



Orleton CE Primary School



Kimbolton St James CE Primary School

## **STAFF CODE OF CONDUCT POLICY SUITE**

This policy will be reviewed and updated by the Governing Body at least annually.

All references to 'the school' imply both Orleton and Kimbolton Primary Schools.

Date signed off by Full Governing Body: Kimbolton: November 2021

Signed Adam Breakwell, Headteacher

Camilla Argyle, Orleton Chair of Governors

Gill James, Kimbolton Chair of Governors

Date next review due: Kimbolton: November 2022

## **Introduction**

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Our vision is rooted in 1 Corinthians 16:13-14: 'Keep alert, stand firm in your faith, be courageous, be strong. Let all that you do be done in love.' This means that our governance arrangements are designed to empower pupils, staff and volunteers to be courageous and loving and to model awareness of the needs of others and standing up for what is right.

To this end, it is essential that high standards of professional and personal conduct are maintained by all members of staff. Teachers have a particular set of professional expectations as set out in the Teachers' Standards, which include a recognition that effective behaviour management is key to maintaining a good and safe learning environment.

Our approach is to ensure that our school environment (both for learners and teachers) is one in which good, honest and open communication mitigates the need for formal disciplinary or grievance processes. This suite of policies aims to set out:

- our commitment to ensure that staff conduct enables our commitment to [be courageous and loving];
- clear expectations of staff conduct, including examples of misconduct which would warrant disciplinary action;
- consistent and fair processes in the event of matters of discipline or grievance at work, and;
- what to do if you need to raise any concerns (also known as whistleblowing).

This policy suite contains the following chapters:

[Chapter 1](#): Staff code of conduct

[Chapter 2](#): Staff disciplinary procedures

[Chapter 3](#): Staff grievance procedures

[Chapter 4](#): Lone working

[Chapter 5](#): Visitors, volunteers and helpers

[Chapter 6](#): Whistleblowing

Staff members are expected to be aware of and compliant with all school policies, but other key policy suites to which to refer in the context of conduct are:

- Staff Conditions of Service
- Child Protection & Safeguarding
- Equality
- Recruitment & Performance Management
- Governance
- Estate Management (especially its chapter on Health & Safety)

## **Complaints and whistleblowing**

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Complaints should follow the procedures as set out in the Complaints Policy on our website. Staff members' responsibilities and rights under the whistleblowing policy (for any aspect of school life) are set out at Chapter 6.

## **Compliance**

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This policy is set out in line with the [Teachers' Standards](#), the [Local Authority's code of conduct for schools](#), the [ACAS Code of Practice on disciplinary and grievance procedures](#), and the [ACAS guide on discipline and grievances at work](#). A list of relevant legislation is at Appendix 2.

## **CHAPTER 1: STAFF CODE OF CONDUCT**

### **1.1 Principles**

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All members of staff are expected to demonstrate consistently high standards of professional and personal conduct. School employees are role models in a unique position of influence and must adhere to behaviour that sets a good example to pupils and the wider school community, and maintains their and the school's reputation, whether inside or outside working hours.

This policy applies in full to all employees of the school; the code of conduct for volunteers and visitors is summarised at Chapter 5. The code of conduct does not form part of any employee's contract of employment, but all employees are expected to sign to confirm their compliance (see Appendix 1).

Staff members must avoid putting themselves at risk of allegations of abusive or unprofessional conduct. All staff members, volunteers or visitors to the school must avoid inappropriate, offensive, discriminatory or sarcastic language, language which undermines, embarrasses or humiliates colleagues or pupils, making a 'joke' at someone else's expense, or discriminating for or against a pupil or group of pupils.

Staff members are expected to conform to the [Seven Principles of Public Life](#) (also known as the Nolan Principles), namely selflessness, integrity, objectivity, accountability, openness, honesty, and the commitment to model, promote and support these behaviours and to challenge poor behaviour. Staff should also be aware of and comply with the [Bribery Act 2010](#) and avoid any activity or gift which could be seen as favouring one pupil over another. Any gift with a value of over £10 should be declared, and any gifts from staff members to pupils must only be given to a whole group (e.g. school leavers, sports teams, etc.) and in a public setting so that any misunderstanding or perception of favouritism is avoided.

