

# Code of Conduct for Staff and Volunteers

## 1. Introduction

The School aims to create and embed a culture of optimism, openness, trust and transparency in which its values and expected behaviours are constantly practiced, lived, monitored and reinforced by all staff.

- 1.1. All staff, including those who work in school in a voluntary capacity, have a responsibility to act only in the best interests of those in their care and to protect them from harm. They are also expected to show exemplary standards of professionalism and propriety in their work for the School and to uphold its good name and reputation both in the real world and online.
- 1.2. For ease of expression this Code of Conduct uses the term “member of staff” to indicate all who work within the School, either on a paid or voluntary basis and including supply staff. The Code of Conduct should also guide the conduct of adults living as part of the family of resident members of staff and those who work at Old Swinford Hospital as contractors or as their employees.
- 1.3. Guidance can change from time to time and it will be assumed that the current version of guidance referred to in this policy, at any point in time, forms part of the policy.

## 2. Protection of Children

Members of staff must be fully conversant with the School’s Safeguarding Policy and related documents. They have a duty of care to all students in the School and must act at all times in a manner which safeguards and promotes their physical, emotional and moral welfare.

- 2.1. The School takes all safeguarding concerns seriously, whether they reach the harm threshold or are lower level concerns and expects staff to do the same. Where members of staff have concerns, including concerns about their colleagues’ behaviour, there is a responsibility to act and to report concerns to the appropriate officer or the appropriate authorities. It is important that we foster a positive and open safeguarding culture and create an environment in which staff feel comfortable questioning and challenging behaviours and raising their concerns, that these concerns are shared responsibly and with the right person, recorded and then dealt with promptly and appropriately. In this way we can identify inappropriate, problematic or concerning behaviour early, minimise the risk of abuse, and ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries, and in accordance with our ethos and values. All allegations or suspicions of abuse or inappropriate or questionable behaviours will be taken seriously and treated in accordance with the School’s procedures. The School assures staff that it will fully support and protect anyone who, in good faith, reports their concern that a colleague is, or may be, acting inappropriately or being abusive.
- 2.2. Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- 2.3. Staff should work, and be seen to work, in an open and transparent way including self reporting if their conduct or behaviour falls short of these guiding principles.
- 2.4. Members of staff must not seek physical, emotional or sexual gratification from their relationships with students, nor give the impression that they may be doing so. They must exercise care in using language or exhibiting behaviour which may be misconstrued as inappropriate and must avoid situations where their integrity may appear compromised.
- 2.5. Physical contact with students must be kept to a minimum and must only take place where it is necessary in the discharge of the duties of a member of staff. Except in cases of emergency, the

reason for physical contact should be explained to students before it takes place and consent obtained.

- 2.6. Physical punishment of students is forbidden by law. Minimum necessary force<sup>1</sup> may be used in a situation to protect a student, member of staff or any other person from physical harm. Any incident where force is used to control or restrain students must immediately be reported in full, and in writing, to the Headmaster and Designated Safeguarding Lead (DSL) as soon as possible after the event.
- 2.7. In accordance with the national minimum standards for boarding schools, school staff are not permitted to be appointed as an educational guardian for any boarder or boarders.
- 2.8. Any member of staff who believes that a student may be at risk of physical, emotional or sexual abuse (whether by an adult or a child) or of neglect has a legal duty to report the matter to the School's DSL. For this reason, members of staff must not give assurances of confidentiality when counselling students.
- 2.9. These provisions apply equally in the case of all students whether or not they are legally adults. They also apply in any situation where a member of staff may be working with vulnerable adults.
- 2.10. Under the Counter-Terrorism and Security Act 2015 the School has responsibility for preventing students from being influenced or affected by extremism and radicalisation. This responsibility is integral to the whole school approach to safeguarding and promoting the welfare of children and young people.<sup>2</sup>

### **3. Professional Conduct**

Members of staff must discharge their duties in the School to the best of their abilities and using their best endeavours, remembering that the interests of students are paramount.

- 3.1. They must co-operate with colleagues and other adults as required and contribute to the creation of a pleasant, positive and productive working environment.
- 3.2. Relationships between staff should be characterised by fairness, openness and respect. This means valuing all contributions, acknowledging difference, and working together to build a climate of continuous improvement. Politeness and respect are essential ingredients: where differences occur they should be dealt with calmly and fairly.
- 3.3. Bullying of any kind, including sexual harassment, is entirely unacceptable.<sup>3</sup>
- 3.4. The Equality Act 2010 covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation<sup>4</sup>. Members of staff must not demean or undermine students, their parents, carers or colleagues, or act towards them in a manner which is discriminatory on any of these grounds nor on the grounds of ability, appearance, ethnicity, or socio-economic circumstances.
- 3.5. Members of staff are expected to display and uphold the fundamental British values of democracy, the rule of law, mutual respect and tolerance of those of different faiths and beliefs.
- 3.6. Members of staff must comply with relevant statutory provisions and other instructions which support the well-being and development of students, including where these require co-operation and collaboration with outside agencies. They must comply with the requirements of statutory bodies relating to the examination, assessment and evaluation of student achievement and attainment.

