

Brighter Futures Academy Trust

Code of Conduct



Version	12/20
Name of Policy Writer	EducateHR Ltd
Last Updated	December 2020
Next Review Due	December 2021

Contents	Page
1. Introduction.....	3
2. Purpose and scope.....	3
3. Standards.....	3
4. Politics and religion.....	4
5. Use of financial resources.....	4
6. Examinations and malpractice.....	4
7. Outside commitments.....	5
8. Fee earning.....	5
9. Personal interests.....	5
10. Disclosure of information and confidentiality.....	6
11. Appointment and other employment matters.....	6
12. Sponsorship.....	7
13. Relationships with external contractors.....	7
14. News media.....	7
15. Gifts and hospitality.....	7
16. Promoting equality of opportunity and diversity.....	9
17. Appointments after leaving employment.....	9
18. Conflict of interest procedure.....	9
19. Other policies and procedures.....	10
 Appendix 1: Conflict of interest declaration form.....	 11

1. Introduction

- 1.1 This code sets out the minimum standards of conduct that members of staff will be expected to observe both when carrying out their duties and when representing the academy in any capacity.
- 1.2 Adherence to the code is designed to protect staff in the event of their actions being subject to challenge.
- 1.3 If staff members are in any doubt about anything contained within this code and/or are concerned about anything relating to their personal position, they should speak to their line manager immediately.

2. Purpose and scope

- 2.1 This policy applies to all employed staff as well as to governors, trainees, external contractors, volunteers and other individuals who work for, or provide services on behalf of, the academy. Throughout this policy these individuals may collectively be referred to as either 'staff members' or 'members of staff'.
- 2.2 The code aims to ensure that confidence in the integrity of our members of staff and other parties associated with the academy is sustained on an ongoing basis.
- 2.3 Breach of this code will be viewed as a serious disciplinary matter. All staff members are expected to be familiar with the content of the code of conduct and ignorance of the guidelines contained therein will not be regarded as a valid excuse.

3. Standards

- 3.1 Staff members are expected to give the highest possible standard of service to our school community (including members of the public).
- 3.2 In performing their duties, staff members must always act with integrity, honesty, and objectivity and without bias. Should they have any reason to believe that their role may involve a potential conflict of interest this must be declared before an issue arises in practice.
- 3.3 In the event of any staff member being arrested, cautioned or charged by police in relation to any criminal matter, or convicted by a court of any criminal offence, they must immediately inform the headteacher (or, if the headteacher is the staff member concerned, the chair of governors).
- 3.4 Staff must never be under the influence of alcohol (or any substance which may affect their ability to care for children) whilst at work. Staff must also seek medical advice if they are taking medication which may affect their ability to care for children and must inform their line manager in the event of such a situation arising.
- 3.5 Employees have a responsibility to behave in ways which support a non-hostile working environment for themselves and their colleagues. They should be prepared to challenge inappropriate behaviour and to take appropriate action where necessary (by reporting such behaviour to senior management) if they observe (or have other evidence of) harassment, either of themselves or of a third party.

- 3.6 Staff members are expected to bring to the attention of their immediate supervisor, through agreed procedures (and without fear of recrimination), any impropriety or breach of procedure. If, for any reason, staff members do not feel it appropriate to express their concerns to their immediate supervisor, they should bring the matter to the attention of a more senior manager or, if necessary, the headteacher or chair of governors.
- 3.7 If staff members do not feel it appropriate, because of the circumstances, to bring the matter to the attention of any person in authority at the academy they should refer to the Whistleblowing Policy which details other bodies who it may be in order to contact.

4. Politics and religion

- 4.1 Staff members must not allow their own personal or political opinions to interfere with their work and must not be involved in advising any political group in their capacity as an employee or representative of the school.
- 4.2 Staff members must not allow any religious beliefs to interfere with their delivery of the school curriculum, nor must they take advantage of their position in the academy to allow such beliefs to unduly influence, in a manner inconsistent with the ethos of the academy, pupils in our care and/or other members of staff, whether such influence is exerted within the academy or within the wider community.