No staff member may behave outside work in a way which could seriously damage the school's or their own reputation, or the reputation or standing of other members of the school community, including but not limited to criminal activity and bearing in mind the examples of misconduct given at 1.8.2 below.

### **1.2 Safeguarding**

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All staff members, volunteers and visitors have a duty to protect the safety, welfare and development of the pupils for whom they are responsible, to safeguard pupils from physical, sexual or emotional abuse, harm or neglect, and to report any concerns about a pupil or colleague to the school's Designated Safeguarding Lead (DSL). These duties may include effective cooperation and collaboration with an external agency.

Our child protection and safeguarding policy suite contains full information about how to protect children from abuse, harm or neglect, and Chapter 6 of this policy suite details how to raise a concern.

### **1.3 Staff-pupil relationships**

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We recognise that staff members are likely to know children outside school due to family or social connections, tutoring, activities such as sport or youth groups, etc.. These relationships must be declared (see Appendix 1), professional at all times, and in line with your safeguarding and other responsibilities under this policy.

Contact with pupils and their parents/carers about school matters should always be through authorised school contact mechanisms and not through personal contact, telephone or social media, and such contact from pupils or their parents/carers (about matters affecting the school) should be reported to the headteacher immediately.

## **1.4 Work outside school**

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Work outside school (both paid and voluntary) is permitted, provided that it does not conflict with the school's ethos or interests, and that it does not contravene the working time directive or impinge your performance at school.

## **1.5 E-Safety**

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All staff members, volunteers and visitors to the school are expected to act in accordance with the safeguarding policy suite, including its chapters on online safety and internet use and on social media. Caution and professional judgment must be exercised when using information technology and social media, bearing in mind the potential (especially safeguarding, reputational and financial) risks to you, others or the school. Staff members should have high security settings on personal devices.

Photographs or video footage of pupils should only be taken using school equipment, for purposes authorised by the school, and with parental consent. These may not be stored on any personal device.

Devices supplied by the school are supplied for school use only and whilst appropriate occasional personal use is acceptable, staff members should be aware that machines are actively monitored for inappropriate use and screenshots of any misuses are emailed directly to the headteacher. We are happy for staff members to have their own mobile telephones on our guest network but whilst in school they must be used in accordance with school policies.

## **1.6 Dress & appearance**

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Staff members are expected to dress in a way which is appropriate to their professional role and image, that does not express political or contentious slogans, and that does not otherwise cause offence or could be perceived as provocative.

## **1.7 Confidentiality**

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All staff members are likely to witness or hear something which must be kept confidential. This should only be discussed as part of the reporting process. You do have an obligation to share information which is confidential if it gives cause for concern about the safety or welfare of a pupil, and you must never promise not to act on information which you hear from a pupil (this is often known as a disclosure).

Confidential information about pupils or their parents/carers may only be revealed to colleagues who have a professional responsibility for the pupil(s) concerned.

## **1.8 Misconduct**

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### *1.8.1 Definitions*

Misconduct is defined as behaviour or conduct by an employee falling short of the school's standards. Gross misconduct is considered to be behaviour or conduct that falls so far below the standards required that it can be considered as a fundamental breach of contract. Acts of gross misconduct can lead to a dismissal, including for a first offence.

For the purpose of the disciplinary procedure, 'misconduct' and 'gross misconduct' are taken to include 'negligence' or 'gross negligence', where this amounts to a breach of contract.

### *1.8.2 Examples of misconduct*

Misconduct which may warrant action under the appropriate stage of the disciplinary procedure includes:

- poor timekeeping or persistent lateness;
- unauthorised absence from work;
- unauthorised use of the school facilities including the internet;
- wilful failure to comply with a reasonable instruction from a member of senior management;

- persistent minor breaches of health and safety requirements;
- foul or abusive language;
- sexual or racial harassment which is not sufficiently serious to fall into the category of "gross misconduct".