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<sup>1</sup> Use of reasonable force – advice for headteachers, staff and governing bodies (July 2013)

<sup>2</sup> Revised Prevent Duty Guidance for England and Wales (July 2015)

<sup>3</sup> Harassment and Bullying at Work Policy

<sup>4</sup> Equality and Diversity Policy

- 3.7. Staff have an important role to play in developing a calm and safe environment for students and establishing clear boundaries of acceptable student behaviour. They should:
- Uphold the whole-school approach to behaviour by teaching and modelling expected behaviour and positive relationships, as defined by the School's Behaviour Policy, so that students can see examples of good habits and are confident to ask for help when needed.
  - Consider the impact of their own behaviour on the school culture and how they can uphold the school rules and expectations.
  - Communicate the School's expectations, routines, values and standards both explicitly through teaching behaviour and in every interaction with students and challenge students to meet these expectations and to maintain the boundaries of acceptable conduct.
- 3.8. Staff should aim to create a welcoming and open relationship with parents. All parental concerns should be treated seriously and dealt with promptly.
- 3.9. Members of staff are expected to participate in continuing professional development activities as appropriate to their role in the School.
- 3.10. Members of staff must adopt appropriate professional dress and language during the school day and set a good example to students concerning behaviour and appearance at all times.
- 3.11. Old Swinford Hospital is a Smoke Free Campus and this also includes off site playing fields and facilities. Resident employees and their guests are however permitted to smoke in their domestic accommodation other than in areas of that accommodation which may be used by students and colleagues. Staff must never smoke where they may be seen by students. For avoidance of doubt, smoking includes vaping and all other e-cigarettes and similar vaping or other devices e.g. shisha pens.
- 3.12. The School has a zero tolerance policy for the possession, use or being under the influence of any illegal substance on the School site including in residential domestic accommodation.
- 3.13. Where members of staff are provided with accommodation for the better performance of their duties, they must ensure that the accommodation is maintained in a clean and presentable condition and that the provisions of their Licence with the Governing Body are observed.
- 3.14. Members of staff who are teachers are also statutorily obliged to act in accordance with part 2 of the teaching standards (2012) "Personal and Professional Conduct"

## **4. Conflicts of Interest**

Conflicts of interest are any situations where an individual's personal interests or loyalties could, or could be seen to, prevent the individual from acting or making a decision in the best interests of the school. The most common types of conflict of interest are either financial conflicts or loyalty conflicts. It is important to ensure that decisions and decision-making processes are, and are seen to be, free from personal bias and do not unfairly favour any individual or company connected with the school.

- 4.1. All staff have an obligation to act in the best interests of the school community to avoid situations where there may be a potential conflict of interest. Situations may arise where family interests or loyalties conflict with those of the school or its processes and the problems this may create can inhibit free and fair discussions, result in decisions or actions that are not in the interests of the school and risk the school's reputation.
- 4.2. Not all conflicts may be immediately obvious however, when they arise, or may potentially arise, they should be declared prior to any action/decision making process.
- 4.3. Staff and volunteers will be responsible for:
- Declaring any conflicts of interest, and this may be completing the annual declaration of business interests for appropriate connections for example or it may be at the time an action/decision is

required where for example it relates to a loyalty to another person or organisation, or a relationship or friendship.

- Identifying any conflicts of interest that have not been previously declared.
- Ensuring that all individuals in a discussion do not have a vested interest in an action/decision and notifying the Headmaster where these have not or may not have been declared.
- Following the School's Whistleblowing Policy where there are concerns that a conflict of interest has not been declared, and an individual might have subsequently benefitted or acted unfairly or impartially.

4.4. If anyone is unsure whether they are conflicted, they should declare the issue and discuss it. That discussion should be with the senior member of staff involved in the particular action/decision making or, in the case of the Headmaster, with the Governing Body or relevant member of the Governing Body.

## **5. Supervision of Visitors**

Members of staff and residents have a responsibility to supervise their visitors at all times whilst on the School site, to ensure that they do not have unsupervised access to students and that they do not act in a way likely to cause inconvenience, annoyance or danger to staff or students.

- 5.1. Members of staff who are resident in Boarding Houses have an additional responsibility to ensure that any visitors who stay overnight in their accommodation do not have unsupervised access to students at any time during their stay. Any guests staying overnight (by which we mean that they are in accommodation at any time between 2am and 6am) then the member of staff must have informed the Bursar of the name of the guests in writing 24 hours before the event.<sup>5</sup>
- 5.2. The School reserves the right to refuse residents entertaining on school property any individuals who are deemed in the opinion of the SLT to be unsuitable, or whose presence might lead to reputational risk.
- 5.3. All regular visitors (more than 3 times in a 30 day period) are required to have an enhanced DBS with the School.
- 5.4. Resident members of staff on one year contracts and gap assistants who reside in school accommodation are not permitted to have any overnight guests when students are in school.

## **6. Information Technology**

Staff must exercise caution when using information technology and be aware of the risk to themselves and others.

