



Five Rivers Multi Academy Trust

Code of Conduct for Trust Employees

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SECTION 1 INTRODUCTION

1.1 Introduction

1.1.1 This Code of Conduct for employees is based on key principles. These principles are developed from the work of the Nolan Committee on standards in public life.

1.1.2 In this Code of Conduct you will find the minimum standards that all Trust employees must keep to. These standards also apply to casual workers, agency staff, contractors, volunteers, consultants and self employed people engaged in work for the Trust and its constituent academies.

1.1.3 If you are an employee this Code of Conduct is part of your terms and conditions of employment. Any supplementary codes of practice on employee conduct issued by the Trust Board must also be complied with.

1.1.4 You also need to follow any security policies or codes of practice that the Trust/academy has, in particular in relation to safeguarding children.

1.2 Purpose

1.2.1 The Trust Board believes that you are responsible for your own actions. That means it is your responsibility to read the Code of Conduct and any other code which may apply to your job.

1.2.2 If there are any parts of this Code, or other codes of practice that you are unsure of or do not understand, you must seek clarification from your Principal/Head of School/line manager or your HR provider.

1.2.3 You can find explanations for some of the words and phrases in this Code in the glossary section on page 20 of this document.

1.2.4 All staff working in school have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. It is therefore expected that you will adopt high standards of personal conduct in order to maintain the confidence and respect of your colleagues, pupils, the public in general and all those with whom they work.

1.2.5 There may be times when an employee's behaviour or actions in their personal life come under scrutiny from local communities, media or public authorities. This means that you should be aware that behaviour in your personal life could impact upon your suitability to work in the Trust. You should understand that concerns may arise about an employee's response to the behaviour or actions in the private or community life of a partner, immediate family member or other household member. Where such concerns arise the employee's response may raise questions about their suitability to work with children. To define these actions would not provide the ability to respond to the full range of circumstances. For

example, some cases may not be gross or serious misconduct but they may result in a break down of trust and confidence that ultimately may lead to a recommendation for dismissal on the grounds of 'some other substantial reason'.

1.2.6 The Trust Board has the right to monitor employees where there may be cause for concern regarding safeguarding and/or potential criminal activity or fraud. If the Trust monitors employees in this way, it will keep within the laws that deal with monitoring.

1.2.7 If you are seconded to work in another school or organisation you are expected to conduct yourself in a manner consistent with this Code of Conduct and in a way which meets the requirements of the school or organisation to which you have been seconded.

1.2.8 You may have disciplinary action taken against you if you:-

- do not keep to this Code of Conduct
- commit a criminal offence
- do something that may bring the Trust or its academies into disrepute, whether during working hours or outside of them

Disciplinary action includes the possibility of being dismissed without notice being given.

1.2.9 This Code is in accordance with the rules contained in the Human Rights Act.

1.3 Application of the Policy

1.3.1 In the Code of Conduct, when we use the word "you", we mean teaching staff (including Principals, Heads of School, Deputy Headteachers, Assistant Headteachers), support staff, casual workers, agency staff, contractors, volunteers and consultants and self employed people engaged in work for the Trust or its academies.

1.3.2 When we use the word "Trust", we mean the Five Rivers Multi Academy Trust or any of its constituent academies.

1.3.3 This Code is not a full list of what you are expected to do or not to do. There may be other things that the school will look at as misconduct or gross misconduct. If there is something that you are unsure about, please ask your Principal/Head of School, line manager or HR provider.

1.3.4 Pupils, colleagues, parents/carers and Trustees expect you to have high standards of behaviour. If someone has suspicions that you could be influenced unfairly, this could damage confidence in the school. You must not put yourself in a position where your honesty or integrity could be called into question.

SECTION 2 PUBLIC DUTY, PRIVATE INTEREST, FRAUD AND THEFT

(i) General

2.1 Your duty as an employee and any interests outside your job must not conflict. If there is anything that you are involved with outside work that might affect your job, you must declare this to your Principal/Head of School or line manager.

2.2 You must always do your job safely. To make sure you do not put pupils, other colleagues or yourself at risk, you must follow school health & safety policies and have regard to the duty of care described in them. You must also follow safe systems of work and any codes of practice that applies to your job.

2.3 If you are a member of an organisation that:

- is not open to the public
- requires formal membership and an oath of allegiance
- has any secrecy about its rules, the process of becoming a member or conduct of members

you must declare this in writing to the Trust Board. For further information on what we call a secret society, read **Appendix A**.

2.4 The Trust Board is committed to fight against fraud, whether committed by employees, contractors or the public.

2.5 You must not use the fact you are a Trust employee to obtain gain, directly or indirectly, for yourself, business associates, friends or family.

2.6 All the Trustees are committed to the prevention and detection of fraud. The school has up to date written procedures or manuals for financial systems and processes. See **Appendix B**.