Gross misconduct occurs when the actions complained about are such that it is not feasible for the employee to remain at the place of work whilst the matter is being investigated, and include:

- unauthorised removal of school property;
- sexual or racial harassment;
- offences of dishonesty;
- serious breaches of health and safety requirements;
- criminal offences which undermine the employee's ability to perform his/her job;
- sexual offences;
- sexual misconduct at work;
- persistent wilful failure to comply with a reasonable instruction from a member of senior management;
- fighting and physical assault or threats of such a nature;
- drunkenness at work;
- actions which bring the school into serious disrepute;
- falsification of documentation (including any time sheets, signing-in sheets, expense claims etc.);
- theft;
- malicious damage to the school's property.

## **1.9 Teachers' Standards**

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The [Teachers' Standards](#) set a clear baseline for expectations for the professional practice and conduct of teaching staff and must be used when assessing trainees for qualified teacher status, and early career teachers who are completing their induction period, and during the appraisal process. Part 1 refers to:

- setting high expectations which motivate and challenge pupils;
- promoting good progress and outcomes;
- demonstrating good curriculum and subject knowledge;
- planning and teaching well-structured lessons;
- adapting to the strengths and needs of all pupils;
- using assessments accurately and productively;
- managing behaviour effectively, and;
- fulfilling wider professional responsibilities.

The Teachers' Standards can be used by schools and inspectors to review practice, assess teachers' performance, inform plans for professional development, and assess upper pay range applications. Part 2 of the Teachers' Standards refers to personal and professional conduct and can also be used when hearing cases of serious misconduct.

## **CHAPTER 2: STAFF DISCIPLINARY PROCEDURES**

### **2.1 Disciplinary principles**

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We strive to maintain a positive environment in which to learn and work. This includes open, honest, appropriate, good and clear communication.

Problems will be identified as early as possible and will be dealt with through conversation where possible. The disciplinary procedures apply where there is a serious or persistent breach of the code of conduct or where informal measures to address an issue have not been effective.

Only the members of the governing body who are responsible for investigating a disciplinary matter will discuss it, to maintain the independence and impartiality of the appeal panel.

Staff members who are facing disciplinary action or the likelihood of disciplinary action will be advised to speak with a representative of their professional association or trade union.

Full and accurate records will be kept, and processes will have in mind ACAS guidance as well as the Christian ethos of the school.

### **2.2 Executive summary of the disciplinary procedures**

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The governing body has, following consultation with staff, chosen to adopt the disciplinary procedures set out in the Local Authority's guidance for schools (HR003). This means that disciplinary matters will be progressed promptly to ensure proper investigation before any disciplinary action is taken against you, that you will be given the opportunity to state your case before any decision is made, that you may be accompanied by a work colleague or a trade union representative at every stage of the procedure, and that you will not be dismissed for a first disciplinary breach except in the case of gross misconduct.

The disciplinary policy and procedures only apply to issues which are under your reasonable control. While they only apply to employees of the school, they may be helpful the school to fulfill its responsibility to investigate any issue related to anyone working in the school, such as supply teachers.

Wherever possible and appropriate, the headteacher will speak with staff privately and at the earliest opportunity about any concerns about conduct. The headteacher will share brief notes of the discussion and the actions agreed with you. This discussion is not a disciplinary hearing. In exceptional circumstances it may be necessary to suspend an employee on normal pay while a disciplinary matter is being investigated; this is not a disciplinary action, does not prejudge the outcome of the investigation, will be for as short a period as possible, and must be reviewed by the chair of governors every 10 days.

At every stage of the process, you may appeal a decision in writing, provided that the appeal is based on any of the following grounds.

- The procedure was not followed, and / or;
- The finding of the disciplinary hearing was unreasonable, and / or;
- The findings of the disciplinary hearing are disputed on a point of fact that may have influenced the outcome, and / or;
- New, or additional, information has come to light which was not available at the time of the hearing.

