / Panel may consider a derivative of these examples or any other serious breach of the Staff Code of Conduct as an offence constituting gross misconduct. However they may also be considered as misconduct according to the seriousness of the offence and the nature of the employee's job.

Acts which take place in the course of employment:

- a) Any act which could be subject to criminal proceedings. (Certain circumstances may call for the discretion of the Headteacher depending upon the nature and context of the offence).
- b) Stealing from the school, its staff or the public.
- c) Deliberate damage to or neglect of school property (unless for justifiable reasons of protection or safety).
- d) Gross negligence in failing to attend to or to carry out the duties of the post.
- e) Falsification of any document, qualification or information including those which are a stated requirement of employment) and/or which could result in financial gain.
- f) Soliciting for, or accepting, gifts or gratuities.
- g) Involvement in acts of bribery.
- h) Attempted use of official position for private advantage; dishonest or improper use of information obtained in the school's employment.
- i) Doing unauthorised private work (whether paid or not) during hours when contracted to work for the school or during periods of sick leave.
- j) Sexual misconduct at any time with any person for whom you have a responsibility and is in your care in your capacity as an employee of the school.
- k) Child abuse or other conduct giving rise to safeguarding and child protection issues.
- l) Fighting or physical assault at work either with fellow employees or other persons; including maltreatment of persons in the care of the School. This does not include reasonable self-defence in the case of an assault on employee.
- m) Serious breaches of safety regulations, endangering yourself or other people, including deliberate damage to, neglect or misappropriation of safety equipment.
- n) Deliberate disclosure, without authorisation, to the media information about staff or pupils.
- o) Deliberate acts of harassment, on grounds of age, disability, gender, sexual orientation, race and ethnicity, and religion or belief, that involve physical and/or verbal intimidation and/or assault/unlawful discrimination.
- p) Conduct resulting in breach of trust and confidence.
- q) Any act that could bring the school into serious disrepute.
- r) Serious insubordination – undermining of the Leadership and Management of the school.
- s) Unauthorised disclosure of information classified as confidential by the school, governors, diocese or the local authority.
- t) Abuse of the school's policies relating to the internet, email or social networking.
- u) Any other sufficiently serious breach of the Staff Code of Conduct not specifically listed here.

Acts which take place outside the course of employment:

Dismissal will result where criminal offences have been committed outside the course of employment where: -

- a) Employment by the School in any way enabled or assisted in the commission of the offence.
- b) School property was used to aid the commission of the offence.
- c) Continued employment would put at risk those served or employed by the School.



Appendix 2 Staff Code of Conduct Confirmation of Compliance

I hereby confirm that I have read, understood and agree to comply with Bussage C of E Primary School's Policy on Staff Code of Conduct.

Name

Position/Post Held.....

Signed Date

Once completed, signed and dated, please return this form to the Headteacher