5. Use of financial resources

- 5.1 Staff members must ensure that they use public funds entrusted to them in a responsible and lawful manner, and in accordance with the financial regulations of the academy and the Education and Skills Funding Agency and all other relevant policies and legislation.

6. Examinations and malpractice

- 6.1 Malpractice is deemed to be an action or practice which threatens the integrity of public examinations, and/or damages the authority of those responsible for conducting them.
- 6.2 Staff must always follow the administrative regulations imposed by the examination board or awarding body in addition to any additional school protocols which may be in place. Failure to do so is likely to constitute malpractice.
- 6.3 The following are examples (the list is not exhaustive and other instances of malpractice may be considered and acted upon) of malpractice:
- altering the time or date of a fixed examination (beyond that permitted) without notifying the relevant awarding body
 - failing to keep examination papers secure prior to the examination
 - obtaining unauthorised access to examination material prior to or during an examination
 - assisting candidates in the production of coursework, beyond that permitted by the regulations
 - assisting candidates with direct reference to assessment content/scenarios during an assessment window (beyond that permitted by the regulations)
 - allowing candidates unsupervised access to coursework exemplar material, whether this is the work of former students or that provided by the awarding body

- failing to keep student computer files secure
- assisting or prompting candidates with the production of answers.

6.4 If any staff member is suspicious that malpractice may have taken place, or is about to take place, this should be reported immediately to a member of the senior leadership team.

7. Outside commitments

7.1 Staff members who are directly employed by the academy (regardless of their post and irrespective of whether this is whole or part-time, permanent, temporary etc) must seek the permission of the headteacher and make a written declaration to them (an oral declaration is not sufficient) before engaging in any other work or business which might relate in any way to their duties within the academy or which might constitute a conflict of interest with their current post. This includes both paid and unpaid work and will include ad hoc work as well as regular employment.

7.2 If staff members are permitted (as above) to engage in any other business, or to take up any additional employment, they must not, in school time, undertake any work in connection with their external business or employment.

7.3 If staff members are permitted (as above) to engage in any other business or take up any additional employment, they must not make use of any school facilities, such as premises or computers (or other ICT hardware or software), in connection with their external business or employment.

7.4 If staff members have any doubt in relation to interpretation of the above clauses, they should make a declaration to the headteacher so that a judgment can be made.

8. Fee earning

8.1 Publishing or lecturing and/or interview fees, book royalties or earnings arising from what might be considered normal duties carried out for, or on behalf of, the academy are dealt with as follows:

8.1.1 If the publication is prepared and written or the lecture is prepared and delivered in working time, the lecturing or publication fee is to be paid to the academy (as employer).

8.1.2 If the publication or lecture is either prepared or delivered in working time the employee receives half the fee and the academy (as employer) the other half.

8.1.3 If the employee prepares and delivers the work during their holiday periods, they may keep the fee (but they must be able to demonstrate that the preparation was not done during working time).

8.2 However, where the employee is representing the view of the academy or speaking on issues directly related to their work, the whole fee is to be paid to the academy.

9. Personal interests

- 9.1 The off-duty hours of staff members are their own personal concern. However, staff members must not put themselves in a position where there is a conflict between their job and their personal interests.
- 9.2 Staff members must declare in writing any financial or non-financial interests that could in any way be considered to bring about conflict with the academy's interests. If staff members are in any doubt regarding a possible conflict of interest the appropriate course of action is to make a declaration to the headteacher so that an independent judgement can be made.
- 9.3 Staff members are similarly required to disclose any personal interest that may conflict with the academy's interests, such as involvement with a group or organisation which may seek to influence the academy's policies.
- 9.4 It may also be appropriate to acknowledge that, in certain circumstances, personal relationships between members of staff within the academy may, on occasion, progress beyond that of a working relationship.
- 9.5 Whilst it is understood that this can sometimes be advantageous to the academy, in that personal connections will promote working effectively as a team, such relationships could conceivably lead to a conflict of interest or (perhaps more often) to third parties perceiving that such a conflict exists, and this perception is more likely where there is (in terms of the status of their respective roles) an imbalance of power between the individuals involved.
- 9.6 Staff should therefore be conscious of the potential for such a perception to have arisen, and should, if in any doubt, ensure that their line manager is aware of any personal relationship which may fall into this category.
- 9.7 The above recommendation is in place not to prohibit personal relationships at work, but to provide guidance to manage (actual or perceived) conflicts of interest. The intention is to protect the integrity of colleagues by encouraging them to recognise, and bring to the attention of management, any situation which could conceivably be interpreted as potentially giving rise to concern in relation to the possible misuse of power or application of bias in the performance of an employee's duties.