2.7 The Trust also has a Gifts and Hospitality Policy. Further information is in **Appendix C**.

2.8 The Trust also has a Whistleblowing policy so that you can report any fraud or corruption more easily.

2.9 If you are using public funds, you must use them responsibly and lawfully. You must make sure that the Trust's resources are used sensibly and legally and that the Trust gets value for money.

2.10 You must keep to the rules within the Trust's Financial Procedures and Regulations.

2.11 If you:

- commit fraud, or attempt to commit fraud, against the Trust or its academies, or against any person or organisation

- steal, or attempt to steal, from the Trust or its academies, or from any person or organization

this will be considered misconduct, and may be considered gross misconduct. This includes deliberately putting false information on time sheets, subsistence claims or mileage claims.

2.12 If you have concerns that someone is stealing, committing fraud or behaving in a way that might be unethical, you must report this to your Principal/Head of School, line manager, or someone named in the Trust's Whistleblowing procedure.

2.13 The Trustees know that it is not always easy to report on the behaviour of other people, and will give you full support if you raise concerns. If you wish to remain anonymous, the Trust Board will make every effort to respect this.

2.14 The Trustees know there are two sides to a story, and will ensure hearings are fair.

2.15 Sometimes allegations will turn out to be wrong. If you deliberately make false or malicious allegations, this will be treated as misconduct.

2.16 The Trustees expect you to actively promote the safeguarding and well being of children in the academies and their communities. If you have concerns that someone is behaving in a way that does not support the safeguarding and well being of children you should discuss your concerns with your Principal/Head of School or line manager in the first instance, or report them using the Trust's **Whistleblowing Policy** or in line with the academies' **Statement of Procedures for Allegations of Abuse against Staff**.

(ii) **Financial Inducements, Gifts and Hospitality**

2.17 You must never accept a financial payment, bribes or other inducement from any individual, body or organisation. For example: payments or inducements from contractors, developers or consultants.

2.18 To take financial payments or inducements is against the law. It is an offence under Section 117 of the Local Government Act 1972.

2.19 You must refuse any gift or hospitality offered to you or your family that others may think could influence you.

2.20 You may accept gifts of small value such as pens, diaries, calendars and small gifts from children. See the **FRMAT Gifts & Hospitality Policy** and **Appendix C**.

2.21 Offers of hospitality must only be accepted when proper written authorisation has been received from the Principal/Head of School.

(iii) Employee Declarations of Financial and other interests

2.22 You have a legal duty to declare any financial or other interest in an existing or proposed contract.

2.23 You have a legal duty to declare any interest in or associations that may cause direct or indirect conflict with your work for the Trust. You must declare interests in or associations with any:

- Organisation
- Service
- Activity
- Person

2.24 If the Trust or any of its academies have sponsored an event or a service, you must tell your Principal/Head of School or line manager if you may benefit from it in any way.

2.25 You must also tell your Principal/Head of School or line manager if anyone connected with you will benefit from it. This includes your relatives, your partner or spouse, or any business associates you may have.

2.26 You must fully explain any way in which you or someone connected with you may benefit.

2.27 If the Trust gives support in the community, through financial help or other help, you must make sure that any advice you give is fair and balanced. You must make sure there is no conflict of interest.

2.28 If you apply for a service that you have influence in because of your job, you must declare a personal interest, both when you apply for the service, and to your Principal/Head of School or line manager.

2.29 You must also declare a personal interest if you help someone you know from outside your job to apply for a service you have influence in.

2.30 Members of the public expect you to be fair and treat people equally, no matter who it is you are delivering services to.

2.31 You must make sure you don't do anything in your job that might make people think you are being unfair or biased.

2.32 You must not try and obtain services in a different way to the public because you work for the Trust. This includes putting pressure on colleagues to get services.

2.33 If you think there might be a conflict of interest, you must ask your Principal/Head of School or line manager to help you.

2.34 Any declarations you make under the provisions of this Code of Conduct will be reviewed annually by the Principal/Head of School. Any personal declarations made by the Principal/Head of School will be reviewed annually by the Chair of the Trust Board.

2.35 The Principal/Head of School and the HR and Pay Committee of the Trust Board are responsible for making sure all the Employment Policies, Practices and Procedures that the Trust has are followed.

2.36 The Principal/Head of School and the HR and Pay Committee of the Trust Board are responsible for the monitoring their employees' activities making sure that they have kept to this code and any other codes and made declarations when they need to. Any monitoring will comply with all relevant laws.

SECTION 3 CONTRACTORS

3.1 As part of your job, you may be required to supervise or engage contractors or have an official relationship with them. If you have any work relationship with contractors, or potential contractors, you must tell your Principal/Head of School in writing if you have ever had a private or domestic relationship with the contractors.

