



Employee
Code of Conduct

Introduction

This Code describes the standards of conduct and behaviour expected from our staff and any staff seconded or engaged from other organisations to undertake work within Ormiston Horizon Academy (The academy). It also highlights some types of behaviour or conduct which might be considered incompatible with being an academy employee. It is intended to help you by describing the standards expected of you and has been approved by the academy following consultation with the appropriate Trade Unions. Please take time to read it and ensure your conduct meets these requirements. If you are at all uncertain about what is expected please seek further clarification from your Principal or Line Manager so that you do not unwittingly contravene this Code or otherwise act against the academy or Governing Body's interests.

Contravening or failing to act within the spirit of the Code, or behaving in a manner which could bring the good name of the academy or Local Governing Body/Trust into disrepute, whether or not within the workplace or working time, might be seen as a breach of discipline and could lead to action being taken against you under the appropriate procedure.

While workers who are not employees of the academy are expected to comply with the spirit of the Code, any action that may be taken in response to a breach will depend on the precise nature of their working relationship with the Academy.

This code relates to all staff working for the academy. Teachers must be aware that there are also published *Teachers' Standards* and are advised to familiarise themselves with the requirements of these.

Guiding principles

As an academy employee, you should put the well-being, development and progress of children and young people first. You should recognise that you are in a position to influence children and young people through your slightest actions, comments or behaviour.

To the public you are a representative of the academy. You are expected to maintain the highest standards of professional competence, knowledge, integrity, confidentiality, financial propriety and personal conduct. Contact with all members of the academy community, including parents and outside visitors, should be courteous, efficient and impartial to all groups and individuals. You must also familiarise yourself with, and adhere to any rules or codes of conduct or policies relating to the academy and your role and you should comply with all reasonable requirements or instructions from the Principal.

It is not appropriate for you when working within your role as an employee to oppose the stated aims and policies of the academy or the academy or to undermine the performance of its duties and responsibilities. It is important for all employees to present a unified image to the public.

You should ensure that your relationships with your fellow employees and with pupils are always conducted in a professional and courteous manner; you should not censure other colleagues or criticise their work in the hearing of a pupil or parent/carer.

It is not acceptable for you to publicly criticise or blame academy management, colleagues or the Local Governing Body or the academy through any medium including internet 'blogs', websites or social networking tools such as Facebook or Twitter and you must be aware that the laws governing defamation, breach of copyright, etc. apply equally to 'blogging' as to other forms of communications. Offensive, defamatory, discriminatory or otherwise inappropriate comments will not be tolerated and may constitute a disciplinary and/or criminal offence, as could the disclosure/publication of any confidential or personal information about the academy, its staff, pupils or other members of the academy community.

Any disagreement involving the interpretation or application of the Code as it applies to you should be discussed with the Principal or your Line Manager in the first instance. However, if you feel the Code is being applied unreasonably you may be able to seek redress through the Grievance Procedure

Personal interests

(See also notes 1 and 2 below)

The interests of the academy or the way you do your job must not be influenced by personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that you are using your position with or knowledge of the academy for personal gain or that you could be influenced by improper motives. If you belong to outside organisations, including voluntary organisations, there must be no conflict with your job or other academy interests. You should advise your Principal or Line Manager in writing about anything which could give this impression.

Private work

Academy premises, equipment, working time or other resources must not be used to undertake private work.

The academy needs to be aware if its employees undertake private work or voluntary activities in their own time to ensure that there is no conflict of interests with the academy and to meet its obligations under Health and Safety legislation. Therefore, to protect yourself, the academy, the Local Governing Body and the academy from potential criticism you should not put yourself in a position where there is an actual or perceived conflict of interests. You should be aware that outside work or activity, whether or not you receive payment, could reduce your ability to safely and effectively carry out your employment with the academy or Trust, e.g. through tiredness, and would be considered unacceptable.

You must advise your line manager before engaging in any other work especially if it could reasonably be seen to conflict with your employment with the academy or lead to misunderstanding or criticism.

You must not undertake private work for any individual, organisation, department or establishment which otherwise would be undertaken as part of your normal duties. Any charge raised as a result of undertaking work within another academy or other establishment should be paid to the academy.