- 6.1. Members of staff have access to the School's IT facilities principally for the better performance of their duties. They may also use the facilities for personal purposes provided that in doing so they do not incur any cost to the School, hamper the use of the facilities for School purposes, cause damage or jeopardise the security of the School network or interfere with the performance of their duties.
- 6.2. Members of staff must agree to the Acceptable Use agreement, follow the School's Email & Internet Use Policy and Password Policy and, in particular, must never use the School internet facilities to view pornography or other inappropriate material. Resident members of staff are responsible for any use of the School's IT facilities by other members of their household.
- 6.3. Staff must pay due regard to guidance for safer working practices when teaching and communicating online<sup>6</sup>

## **7. Financial Probity**

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<sup>5</sup> Keeping children safe in education

<sup>6</sup> Guidance for safer working practice for those working with children and young people in education settings (February 2022)

Members of staff must maintain high standards of honesty and integrity in management and administrative duties, including in the use of school property and finance.

7.1. All staff have a responsibility to look after the resources of the school. This includes:

- Not wasting resources unnecessarily (including physical resources and those such as heat/electricity);
- Following the principles of 'reduce, re-use, recycle' where appropriate;
- Signing out for items taken from the school premises (e.g. school tablets, laptop or sports equipment).

7.2. Members of staff must not hold monies belonging to the School, to students or their parents in their own bank accounts at any time or for any reason without the express consent of the Bursar, neither must they use the resources of the School for their own benefit without the same permission.

7.3. Members of staff making decisions concerning the procurement of goods or services must declare any conflict of interest that may arise.

7.4. All members of staff must declare any business interests outside of school that may be connected either to the supply of goods/services to the school or be rewarded through association with the school.

7.5. Members of staff must not derive any personal pecuniary benefit from financial transactions entered into on behalf of the School or its students, other than those permitted by the Personal Pecuniary Benefit Policy.

## **8. Leave**

8.1. Statutory and contractual leave entitlements will be given in accordance with the relevant legislation or agreement. Any other leave is discretionary leave.

8.2. Discretionary leave will not be automatically granted where it does not meet the needs of the school and each application will be considered, on a case by case basis, having regards to the need of the school at that particular time.

## **9. Confidentiality and the Reputation of the School**

Members of staff must not act in a way that is likely to bring Old Swinford Hospital into disrepute.

9.1. They must not engage in conduct inside or outside work which could seriously damage their own reputation and standing, or the reputation and standing of the school or of other members of the school community and this includes the inappropriate use of social network sites

9.2. They are reminded that they have a duty of confidentiality to the School as their employer and they must therefore not divulge information concerning the School or any student to third parties, except in relation to their professional duties.

9.3. All staff should be conversant with and act in accordance with General Data Protection Regulations<sup>7</sup>. A breach of these regulations may be cause for disciplinary action for gross misconduct and which may therefore lead to dismissal.

9.4. Only the Headmaster, or a person acting under the authority of the Headmaster, is entitled to speak/correspond/post on behalf of the School to the media, including social media.

9.5. Members of staff must not misuse or misrepresent their professional position, qualifications or experience or their role in the School.

## **10. Health and Safety**

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<sup>7</sup> UK GDPR

It is in the best interests of everyone that the School is a safe, healthy and accident-free working environment.

10.1. The Health and Safety at Work Act 1974 places an obligation on all members of staff to:

- Work safely and use all equipment correctly, according to operating instructions.
- Take reasonable care for the health and safety of themselves, other staff, students, visitors and the general public.
- Co-operate with the School to ensure that all relevant provisions of the Act are observed.
- Ensure that they understand and carry out all emergency procedures, fire precautions and evacuations procedures laid down by the School.
- Report immediately to their line manager any potential hazard to employees, students, visitors or the general public.

10.2. Staff are issued with a copy of the Health & Safety Policy and are expected to comply with the arrangements therein.

## **11. Wellbeing**

All staff are encouraged to look after their physical and mental wellbeing. This includes maintaining a healthy work-life balance. We take issues of stress very seriously and look to provide appropriate support and help in these cases as much as we reasonably can.

## **12. Whistleblowing**

A member of staff who believes that criminal activity or wrongdoing, including extremist activity or any incitement to extremism, of any other serious kind is taking place in the School must report the matter to their line manager, to the Headmaster, Governors, the Police or other appropriate authority. In doing so they are protected from recrimination by the Governors' "Whistleblowing" Policy.

## **13. Conviction of a Criminal Offence**

A member of staff who is convicted of a criminal offence including extremist activity or incitement to extremism or has accepted a caution in respect of an offence, must report the fact to the Headmaster. The Headmaster will decide whether the severity and nature of the offence is such as to compromise the role of the member of staff in the School.

## **14. The Teaching Regulation Agency and other Professional Bodies**

The conduct of teachers is regulated by the Teaching Regulation Agency. Details regarding teaching standards, performance and conduct can be found at [www.education.gov.uk](http://www.education.gov.uk). Some members of the support staff will also be subject to codes of conduct relating to their membership of professional bodies.