3.2 The orders we place and contracts we give should be given fairly. This means that we must award orders and contracts based on merit and fair competition against other tenders. You must not show favouritism in doing this. For example, if your friends, partners or relatives run a business, you could not award them a contract unfairly because of this. You must not discriminate against anyone unfairly if you deal with tenders, evaluation or awarding contracts.

3.3 If you are privy to confidential information on contracts for tender, or costs for either internal or external contractors, you must not disclose that information to any unauthorised party or organisation.

3.4 You must make sure that you don't give special favour to anyone who works for, or used to work for the Trust or its academies, when awarding contracts. You must make sure you do not show special favour to anyone who is a partner, associate or relative of an employee when awarding contracts.

SECTION 4 INFORMATION TECHNOLOGY AND DATA SECURITY

4.1 You must ensure that you follow the Trust security procedures in relation to the use of computers and the proper management of computer-held information. Particular care must be taken to follow established procedures when using passwords and when logging on and off. You **must never share passwords**

because this could lead to someone without authorisation accessing the system. Failure to follow the security procedures could lead to disciplinary action.

4.2 You must comply with the Trust's policies on computer use when you use the internet. You must comply with any relevant laws when you access the internet. Please refer to the academies' **Social Media Policy for Teaching and Support Staff in Schools** in order to make yourself aware of expectations of appropriate use of social media applications. You must ensure that your actions do not adversely affect the reputation of the Trust or its academies, or expose the Trust or its academies to legal and governance risks, and that safeguarding of children and young people is not threatened by use of social media.

4.3 Written information is sometimes specially protected, for example, where disclosure is illegal. You must take care to make sure it remains protected. If you are unsure about security controls, talk to your Principal/Head of School or the person in charge of the information protected by them.

4.4 It is your responsibility to ensure any information is protected and not disclosed to anyone who does not have a legal right to that information, and to ensure that any information is not used for any purpose other than that of which it was gathered.

4.5 The following legislation governs aspects of the Trust's information security arrangements. This list is not exhaustive:

Computer Misuse Act 1990
Copyright Designs and Patents Act 1988
General Data Protection Regulation (GDPR) 2018
Electronic Communications Act 2000
Environmental Information Regulations 2004
Freedom of Information Act 2000
Human Rights Act 1998
Regulation of Investigatory Powers Act 2000
Re-use of Public Sector Information Regulations 2015

4.6 You should refer to the Trust's **Information Governance Toolkit** for further information and seek advice from your Principal/Head of School/line manager if you are unsure about any of its contents.

SECTION 5 USE OF SCHOOL SYSTEMS, PROPERTY & FACILITIES

5.1 The Trust's property such as telephones, mobile phones, internet, email, stationery, photocopiers, word processors and other machines or tools, materials, offices, car parks and facilities, may only be used for Trust business unless permission for private use is given by the Principal/Head of School/Trust Board. This also applies to all automatic processing equipment such as laptops, PCs, software including computer games and data, none of which may be used for private purposes or removed from the premises without the express permission of the Principal/Head of School/Trust Board in writing.

5.2 If, with your Principal/Head of School's permission, you use a school telephone or mobile telephone to make private calls or text messages, or send private faxes using a school fax machine, you must pay for this through the approved systems in place. If you are unsure about how to pay for calls, speak to your Principal/Head of School or line manager.

5.3 Any school systems in place that log telephone, email and internet usage may be used to identify any usage for private purposes. The Trust may monitor any communications using its systems. If the Trust monitors your use of school resources, it will do it within the law and Trust policy.

5.4 You must keep to any Trust system security measures.

SECTION 6 SECONDARY EMPLOYMENT

6.1 Any secondary employment undertaken must not conflict with the Trust's interests or bring it into disrepute and must only be undertaken outside the employee's working hours. You **must declare** any other employment outside your role in school to the Principal/Head of School. You must also declare any other employment contracts within the Trust or its academies.

6.2 If you are a:

- Trustee or Governor at another Trust/school
- Councillor for another local authority
- Member of the Territorial Army
- Justice of the Peace
- Member of an Employment Tribunal

these roles do not count as secondary employment. You should still make your Principal/Head of School /line manager aware of these duties and ask for any time off you need in a reasonable and timely manner. Unpaid voluntary work in the community is not secondary employment, but you still need to declare it to your Principal/Head of School, as there may be a conflict of interest with your school job.

6.3 You can find further guidance of receiving payment or fees for other work in **Appendix D**.

SECTION 7 DISCLOSURE OF INFORMATION, CONFIDENTIALITY AND REFERENCES

7.1 You should be fair and open when dealing with others and ensure that they have access to information they need unless there is a good reason not to allow this according to the Freedom of Information Act.