## **CHAPTER 3: STAFF GRIEVANCE PROCEDURES**

### **3.1 Raising grievances**

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We strive to maintain a positive environment in which to learn and work. This includes open, honest, appropriate, good and clear communication. Problems will be identified as early as possible and dealt with through conversation where possible.

The grievance procedures apply where these informal measures to address an issue have not been effective.

We recognise that it is not unusual for staff members to have connections and relationships which extend beyond the school gate. We expect staff members not to bring any personal disagreement or animosity with them into school, and the grievance procedure will not be used as a mechanism to raise or address any issue which arises from or relates to such personal animosity or disagreement.

All staff members are expected to model the alertness, courage, love and willingness to stand up for what is right which are embodied in our Christian vision and to which we aspire for all our pupils.

### **2.2 Executive summary of the disciplinary procedures**

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The governing body has, following consultation with staff, chosen to adopt the grievance procedures set out in the Local Authority's guidance for schools (HR004). This sets out the informal and formal procedure in the event of a grievance (whether individual or collective), including the right for staff members to be accompanied, to appeal the outcome of the process, the timescales which must be followed, and the forms to complete if submitting a formal grievance.

Unless a grievance is sufficiently severe to move immediately to a formal grievance procedure, we aim to deal with grievances informally. This informal process may include a scheduled meeting at which a staff member may request to be accompanied by a colleague or Trade Union representative.

The formal procedure will always be investigated by an independent officer, which could be the headteacher, member of the SLT, or any other person deemed suitable by the governing body. Where the grievance is against the headteacher or member of SLT, the investigating officer will be a member of the governing body who has not previously been involved in the case. Staff members will always be given at least 5 days' notice of a formal grievance hearing and must provide any additional or relevant information at least 3 days before the hearing. Hearings will be adjourned where further investigation is required, but we will always work to conclude the process in a timely manner. To this end, any appeal of the outcome of the grievance must be submitted to the clerk to the governing body within 5 working days of receiving the written outcome and the appeal panel must convene within 15 working days of receiving the appeal.

## **CHAPTER 4: LONE WORKING**

We recognise that there are occasions when staff members (including teachers, support staff, administrative staff, caretakers and those who look after or clean our premises) may be required to work alone or in isolated situations. This chapter aims to reduce any risks associated with being on the school grounds when there is no-one else who could reasonably be expected to come to your immediate aid in the event of an incident or emergency. It is aimed at those who work in an isolated part of the school grounds or in an otherwise unoccupied part of the building, those who respond to an alarm or emergency outside normal school hours, and those who work in school during holiday periods. All staff members are reminded about the importance of maintaining a healthy work-life balance.

### **4.1 Risk assessment**

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It is the responsibility of the headteacher to ensure that an annual health and safety risk assessment is undertaken, including any necessary measures to mitigate or control any hazards identified, and to ensure that members of staff are aware of the content of this as well as the risks of lone working. The risk assessment will take account of the type of tasks undertaken, the environment, and health and safety instruction and training received.

### **4.2 Risk mitigation**

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Wherever possible, it is recommended that you work with a colleague, and only staff members considered by the headteacher to be capable of responding appropriately in an emergency are allowed to work alone. You should not work alone if you have a medical condition that might cause incapacity or unconsciousness.

You should not enter the school premises if there are signs of intruders but should immediately call the police.

You should familiarise yourself with our emergency procedures and health & safety policy and the location of safety equipment, and you may be required to undertake appropriate training in emergency management or risk mitigation. If working alone you should not undertake activities that may expose you to risk, including handling money.

We respect your right under the [Trade Union Reform and Employment Rights Act 1993](#) to refuse to carry out work if there is a serious and imminent risk of danger, and to advise others to do the same, without risk of dismissal. You should be proactive in bringing to the attention of the headteacher or school business manager any work-related risks. Failure to follow procedures could raise a disciplinary concern if you have contributed to your or someone else's injury, or to damage to, or theft from, the school.