You must not undertake private work when on sick leave without the express knowledge and prior written approval of your Principal and subject to appropriate medical advice.

During a period of paid leave or suspension, you must not undertake private work within your normal paid working hours and without the prior written approval of your Principal.

Expressing concern about irregularities and tackling malpractice

If you feel there is something seriously wrong at work please tell an appropriate person (see paragraph 5.3) as a 'voice of concern'. It might be, for example, the conduct of another employee, the way a contractor is behaving, a work practice, something that is endangering the safety of pupils or staff. You might be the first to notice it and your intervention could stop things getting worse.

No matter how reticent you may feel, you should raise any serious concern - e.g. a suspicion of fraud or corruption or reasonable belief that a child or adult's health, safety or well-being are in danger - with your Principal so that potentially serious problems or malpractice can be addressed without undue delay. If this is not appropriate, then you should contact either the Chair of Governors or Human Resources. If the matter relates to fraudulent activity, you may inform the Chair of the Audit Committee. If you do raise a genuine concern in good faith all reasonable steps will be taken to respect your confidence and protect you from possible reprisals see (Whistleblowing) Policy).

The academy and the academy take this issue very seriously and will investigate and address any problems genuinely raised. However, any frivolous, malicious or mischievous use of the Confidential Reporting Policy will be treated as a serious disciplinary

Copyright

You should be aware that 'intellectual property' such as software, ideas, documents, etc. created during your employment belongs to the academy. All files, materials, the media upon which they are located and all software programmes or packages which are utilised or developed solely for or in connection with your job remain the property of the academy.

Confidentiality

The academy is committed to open government and, in law, certain information must be made available to councillors, government departments, service users and the public. However, you must make sure you know whether information is 'public' or confidential and treat it accordingly.

You may sometimes acquire information at work which has not been made public or is confidential. Examples include information about a pupil or family, a colleague, information on tenders or costs, the proceedings of confidential meetings.

You must ensure that sensitive and/or confidential information is properly secured and safeguarded at all times especially if being transported in paper or electronic formats. Particular care must be taken with information stored on portable electronic media such as laptops and memory devices which are often targeted for theft due to their high intrinsic value.

Confidential Information which comes into your possession must not be used for personal benefit or divulged to other parties except in the proper course of duty, for example to other professionals working with the same child. If you have any doubt

whether or not disclosure is appropriate, you must check with your Principal before releasing confidential information.

Some information can be extremely valuable in business and commerce and its publication loss or misuse could seriously disadvantage the academy and its employees. Therefore, it is important that you do not, deliberately or inadvertently, pass on information, including software, during or after your employment with the academy, to anyone who has no right to receive it. You must not discuss, disclose, publicise or use such information for your own or anyone else's personal interest or advantage.

You must decline any approaches or offers made asking for information which could be detrimental to, or help others to gain a contract, grant or any other advantage from the academy or Governing Body and/or its employees, e.g. a potential contractor could offer a financial reward for information leading to the award of a major contract. Approaches or offers of this kind must be declared to your Principal without delay.

You must not criticise the academy, its policies or staff in open media such as internet 'blogs', websites, social networking sites, etc. where it may be seen by parents, children or others in the academy community.

Contact with the media

Unless you are properly authorised to speak with, write or give interviews to the media you should refer any enquiries from the media on work related matters to your Principal. Advice is available to academy through the county council's Communications Unit.

Information Technology and Data Protection

Everyone using computing equipment has a duty of care to use it according to prescribed arrangements, e.g. to avoid introducing computer viruses, to comply with the Data Protection Act, and to safeguard and ensure the security of information. You must familiarise yourself with the academy's ICT policies, including use of the internet and social networking. In particular, all use of the internet and email facilities must be authorised, legal, appropriate and in accordance with the provisions of academy policies. Personal use of any facilities – including laptops – must be authorised and only undertaken at times deemed appropriate by your Principal.

Users shall not use the internet or email for the following:

- to knowingly break the law
- to fail to comply with existing Trust or Local Governing Body policy
- to compromise the integrity of any network or system
- to access, display or transmit any kind of sexually explicit material or any offensive or discriminatory material of any kind
- to make unauthorised contact with outside bodies
- to download software or play games
- to bet or gamble
- To disclose private or confidential information.

Failure to comply with the policies in force or any unauthorised use of such facilities will be dealt with in accordance with relevant disciplinary procedure.

Employees should also take account of policies on e-safety and cyber bullying.

Employees should also be aware when they are using personal IT equipment for undertaking academy related business that the same rules apply. Please refer to P Shuff for a copy of the academy's full policy on appropriate use of IT.

Gifts, inducements, hospitality and sponsorship

(See also notes 1 and 2 below)

You must not accept any commission, discount, allowance, direct or indirect profit, inducement, payment, perk or benefit in connection with any professional work undertaken, other than any fee recoverable on behalf of the academy or Trust

Minor gifts and hospitality are sometimes part of the normal courtesies of life: the parent of a pupil may offer a modest gift, especially at Christmas or as a token of appreciation, and in an office situation simple items such as diaries and calendars are often distributed as advertising matter. As a guideline, any gift or hospitality with a value of £25.00 or more is highly unlikely to be viewed as a 'token'. With the exception of these 'tokens' and any special schemes (e.g. travel or discount schemes) arranged by the academy or Governing Body, all gifts, vouchers, fees, special discounts, rewards or preferential treatment must be refused. In situations where refusal is difficult or might offend you must inform your Principal or Line Manager who will decide on the appropriate action.

Where an outside organisation wishes to sponsor any activity or make a donation to the academy, the basic principles relating to personal interests and the acceptance of gifts or hospitality apply.

Use of Academy resources and equipment

Facilities, equipment, vehicles, materials and other resources provided by the academy or Governing Body for use in your work must not be used for any other purpose without permission or appropriate payment, e.g. photocopying, private telephone calls. Mobile telephones are provided exclusively for business use and must not be used to make private calls. In this context a call 'home' to advise that you have been unavoidably delayed because of work would not be considered a private call.

Overseas travel on official business

Any proposal to travel overseas on official business must be approved by the academy before the travel takes place

Equality issues

All members of the community, including pupils, families and other employees have a right to be treated fairly and with dignity. You must make yourself aware of and comply with the academy's Equality and Diversity Policies and procedures.

Standards of appearance

The Governing Body does not impose particular dress standards but staff are expected to present a reasonable and professional appearance and dress appropriately to the circumstances within their working environment, bearing in mind that you are working with children and young people. Where uniform or protective clothing is issued it must be worn as required when at work or representing the academy. When wearing uniform or other items which identify you as an employee of the academy you must maintain appropriate standards of conduct whether or not on duty, e.g. when travelling to and from work.

Relatives and close personal relationships within the workplace

In order to avoid any possible accusation of bias you should endeavour not be directly involved in the appointment, promotion, discipline or other employment decision relating to another employee to whom you are related or with whom you have a close personal relationship. If a situation arises in which you feel you may be in such a position, please seek the advice of Children's Services Human Resources.

If you work in close proximity with other employees or pupils to whom you are related or have a close personal connection you must maintain a strictly professional relationship at work. You should also be aware that if any relationship leads to disruption in the workplace, unacceptable conduct or performance or situations involving undue favouritism or detriment, action will be taken under the appropriate procedure which could lead to you being redeployed or your contract terminated.

Smoke free environment

All Academy buildings, workplaces and vehicles are smoke free areas. Since July 2007, it has been against the law to smoke in workplaces; failure to comply is now a criminal offence.

Drugs and alcohol

Employees must not take drugs, alcohol or any other substance before work, during a break or at lunch time that is capable of causing their behaviour, judgement or performance at work to be affected. This is particularly important for employees who drive, operate machinery, have responsibility for vulnerable adults or children, and who come into contact with members of the public and/or visitors. (N.B. It is equally inappropriate for those working in close proximity to service users such as children and vulnerable adults to have alcohol on their breath even though this may not amount to drunkenness.)