7.2 You must act in accordance with the law when handling personal and other information. Special care must be taken when handling personal and confidential information and never use it inappropriately. You may be personally prosecuted under the GDPR so it is important that you know what your responsibilities are. If you are unsure about this, consult your Principal/Head of School /line manager. The Trust also has a Data Protection Officer who can help.

7.3 You must not disclose any confidential, personal or financial information about an employee, pupil or parent/carer to any **unauthorised** person. You must not disclose any personal or financial information about any employee to an external agency without their approval. If you are not sure about who is an authorised person, you should consult your Principal/Head of School or seek advice from your HR provider.

7.4 If you are asked for personal information for a reference, for example for a job or mortgage application, you may provide information only after you confirm the identity of the enquirer. To do this, you can reply in writing to the enquirer, or call them back to make sure they are who they say they are.

7.5 If the request is for a reference for a colleague or ex-employee, you must be aware that whilst it is the responsibility of the Principal/Head of School to provide employment references, this can be delegated by the Principal/Head of School, however, the Principal/Head of School has to read and sign off the final document. Any employee may give a reference in a personal capacity. If you misrepresent the school, this will be treated as misconduct.

7.6 You must not disclose confidential information to a third party. This includes information relating to:

- competitive tendering or tendering for work
- exempt items under the provisions of the Local Government (Access to Information Act) 1985;
- an employee, elected member, governor or service user;

7.7 You must not use any information obtained in the course of your employment for personal gain or give to anyone else who might use it in this way.

7.8 If you actively use your position in the Trust or any of its academies to seek any information for use other than for the purpose of the job you are employed to carry out, and/or share or pass on the information to anyone who does not have the legal right to the information, then this would be considered gross misconduct and could lead to dismissal.

7.9 If, in the course of your job, you deal with someone you're related to, or have a close relationship with, declare it to your Principal/Head of School /Chair of Trust Board. You must be fair and act in a professional way.

7.10 Inappropriate disclosure of confidential information can be considered misconduct, and may be considered gross misconduct which can lead to dismissal.

SECTION 8 COMMUNICATIONS WITH THE MEDIA

8.1 All contact with the media that is about Trust and/or school activities is handled by the Trust Board.

8.2 You must be aware that by sharing information with the media relating to your employment within school, you may be in breach of the code of conduct. If there is any uncertainty on what action to take in these instances, you should seek advice from your Principal/Head of School.

8.3 If any issues or concerns have been raised and you feel they are not being handled appropriately, then you should raise this through the Trust's Whistleblowing procedure.

SECTION 9 POLITICAL NEUTRALITY

9.1 You must not allow your personal or political opinions to interfere with your work. Some posts are "politically restricted". If this applies to you, you should already have been told about the restrictions separately. **Teachers and Headteachers are excluded from political restriction, whatever their role.** If you need any more advice or information, ask your line manager/Principal/Head of School or HR provider.

9.2 When working with others, whether within the school or external, you must always ensure their rights, views and opinions are respected. This includes employees, elected members, members of the public, parents/carers for example.

9.3 While carrying out your role in a professional manner at all times, you must not show political bias in relation to the performance of your duties/employment with the Trust. You should be aware that if displaying items that demonstrate support for

a particular group, for example, on vehicles/equipment, this could breach the code of conduct. Where there is any uncertainty you should seek advice from your Principal/Head of School.

SECTION 10 THE SCHOOL COMMUNITY AND SERVICE USERS

10.1 You must remember that you have a responsibility to the users of the academies. You must make sure that you work politely, efficiently and fairly with everyone in the Trust, academies and community and ensure an impartial service delivery to all groups and individuals.

10.2 You should be as open as possible about what you do, and the work of the Trust whilst maintaining the needs of confidentiality.

10.3 You should make sure that you keep to the law and any other guidance.

10.4 The Trust Board will not accept an employee's physical or emotional abuse to a service user, child, pupil, parent or carer, governor, contractor, member of the public or other employee. This includes any harassment, discrimination, victimisation or bullying.

10.5 If you act in this way it may be decided that it is misconduct or gross misconduct, which can result in disciplinary action including dismissal.

10.6 When you work with young people or vulnerable adults you are in a position of trust. If you abuse that trust, it will be regarded as potential gross misconduct.

10.7 Any sexual misconduct or assault will be regarded as potential gross misconduct.

10.8 If you do not follow any policies or procedures meant to keep vulnerable service users or others safe, this may be regarded as gross misconduct.

10.9 Any act of gross misconduct may lead to disciplinary action and the possibility of dismissal without notice.

10.10 If you work with young people or vulnerable adults, you must read any relevant codes of practice as well as this code, and keep to them. You must keep to any relevant laws, such as the Children's Act and the Child Protection and Adult Abuse Protection Procedures. Relevant documents will be provided as part of the Trust's induction process.