Please ensure that if you are working alone the headteacher and school business manager have a contact number in case of emergency, and please establish your own checking-in and checking-out system either with a family member, friend or colleague. Please also ensure that you have a mobile telephone with you which has sufficient battery life and signal in case of emergency.

### **4.3 Contractors**

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Contractors are responsible for having their own first aid kit suitable for treating minor injuries and for having their own emergency management and health & safety procedures. While working in school they are also expected to adhere to this and other relevant policies and to follow the advice or instruction of the headteacher or school business managers.

### **4.4 Monitoring**

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The headteacher and school business manager will conduct an investigation following any incident which arises from this policy, and may adapt practices and procedures accordingly.



## **CHAPTER 5: VISITORS, VOLUNTEERS AND HELPERS**

Volunteers and helpers at our schools are expected to adhere to same standards of personal and professional conduct while in school or while identifiable as a volunteer or helper connected with the school (such as on a school trip). This includes governors, who have their own code of conduct as per our governance policy.

### **5.1 Responsibilities**

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Other volunteers and visitors should bear in mind their responsibility:

- to avoid inappropriate, offensive, discriminatory or sarcastic language, language which undermines, embarrasses or humiliates colleagues or pupils, making a 'joke' at someone else's expense, or discriminating for or against a pupil or group of pupils;
- to protect the safety and welfare of pupils and other members of the school community;
- to safeguard pupils from physical, sexual or emotional abuse, harm or neglect;
- to report any concerns about a pupil or colleague to the school's Designated Safeguarding Lead (DSL);
- to exercise caution if accessing the internet, and not to access any online material on their own devices which contravenes our child protection and safeguarding policy suite;
- not to discuss matters affecting the school other than through authorised mechanisms (e.g. not on personal social media or through out-of-school social contact);
- not to take photographs of any children other than their own, unless authorised to do so by the school;
- not to share photographs of any children other than their own on personal social media except with the authorisation of that child's/those children's parents/carers;
- to dress appropriately;
- to avoid activities which would be likely to lead to disciplinary action were they employees;
- to comply with any reasonable requests from a member of staff.

## **CHAPTER 6: WHISTLEBLOWING**

Whistleblowing is the term used when an employee passes on information about a wrong-doing. This is usually, but not limited to, something which has been witnessed as work.

### **6.1 Enabling environment**

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It is important that any fraud, misconduct or wrong-doing is reported and properly dealt with. Individuals should feel able to raise concerns that they may have about the conduct of others or the way in which the school is run. These concerns could relate for example to:

- a safeguarding concern;
- a criminal offence, such as fraud;
- a potential cover-up;
- risk or actual damage to person or property.

Concerns of a more personal nature (e.g. where feel you have not been treated fairly) are dealt with through the grievance procedure.

Any matter raised will be investigated thoroughly, promptly and confidentially.

### **6.2 How to raise a concern**

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If you have a concern, you should not try to investigate it yourself; you are not responsible for proving the veracity of your concern, although you will need to demonstrate that you have reasonable grounds for raising it.

In the first instance, you should raise your concern with your line manager. If you reasonably believe your line manager to be involved in the wrong-doing or for any other reasonable reason do not wish to approach your line manager, you should approach the headteacher or (if your line manager is the headteacher) the chair of governors. You may raise your concern verbally or in writing, and the earlier you raise your concern the easier it is to take appropriate action.

You may find it helpful to seek advice or support from an organisation such as [Protect](#). If you are raising a safeguarding concern, you may find it helpful to talk to NSPCC's safeguarding whistleblowing helpline on 080 8800 5000 (daytime only) or write to [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

### **6.3 How we will respond**

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Within 10 working days of your raising a concern, the responsible person you have contacted will write to you to:

- acknowledge that the concern has been received;
- indicate how it is proposed that the matter will be dealt with;
- give an estimate of anticipated timescales;
- let you know about any initial actions or enquiries thus far;
- explain if further investigations will take place and that you might be called as a witness;
- reassure you of our support and of the safeguards in place to protect you;
- give you information on staff support mechanisms.