Health and Safety

Unsafe working can endanger you, your colleagues and members of the public. You must familiarise yourself with the academy's Health and Safety Policy and guidelines for your particular work. Please speak to your Principal for further information. You must follow the rules, codes and safe practices they describe including reporting any accidents, incidents or near misses you have at work.

Criminal charges, cautions and convictions

You must advise your Line Manager immediately if you are charged with or cautioned or convicted of any criminal offence whilst you are an employee of the academy. While such proceedings will not necessarily affect your employment, the academy needs to be sure there are no implications for the academy, its reputation, safety of children or in relation to the role you undertake.

Specific standards for staff with responsibility for expenditure

Personal interests:

The interests of the academy must not be undermined by personal interests. The way you do your job must not be influenced by personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that you are using your position with or knowledge of the academy for personal gain or that you could be influenced by improper motives. If you belong to outside organisations, including voluntary organisations, there must be no conflict with your job or other academy interests.

All orders, contracts and grants must be awarded on merit following fair competition. No favour should be shown because of personal interests and no part of the community should be discriminated against.

You must advise your Line Manager in writing about anything which could give the impression that you may be acting for personal gain, financial or otherwise, or in the interests of another person or organisation; or you are involved as an employee in matters which might reasonably be regarded as affecting the well-being or financial position of yourself, your spouse, partner, relative, a close friend or any person with whom you have a close association, e.g. if any of those persons

- Hold an office or employment with
- Have any connection or influence with
- Have any financial interest in any company or organisation doing or seeking to do business with, or requesting grants or other funding from the academy.

You should avoid being involved as an employee in matters which might reasonably be regarded as affecting the well-being or financial position of yourself (or the persons, companies or organisations referred to above) so significant that it is likely to prejudice your judgment of the academy or public interest. (N.B. Holding shares in a company with which you know the academy is likely to be dealing, or acting as an agent for them, could be regarded as a financial interest.)

You must advise your Principal who will notify the academy in writing of any direct or indirect pecuniary interest in a contract or proposed contract with the county council as soon as practicable after becoming aware of it so that it can be recorded in the 'Register of Officers' Interests'. Failure to do so may be a criminal offence as well as a disciplinary matter.

You must advise your Line Manager of any personal dealings of a business or private nature with existing or potential suppliers, consultants or contractors who you know (or could reasonably be expected to know) to have dealings with the academy.

If you engage or supervise contractors or consultants on behalf of the academy or have any other official relationship with them you must advise your Line Manager, prior to any contractual relationship beginning or work being undertaken, if you have or intend to have any private or domestic relationship with them or any of their employees.

Gifts, inducements, hospitality and sponsorship

See information regarding the acceptance of gifts. As a guideline, a gift with a value of more than £25 is unlikely to be seen as only a 'token', so needs to be referred to your Principal or Line Manager.

Offers of hospitality, even if of a seemingly minor nature, must be treated with particular caution as they can leave both individuals and the Governing Body open to all manner of allegations of impropriety. The timing of offers of hospitality, e.g. in relation to purchasing, the award of contracts, granting of applications or other decisions, should be considered equally to the generosity of the hospitality offered. Accepting hospitality must be justified in the public interest, e.g. when there is a genuine need to represent the academy. You must inform your Principal or Line Manager of an invitation or offer of hospitality before it is accepted.

Personal purchases:

You should be aware of possible conflicts of interest when you buy goods or use the services of firms which have dealings with the academy and follow any academy procedures relating to the disclosure of any such transactions. You should neither seek, because of your position, nor accept, because of an organisation's dealings with the academy, preferential rates, reductions or any other favourable treatment in the purchase of goods and services. This does not apply to generally available schemes or discount schemes arranged by the academy or Trust for all staff.

Procurement of goods and services and disposal of academy property: (see also note 2 below)

Procurement procedures must be strictly adhered to and you must not accept any inducement or preferential treatment if you are responsible for procuring goods or services for the academy or disposing of surplus property. In addition, staff should always be in a position to demonstrate that 'Best Value' has been sought and achieved. Detailed guidance on procurement and tendering is set out in the academy's Financial Regulations and Procurement Code.

Conduct and Performance

Unacceptable behaviour and/or failure to maintain satisfactory standards of conduct or performance will lead to action being taken against you under the appropriate procedure. This includes specifically the failure to behave at all times in accordance with the academy's stated values.

You must ensure you understand the requirements of this Code of Conduct and any terms and conditions, rules, standards and requirements that apply to you and your job. Any of the examples of unacceptable behaviour listed below may be considered as misconduct or gross misconduct depending on the relevance to your role, your seniority, the seriousness of the act and particular circumstances. Those underlined normally will be considered as gross misconduct. The list is not exhaustive and other unacceptable behaviour not specifically listed nevertheless may be considered as misconduct or gross misconduct:

- Any form of unjustifiable discrimination, harassment, threatening or bullying behaviour, e.g. on the grounds of race, sex/gender, sexual orientation, marital status, disability, age, religion or belief; whether or not the subject of current legislation;
- Any physical, emotional or sexual abuse of a child or other vulnerable person
- Possession, displaying, viewing or downloading of offensive materials, accessing 'unacceptable' websites, e.g. websites of a sexual nature, gambling, betting or gaming, in the workplace or via any portable device, e.g. laptop, mass storage, which is the property of the academy and has been provided in connection with the post holder's work;
- Undertaking private activities during working hours;
- Unpunctuality, misuse of time and time recording, unauthorised absence from work;
- Refusing to comply with reasonable orders and instructions;
- Deliberately causing damage to academy property;
- Harming or endangering other persons or property, e.g. by contravening safety rules;
- Neglect of duty/lack of due care or diligence, disruptive behaviour, poor attitude;
- Fighting, threatening or actual violence towards, physical assault or abuse of another person whilst at work (NOTE: this does not include reasonable physical restraint necessarily carried out in the course of duty);
- Theft, unauthorised removal, misappropriation, improper or unauthorised use of academy or other property, systems (including telephones, IT, email and internet), vehicles, equipment, name or other resources. This may include loss by failing to properly secure or safeguard;
- Failure to report criminal convictions, particularly those which may be relevant to the type of work undertaken, e.g. driving convictions where the work necessitates driving on academy business, indecent assault where working with children or vulnerable adults;
- Fraudulent or misleading practices and/or omissions in connection with official duties, e.g. deliberately falsifying academy documents, reports, etc.;
- Fraudulent or false claims for payment of salary, expenses and/or allowances, etc. or seeking financial gain by deception;

- Acts involving bribery or corruption;
- Any action for which it would be appropriate for the academy or Governing Body as an employer to take legal proceedings (irrespective of whether such proceedings are taken);
- Sexual misconduct at work
- Wilfully breaching any academy policy or procedure;
- Drunkenness, being unable to carry out duties through the influence of any substances including drugs, whether or not prescribed, and alcohol, or for any other avoidable reason. (N.B. It is equally inappropriate for those hosting visitors or working in close proximity to service users such as children and vulnerable adults to have alcohol on their breath even though this may not amount to drunkenness.);
- Possession, buying or selling of weapons, illegal substances or materials at work;
- Any breach of trust or security in respect of information or procedures;
- Obtaining or attempting to obtain access to any information (including information held or stored by electronic means) to which the employee is not entitled;
- Any action which may bring the good name of the academy into disrepute;
- As an employee, public opposition to the stated aims and policies of the academy, criticism or blame of colleagues, Governing Body or Governors through any medium including internet 'blogs', websites, social networking sites, etc.;
- Any action unconnected with work which brings in to question your suitability as an employee of the academy or Governing Body;
- Failing to report serious misconduct, aiding or inciting another employee to undertake any of the above actions or other act of wrongdoing.

Note 1:

Personal interests as set out in paragraph 3 (e.g. in contracts/procurement), other potential conflicts of interest and any offer of gifts and/or hospitality as set out in paragraph 10 or paragraph 20, other than of a minor 'token' nature, are to be notified in writing to your Principal who will include them in the Register of Officers' Interests.

Note 2:

Under the Bribery Act 2010 it is a criminal offence if a person fails to prevent bribery, bribes another person with the intention of obtaining or retaining a business or a business advantage, or receives a bribe, whether or not unwittingly.