10.11 Any incidents involving assault, sexual offences or harassment, discrimination or victimisation against pupils, must be dealt with under the Child Protection Guidance and Procedures and may be reported to the police.

10.12 If you see any abusive behaviour, you have a duty to report it to your

Principal/Head of School /Chair of Trust Board, or use the Trust's Whistleblowing policy to report it.

SECTION 11 RECRUITMENT AND OTHER EMPLOYMENT MATTERS

11.1 If you are involved in recruitment, you must take care not to discriminate against anyone, or in favour of anyone.

11.2 To make sure you are not acting unfairly, you must not be involved in any selection and appointment (for example, interviewing someone) when you are related to an applicant. You must not be involved in selection or appointment where you have a close relationship with an applicant - personal or business.

11.3 If you think there might be a conflict of interest, you must inform your Principal/Head of School of this.

11.4 Decisions that you make at work should be fair and unbiased. You must not be involved with decisions to do with discipline, promotion or pay for anyone who is related to you, or someone you have a close relationship with. This includes personal relationships and business relationships.

11.5 If there are any reasons why 11.1-11.4 should not be followed or you need help and advice with what to do next, you should contact your HR provider.

SECTION 12 EQUALITIES

12.1 You must at all times make sure you keep to the Trust's policies on equalities, diversity and inclusion including behaving and working in a way which eliminates discrimination, harassment and victimisation, advances equality of opportunity and fosters good relations.

12.2 All employees, pupils, Trustees, parents/carers contractors, partners, trade union representatives and members of the public must be treated equally and in a way that creates mutual respect. You should promote equality, diversity and inclusion by providing an environment and services free from harassment, discrimination, victimisation and bullying and by treating people with respect, regardless of their age, disability, race, religion/belief, sex, sexual orientation or marriage/civil partnership.

12.3 The Equality Act 2010 provides the legal framework for the Trust in relation to equality, diversity and inclusion.

12.4 Breaching equality policies and the law may be treated as misconduct, up to and including gross misconduct, which carries the possible penalty of dismissal without notice.

SECTION 13 DRESS AND PERSONAL APPEARANCE

13.1 When you work for the Trust or one of its academies, you are a representative, and must dress in a way that is appropriate (as decided by the Trust), or required, for your workplace and the work you are doing. You must be clean and tidy and make sure you have good personal hygiene.

13.2 If you are provided with official clothing for uniform, or health and safety and/or hygiene reasons, you must wear it. This includes your name badge and other identity badges where provided and in line with Trust policy.

SECTION 14 HEALTH AND SAFETY

14.1 You have a general responsibility to work safely and make sure your working environment is healthy and safe. You are required to keep the Trust Health and Safety Policies. You are also required to follow any policy, regulations or codes of practice on Health and Safety that apply to your school or area of work.

14.2 You must keep to any relevant Health and Safety laws.

SECTION 15 CRIMINAL CONVICTIONS / BARRING

15.1 If your job is covered by the Rehabilitation of Offenders Act, you must have told us about all convictions/formal cautions, warnings, reprimands, binding over or other orders, pending prosecutions or criminal investigations that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended 2013) , before you started working with us.

For information on which convictions are protected visit <https://www.gov.uk/government/organisations/disclosure-and-barring-service> and <http://hub.unlock.org.uk/knowledgebase/filtering-cautions-convictions/>.

You must also tell us about:

- Cautions relating to [specified offences](https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check) as listed by Government: <https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

- Cautions given less than 6 years ago (where individual over 18 at the time of caution)
- Cautions given less than 2 years ago (where individual under 18 at the time of caution)
- Convictions relating to [specified offences](https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check) as listed by Government:
<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>
- Convictions that resulted in a custodial sentence (regardless of whether served)
- Convictions given less than 11 years ago (where individual over 18 at the time of conviction)
- Convictions given less than 5.5 years ago (where individual under 18 at the time of conviction)
- Similar offences committed under the law of Scotland, Northern Ireland or laws relevant to the armed services.

Under this Act, we will ask you to complete a DBS Application Form or give written permission for us to check your status on-line. You must bring in your DBS Certificate to show and discuss with your Principal/Head of School, when required.

15.2 If you do not tell us about these convictions/formal cautions, warnings, reprimands, binding over or other orders, pending prosecutions or criminal investigations this will be treated as possible gross misconduct and might lead to disciplinary action - including the possibility of dismissal without notice.

15.3 If you have been barred from working with children and you seek employment to do so, this is a criminal activity and against the law and you will be dismissed without notice and immediately reported to the Police authority.

15.4 If your work involves driving, you must tell your Principal/Head of School about any driving offences, or pending driving offences.

15.5 If you work with children, young people or vulnerable adults as part of your job, or if you have access to them you are required to report any convictions/formal cautions whatsoever to your Principal/Head of School /Chair of Trust Board.

15.6 You must tell your Principal/Head of School /Chair of Trust Board if you have any criminal proceedings pending against you and any subsequent convictions/formal cautions.

NB. The Childcare (Disqualification) Regulations 2009 only cover the following categories of staff employed in school settings:

* Staff who work in early years provision (including teachers and support staff working in nursery and reception classes)

* Staff working in later years provision for children who have not attained the age of 8 including schools settings, such as breakfast clubs and after school provision

* Staff who are directly concerned in the management of such early or later years provision

Sections 15.7 – 15.9 do not apply to staff that do not fall into these categories. If you are not sure whether this applies to you visit the CWLB information centre for detailed guidance or speak to your line manager.

15.7 If you are involved in posts that provide education, care or supervision of children as part of early or later years childcare provision, or are directly involved in the line management of such provision you must not be disqualified from working in such provision either directly or 'by association'. Certain cautions, convictions and care orders may mean you are automatically disqualified from such work, you may also be disqualified by association if any member of your household has such a caution/conviction/order.

15.8 You must complete a childcare disqualification declaration in relation to yourself and others who live and work in your household and discuss with us when required.

15.9 You must tell your Principal/Head of School /Chair of Trust Board immediately if you receive any convictions, cautions, or other orders that may lead to your disqualification under the Childcare Disqualification Regulations 2009, you must also notify them of any unspent or unprotected convictions, cautions or other orders relating to anyone living or working in your household that would also lead to your disqualification 'by association'.

SECTION 16 DRUGS AND ALCOHOL

16.1 While you are at work, you must be in a condition to do your job safely.

16.2 The effects of drinking alcohol or taking certain non-prescribed drugs cause

you to perform your work less well. It may also be a health and safety risk - especially if you drive or use machinery. Because of this, you must not drink alcohol or take certain non-prescribed drugs:

- on the same day prior to commencing employment duties
- during your working hours
- during a lunch break from work
- on any other break during your working day
- at functions such as conferences within working hours.

16.3 If you drink alcoholic drinks or take drugs at these times, this may be regarded as misconduct or gross misconduct, which could lead to dismissal.

16.4 Where it is clearly evident that your performance is impaired whilst undertaking your employment duties during working time, due to the influence of alcohol or drugs, this may be regarded as gross misconduct. If you have previously declared a substance related problem this will be dealt with under the appropriate policy.

16.5 The Trust Board believes that consuming alcohol or taking certain non-prescribed drugs during working hours or on academy premises is inappropriate and could put at risk the health, education, safety or welfare of yourselves, pupils and staff. This may be regarded as an act of misconduct. Exceptions to this will be agreed in advance and notified to staff by the Principal/Head of School/Trust Board for events such as staff end of term gatherings. When on school trips prior approval must be gained from the Principal/Head of School before any social consumption of alcohol is undertaken.

16.6 If you use illegal drugs, or prescription drugs that have not been prescribed for you, this will not be acceptable. This may result in the Trust contacting the police to report it. Use of illegal drugs or prescription drugs that have not been prescribed for you before or during work, on breaks or at functions may be considered misconduct or gross misconduct, which could lead to dismissal.

SECTION 17 TEACHERS

The new Teachers' Standards published by the Secretary of State for Education came into effect on 1 September 2012 as a reference point when considering whether a teacher's conduct has fallen significantly short of the standard of behaviour expected of a teacher. The following is extracted from Part Two of the document - Personal and Professional Conduct:

17.1 A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard of conduct throughout a teacher's career.

17.2 Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- showing tolerance of and respect for the rights of others
- not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
- ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

17.3 Teachers must have proper and professional regard for the ethos, policies and practices of the academy in which they teach, and maintain high standards in their own attendance and punctuality.

17.4 Teachers must have an understanding of, and always act within, the statutory framework which sets out their professional duties and responsibilities.

Whilst these standards are statutory for teachers only, it is expected that all employees will follow the principles of these standards.

SECTION 18 GENERAL CONDUCT

18.1 You must follow instructions, providing they are lawful. You must make sure you do not do anything that might affect the Trust's legal position. Any refusal to follow instructions may be a breach of contract and could result in deduction of pay. Such instances occurring would need to be looked at individually and employees would be made aware of any respective consequences by the employer.

18.2 The Trustees expect you to use good judgement, and take account of other people's views. You should show respect for service users, colleagues and Trustees.

18.3 If you need further information or advice about what to do in any situation, you should contact your Principal/Head of School, line manager, Chair of Trust Board or HR provider.

18.4 You should read this code together with the appendices, and any other Trust codes of practice or policies that are about conduct or security.

GLOSSARY TO CODE OF CONDUCT

Contractor

An individual, partnership, company or other service that has a contract with the Trust or any of its academies to do or provide something. For example, to design, develop, manufacture, maintain or provide services.

Conflict of Interest

A conflict between private interests and your duties with the Trust or academy. This can exist whether or not money is involved, and whether the conflict is actual or just perceived.

Competitive Tender

Where several potential contractors are invited to prepare proposals to provide a project or service, on the basis of quality and price.

Disciplinary

Disciplinary action is taken by an employer for violating policy or procedure (including the Code of Conduct). For more details on this, see the academies' **Disciplinary Procedure for Teaching and Support Staff in Schools**.

Disrepute

To bring something into disrepute is to lower its reputation or damage its image.

Misconduct

Breaking the Code of Conduct, another code or terms and conditions may be considered misconduct. There are different types of misconduct depending on the exact circumstances and consequences. The most serious type is **gross misconduct**. For more information on this, see the academies' **Disciplinary Procedure for Teaching and Support Staff in Schools**.

Inducement

Something that encourages you towards an action - an incentive. This could be money, food, gifts, or anything else that might benefit you. If you are offered or take something that people may think is an inducement, you could be accused of making decisions unfairly based on what you received.

Whistleblowing

Revealing wrongdoing to someone in authority. For more information on this, please refer to the Trust's **Whistleblowing Policy**.

RELEVANT LAW

This section points to relevant law on some topics from the Code of Conduct. It should not be considered an exhaustive list as legislation frequently changes. If you are unsure about whether an action would be lawful, please investigate further.

Monitoring and Surveillance:

The Regulation of Investigatory Powers Act 2000, the General Data Protection Regulation 2018, and the Human Rights Act 1998.

Use of IT Equipment:

General Data Protection Regulation,
The Obscene Publications Act,
The Computer Misuse Act
The Theft Act.

Equalities:

The Equality Act 2010

DEFINITION OF WHAT CONSTITUTES MEMBERSHIP OF A SECRET SOCIETY

The following is the Local Authority's definition of what constitutes a society with secret rules (secret society). This definition has been adopted by the Trust.

Any lodge, chapter, society, trust or regular gathering or meeting, which:

- a) is not open to members of the public who are not members of that lodge, chapter, society or trust; and
- b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and
- c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

A lodge, chapter, society, trust, gathering or meeting as defined above should not be regarded as a secret society if it forms part of the activity of a generally recognised religion.

INTERNAL FINANCIAL CONTROLS

Internal controls are procedures that should be built into financial systems to give all stakeholders the confidence that transactions will be accurately and properly processed. They also facilitate the detection of errors and the production of reliable information.

The Key Priorities for Internal Control Procedures:

- To have internal checks – the checking of one person’s work by another;
- To ensure there is separation of duties so that key tasks are performed by separate individuals;
- To have system and process manuals documenting required procedures;
- To authorise transactions before further processing;
- To maintain a good audit trail.

1. Separation of Duties

The Finance and Audit Committee is responsible for ensuring that duties relating to financial administration are carried out by at least two people. The work of one person must act as a check on the work of the other and these checks should be fully documented. Wherever possible the following tasks should be carried out by different members of staff:

- Identifying sums due to the Trust or academy / Collecting & banking such sums
- Raising orders / Verifying receipt of goods
- Authorisation of invoices for payment / Certification of invoices for payment

In smaller academies with fewer administrative staff, it may be necessary for a member of SLT to carry out some internal checks and authorise transactions. You should always check with the Principal/Head of School for clarity.

Whatever the specific arrangements, staff must not be placed in the position of being asked to sign for tasks which they have not carried out or to sign in the name of another person.

2. Financial Systems and Processes

- The Finance and Audit Committee should ensure that there are written procedures or manuals for financial systems and processes and that these are kept up to date.
- Only authorised staff should have access to financial systems, records, cash and cheques. Trustees should not have access to the financial system.
- Academies should ensure that access to their financial management system is restricted to staff who have such a requirement as part of their role and that access is removed for staff who leave.
- Appropriate staff should receive the necessary training to operate the financial systems and should be made aware of the requirements for internal controls.
- The Principal/Head of School should ensure that financial control is maintained in the absence of key staff by training other staff and arranging for other staff to shadow finance duties from time to time.

3. Audit Trail

Academies should ensure that all stages of a transaction can be easily traced, for example, from original purchase order to cheque number on bank statement and in reverse. Alterations to original documents such as orders, invoices and cheques should be clearly made in ink or other permanent form and initialled.

Proper accounting records should be maintained and stored securely. All documents relating to financial transactions should be retained in accordance with the following guidelines:

- To comply with HMRC and Department for Work and Pensions, it is necessary to keep relevant payroll and other related financial records for at least **6 complete financial years** plus the current year.
- VAT regulations require that business records be kept for **6 years** - these are deemed to include invoices, income records, orders, delivery notes, bank statements, paying in slips, annual accounts and relevant business correspondence.
- Contract documents should be retained for **6 years** after the contract has expired.

4. Statement of Internal Controls

The Principal/Head of School and Finance and Audit Committee should consider and will complete a Statement of Internal Controls on an annual basis to give assurance to parents and stakeholders that the Trust/academies' finances are properly managed.

GIFTS AND HOSPITALITY

Guidance to Trustees, Principals/Heads of School and Managers

The purpose of this document is to clearly inform employees of the policy and procedure in relation to offers of gifts and hospitality made from any source.

1. Policy

1.1 The Trust's Code of Conduct states that service users, pupils, parents/carers, Trustees and members of the public are entitled to demand of you conduct of the highest standard. Your actions must not be influenced by offers of gifts or hospitality and your actions must not give the impression that you have been influenced in this way.

1.2 You must not accept gifts, loans, fees or rewards from any person or organisation in particular those who may potentially expect to receive an advantage or benefit in return. This includes gifts, loans, fees or rewards from contractors, outside suppliers or members of the public. However, some incidental gifts or hospitality can be accepted, as detailed in the **FRMAT Gifts and Hospitality Policy**.

1.3 This policy applies to all employees, including Principals/Heads of School.

1.4 Any breach may be viewed as potential gross misconduct and could lead to a disciplinary hearing that may result in dismissal without notice.

2. Principles

2.1 You must maintain a good working relationship with service users but avoid favouritism towards any group or individual in the course of your work.

2.2 You must act with integrity at all times.

2.3 If it is suspected that a contractor, outside supplier or other person/organisation is acting in an improper manner, you should report it to your line manager as a matter of urgency.

3. Process

3.1 Gifts

Please refer to the **FRMAT Gifts and Hospitality Policy**.

3.2 Hospitality

3.2.1 You may accept incidental hospitality, such as light refreshments, tea or coffee, as offered at a visit, conference, meeting or promotional exercise.

3.2.2 Where other than incidental hospitality is offered by an existing contractor or by an organisation likely to be involved in a contract, the hospitality should be refused. You should avoid socialising with organisations and pay your own bills for meals, travel etc.

3.2.3 Invitations to social events offered as part of normal working life, e.g. opening celebrations, annual dinners, may be accepted if authorised by your Principal/Head of School.

3.2.4 All offers of hospitality, other than incidental, must be registered on the appropriate form (**FRMAT Notification of acceptance or refusal of gifts, hospitality, prizes and rewards**).

3.3 Inducements

3.3.1 You must not accept inducements, e.g. a bribe.

3.3.2 All offers of inducement must immediately be reported to your Principal/Head of School or line manager and be registered as per section 4.1 of this procedure.

4. Procedure

4.1 All offers of accepted/declined gifts or hospitality (other than incidental) must be entered on the appropriate form (**FRMAT Notification of acceptance or refusal of gifts, hospitality, prizes and rewards**), together with an estimate of value, signed off by the Principal/Head of School and sent to the PA to the CEO.

4.2 The PA to the CEO will keep a register of offers.

4.3 If you are uncertain how to deal with an offer of a gift or hospitality, you should contact your Principal/Head of School or line manager.

4.4 If your interpretation of this Code and/or your actions are called into question, it is the responsibility of your Principal/Head of School or line manager to investigate whether you acted in good faith according to your understanding of the Code.

APPENDIX D

OTHER EMPLOYMENT RELATED ACTIVITIES - FEES

Employees may be asked on occasions to give lectures or undertake work using their professional skills and expertise. If the work forms part of the duties of a post and the employee is carrying out an official duty, he/she must forward all fees to the employing academy. Any expenses incurred will be reimbursed through the normal procedures.

Employees in receipt of 'fees' in respect of undertaking work and/or lecturing to an outside organisation/person(s) may retain the 'fees' providing:

- A preparation and delivery of the work is undertaken outside working hours (unless covered below);
- B equipment and/or materials are not being provided by the Trust or any of its academies;
- C the employee is not acting as a representative of the Trust or any of its academies.

Where the work or lecture is undertaken during working hours the equivalent working hours must be re-arranged, in agreement with the Principal/Head of School /line manager to accommodate the employee's request, or annual leave, flexi leave or time off in lieu must be used. The employee concerned may also be granted unpaid leave, subject to the agreement of the Principal/Head of School /Chair of Trust Board in consultation with the HR provider.

It will need to be clarified whether any such work is being carried out on behalf of the Trust/academy or solely on an employee's private undertaking.

DECLARATION OF UNDERSTANDING: SIGNATURE SHEET

Please sign and return this page to the Principal/Head of School for file.

AGREEMENT AND SIGNATURE:

Name.....

I have read and understood the FRMAT Code of Conduct.

Signed.....

Date.....