It may be possible to resolve some of the concerns without the need for investigation.

Concerns and allegations which fall within the scope of specific procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.

If an investigation is required, it may be investigated (as appropriate) by:

- management, internal audit or through the disciplinary process;
- police referral;
- referral to the external auditor;
- independent inquiry

If urgent action is required, this will be taken before any investigation is conducted.

## **6.4 Determining the outcome**

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The outcome of any investigation will be unique to each case and subject to determination by the requirements of any specific procedure followed. Outcomes may include (but are not limited to) a review of policy and practice or formal disciplinary action.

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If it is found that the allegation was unfounded and/or raised with malicious or mischievous intent, then formal action will be taken under our disciplinary procedure.

## **6.5 Notifying the individual who raises the concern**

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Once the outcome has been determined, the responsible person will write to the individual who raised the allegation to let them know that the matter has been resolved, and how, subject to limitations such as confidentiality. We will also advise you of any further action which you could take if you are not satisfied with the outcome.

## **6.6 How the matter can be taken further**

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If the outcome is not considered satisfactory, the matter may be raised with an appropriate statutory or regulatory body, such as:

- the [Ombudsman](#);
- your Trade Union or professional membership association;
- depending on the nature of your original concern, your MP, the police, the [Equality Advisory & Support Service](#) or the [Information Commissioner's Office](#).

## **6.7 Responsibility and record-keeping**

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The chair of governors has overall responsibility for the maintenance and operation of this policy. The officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality), and will report as necessary to the Local Authority or DfE.

## **6.8 Confidentiality**

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All concerns will be treated in confidence, and every effort will be made not to reveal your identity if you wish, unless required by law, but you should be aware that you may need to come forward as a witness. This should be seen as a barrier to investigating the matter.

Concerns expressed anonymously will be considered but action taken to look at the disclosure may be limited and may not be regarded as "protected" under the Public Interest Disclosure Act 1998, and those raising concerns anonymously will not be able to receive feedback.

All reasonable steps will be taken to ensure that no staff member will be victimised or will suffer any detriment for raising a matter under this procedure. This means that continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.

In exceptional circumstances, and in order to protect someone who has raised a qualifying disclosure, or to facilitate thorough investigation, a whistleblower may be redeployed. This may be on a permanent or a temporary basis and will always be subject to mutual agreement with clear terms, under which there is no detriment to you.

Harassment or victimisation of an individual for raising a qualifying disclosure is a disciplinary offence. Colleagues who victimise whistleblowers can be held personally liable for such conduct.

Any instruction to cover up wrongdoing is itself a disciplinary offence. If told not to pursue a concern, even by a person in authority, you should not agree to remain silent and should contact the headteacher or chair of governors.

**Appendix 1: Declaration & Confirmation of Compliance**

I hereby confirm that I have read, understood and agree to comply with the code of conduct.

I understand that it is recognised that there may be circumstances in which I will be known (or related) to pupils outside work and confirm that contact with pupils outside school will be in line with this policy, noting especially that any contact about matters affecting the school will not be via personal contact (whether in person, by telephone or by social media).

Pupils known to me outside school

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Name: .....

Position: .....

Signed: ..... Date: .....

## **Appendix 2: Legislation and Statutory Guidance**

[Teachers' Standards](#)

[Local Authority's code of conduct for schools](#)

[ACAS Code of Practice on disciplinary and grievance procedures](#)

[ACAS guide on discipline and grievances at work](#)

[Bribery Act 2010](#)

[Trade Union Reform and Employment Rights Act 1993](#)

[DfE's statutory guidance on whistleblowing procedures \(2014\)](#)

[Ofqual's whistleblowing policy](#)

[Whistleblowing guidance for employers and code of practice](#)

[Whistleblowing – the Public Interest Disclosure Act 1998](#)

[DfE complaints procedure](#)