10. Disclosure of information and confidentiality

- 10.1 No confidential information, or politically or commercially sensitive information, or personal information protected by either the Data Protection Act or General Data Protection Regulation (GDPR), should be released to anyone without appropriate authorisation from the headteacher or chair of governors.
- 10.2 Staff members must not use any information obtained in the course of their employment for personal gain nor pass it on to others who might use it in such a way.
- 10.3 Should staff members be in any doubt about disclosing information they are expected to seek guidance from the headteacher.
- 10.4 Any disclosure which complies with the stipulations of the Whistleblowing Policy will be regarded as an authorised disclosure.

11. Appointment and other employment matters

- 11.1 Staff members must not be involved in the appointment of another individual who is a relative, partner or friend. Neither must a staff member be involved in any decisions relating to the discipline, promotion, remuneration or terms and conditions of another employee who is a relative, partner or friend.
- 11.2 If staff members are responsible for appointing employees, they should comply with the academy's Recruitment Policy and must ensure that decisions are based solely on merit and the applicant's ability to carry out the role. Similarly, staff members must not canvass on behalf of any applicant.

12. Sponsorship

- 12.1 When an external organisation wishes to sponsor, or is being asked to sponsor, a school activity, the basic conventions concerning the acceptance of gifts and hospitality apply.
- 12.2 Where the academy, through sponsorship or other means, gives support in the community, staff members should ensure that impartiality is observed and that there is no conflict of interest.

13. Relationships with external contractors

- 13.1 Staff members must declare in writing to the headteacher any relationships of a business or private nature with any external organisation that has, or may have, a business relationship with the academy.
- 13.2 Orders and contracts must be awarded on merit and no special favour should be accorded to any business, particularly one in which staff members have a pecuniary interest. If staff members have such an interest, they must not be involved in any way in the awarding of a contract for provision of goods or services.
- 13.3 Similarly, staff members must not canvass on behalf of any external organisation or business that has (or may intend to have) a relationship with the academy.
- 13.4 Staff members must make a declaration in writing to the headteacher if they become aware that the academy is considering entering into a contract with an organisation or business in which they have a direct interest.
- 13.5 If staff members engage, supervise, or work with contractors with whom they have, or have previously had, some form of relationship or connection in a private, social, domestic or professional capacity, they must declare that relationship or connection to the headteacher.

14. News media

- 14.1 Staff members must not deal directly with news media unless required to do so as part of their duties, or alternatively have been given express authority to do so by the headteacher (or an appropriate manager).

15. Gifts and hospitality

- 15.1 It is a serious criminal offence for staff members, in their official capacity as a public servant, to receive corruptly, or to give corruptly, any gift, loan, fee, reward, or advantage

for acts of commission or omission or to show favour or disfavour corruptly to any person. In the event of an allegation of this nature being made it is for staff members to demonstrate that any such rewards have not been obtained (or given) corruptly.

- 15.2 There may be occasions where pupils or parents wish to pass small tokens of appreciation to staff members (for example as a gesture of thanks at the end of an academic term or year) and this is acceptable. However, it is not acceptable to receive gifts of any significant value, or to receive gifts on a regular basis.
- 15.3 Staff members must not, either directly or indirectly, accept from a pupil (or from a parent or carer) any gift, reward or benefit other than small gifts which are of a modest value.
- 15.4 Similarly, staff members must not, either directly or indirectly, accept such gifts from any group or organisation with whom they are brought into contact by reason of their duties (gifts in this category normally being limited either to items of a promotional or advertising nature or to mementos offered during official authorised hospitality, such as on the conclusion of any courtesy visit).
- 15.5 Where appropriate, such gifts shall be shared between staff members.
- 15.6 Staff members should always exercise discretion both in offering and accepting gifts and/or hospitality.
- 15.7 When considering offers of hospitality staff members should consider whether:
 - the invitation comes from an organisation likely to benefit from the connection with the academy
 - the organisation is seeking (or has already been awarded) a contract with the academy
 - the hospitality is being offered on a frequent basis
 - the hospitality is being offered solely to the staff member concerned or to others as well
 - the hospitality is purely a social or sporting event as opposed to an event which the staff member is attending in an official capacity
 - the scale and location of the hospitality is proportionate to the event
 - the event takes place outside of normal working hours
 - the business element of the hospitality is genuinely instructive or whether the hospitality constitutes more of a social function.
- 15.8 In all instances where staff members wish to accept hospitality, they must seek, in advance, approval in writing from the headteacher, except either where the hospitality is limited to that of a minimum common courtesy, or where that hospitality forms an integral part of a conference or seminar and is being offered to all the delegates.
- 15.9 Staff members should bear in mind how accepting gifts and/or hospitality might affect their relationship with the party offering it (and vice versa) as well as how it might be viewed by colleagues and/or other potential suppliers/contractors, and by the public. Accordingly, any gifts and/or hospitality other than as described above must be declined (or returned).
- 15.10 Staff members should handle the refusal of gifts or (offers of) hospitality with tact and courtesy: the intentions of those offering gifts or hospitality are seldom corrupt but simply inappropriate to professional relationships in the public sector.

15.11 All offers of gifts (including inducements such as air miles, trading discounts, vouchers etc) or hospitality over the value of £10 must be declared (including those that have been declined).

16. Promoting equality of opportunity and diversity

16.1 In line with the academy's Equality Policy all members of staff are expected to work to eliminate discrimination, promote equality of opportunity and encourage good relations.

16.2 All members of the community should be treated with respect and every staff member should endeavour to provide a service of high quality appropriate to their respective role.

17. Appointments after leaving employment

17.1 The academy is concerned to safeguard the integrity of its employees and to avoid any suggestion of impropriety in relation to staff members.

17.2 It is in the public interest that people with experience of education (and/or public administration) should be able to move freely into business and other sectors.

17.3 It is therefore important, whenever an academy employee accepts an appointment outside the academy, or the educational sector, that there should be no cause for any suspicion of impropriety.

18. Conflict of interest procedure

18.1 Any conflict (or perceived conflict) of interest must be declared, and there are six steps to the process.

18.1.1 Step one – inform

The staff member should inform their line manager of the potential area of conflict.

18.1.2 Step two – complete form

The staff member should complete a 'conflict of interest declaration form' (see Appendix 1) giving details of the potential conflict. They should then pass this to their line manager who will add supporting information as necessary and will outline their view and comments. This should include the level of involvement which managers anticipate having and should also, where appropriate, detail any safeguards that could be put in place.

18.1.3 Step three – submit form

The completed form should be sent to the headteacher (or the chair of governors if it is the headteacher who is making the declaration).

18.1.4 Step four – decision

The headteacher (or chair of governors) will be responsible for deciding whether a conflict of interest exists. They will need to be satisfied that this would neither interfere with the performance or duties of the staff member concerned nor lead to

any suspicion of improper influence. All declarations of a conflict of interest will be considered on an individual basis according to their circumstances.

18.1.5 Step five – confirmation

The headteacher (or chair of governors) will write to the staff member outlining their decision. All declarations of conflict of interest will be recorded in the academy's 'Register of Interests'.

18.1.6 Step six – appeal

If they wish to appeal against the decision reached, staff members should use (the appeal stage of) the academy's grievance procedure.

18.2 If the circumstances of staff members change it is their responsibility to inform their line manager and make a new declaration as above (in other words by returning to step 1).

19. Other policies and procedures

19.1 This policy will be supported by the following policies and procedures:

- Equality Policy
- Recruitment Policy
- Whistleblowing Policy

Appendix 1: Conflict of interest declaration form

Ref:

Name:

Post:

School:

Nature of declaration/relevant paragraph in Code of Conduct:

Extent of declaration:

I certify that the above declaration is true and that to the best of my knowledge no material omissions have been made.

Signature of employee making declaration:

.....

Name of authorising manager:

.....

Date: