

**STAFF CODE OF**

**CONDUCT**

**June 2019**

**(Updated due to COVID-19)**

Date for Review: September 2020

**James Montgomery Academy Trust**

## Statement of Intent

**The James Montgomery Academy Trust (referred to as JMAT hereafter)** expects that all staff behave

at all times with dignity and professionalism. It also expects all of its pupils to receive the highest possible

quality of teaching and learning within a positive and respectful environment.

Employees at the JMAT should understand that their own behaviour, and the manner in which they

conduct themselves with their colleagues, pupils, parents/carers and other stakeholders, sets an example.

The JMAT recognises that the majority of staff members act appropriately and treat each other with dignity

and respect; however, we consider it important to clarify the expected standards.

It is important that staff familiarise themselves with the expectations and where there is doubt, speak to the

Headteacher for further guidance. The guidance offered is meant to be supportive and explanatory rather

than an attempt to interfere either in the professional or personal lives of staff.

This document forms part of a staff member’s contract of employment and failure to comply with it, and with

the associated school policies, may result in disciplinary action being taken, including legal action where

this is warranted.

This document applies to all staff members who are:

* Employed by the school, including the Headteacher.
* Employed in units or bases that are attached to the school.

This document does not apply to:

* Peripatetic staff members who are centrally employed by the LA.
* Employees of external contractors
* School catering staff as employed locally to each JMAT school.

These employees are governed by their employment contracts and any relevant laws pertaining to their

activities within the school, for example, the Data Protection Act 2018. Wherever possible, specific advice

is given but in general employees are expected to conduct themselves at all times, in such a way that no

discredit could be brought upon the JMAT or individual schools.

**Legal framework**

This code of conduct has due regard to statutory legislation, including, but not limited to, the following:

* The Data Protection Act 2018
* The Education Act 2002
* The Children Act 1989
* The Working Time Regulations 1998 (as amended)
* Equality Act 2010
* Health and Safety at Work Act 1974

This code of conduct also has due regard to statutory guidance, including, but not limited to, the following:

* DfE ‘Keeping children safe in education’ (2019)
* DfE ‘Working together to safeguard children’ (2018)
* DfE COVID-19 ‘Planning guide for Primary Schools’ (25 May 2020)
* DfE COVID-19 ‘Implementing protective measures in education and childcare settings’ (24th May 2020)

**Coronavirus (COVID-19) Response**

In preparation for school’s opening on 1st June 2020 and in light of the need for staff to behave

differently when they return to school, we have revised this code of conduct of conduct to include

the following information.

**Principles for staff in response to COVID-19:**

* Do not come to work if you have coronavirus symptoms
* If symptoms develop, go home as soon as possible (informing your manager), and access a test immediately.
* Self-isolate in accordance with the current guidelines, if they or any member of their household display symptoms.
* Adhere to the social distancing rules and other COVID-19 secure protocols at all times
* Clean clothes must be work to school daily, to aid the prevention of the spread of the virus.
* Clean your hands more often than usual - with running water and soap and dry them thoroughly or use alcohol hand rub or sanitiser ensuring that all parts of the hands are covered.
* Use the ‘catch it, bin it, kill it’ approach.
* Avoid touching your mouth, nose and eyes.
* Clean frequently touched surfaces often using standard products, such as detergents and bleach.
* Think about ways to modify your teaching approach to keep a distance from children in your class as much as possible, particularly close face to face support (noting that it’s understood that this is not possible at all times, which is why hygiene and hand cleaning is so important).
* Help your class to follow the rules on hand cleaning, not touching their faces, ‘catch it, bin it, kill it’ etc. including by updating your classrooms displays with posters.
* Prevent your class from sharing equipment and resources (like stationery).
* Keep your classroom door and windows open, if possible, for air flow.
* Limit the number of children from your class using the toilet at any one time.
* Limit your contact with other staff members, and don’t congregate in shared spaces, especially if they are small rooms.
* Read and understood all COVID-related additions to policy, and understand the role they have to play in adhering to the guidance.

**Safeguarding pupils**

In accordance with ‘Keeping children safe in education 2019’ guidance, all staff members have a

responsibility to safeguard pupils and protect their welfare.

All staff members have a responsibility to ensure that they provide a learning environment in which

pupils feel safe, secure and respected.

In terms of the pupils, staff are, when admonishing, expected to differentiate between the unacceptable

actions of the child and the child itself, treating all students as individuals and with respect.

Staff should never humiliate a child either privately or publicly. Sarcasm should not be used and where

practicable, students should be dealt with privately, not in front of others. Familiar or inappropriate language

should not be used.

In order to effectively safeguard pupils, staff members are required to follow the procedures outlined in this

Staff Code of Conduct and the Child Protection and Safeguarding Policy, ensuring that they do not act in a

way that may put pupils at risk of harm, or lead others to question their actions.

In accordance with the school’s Child Protection and Safeguarding Policy, staff members will be prepared

to identify pupils who may be subject to, or at risk of, abuse and neglect, and will follow the necessary

reporting and referral procedures.

Any staff member that has concerns about a staff member’s actions or intent that may lead to a pupil being

put at risk of harm will report this in line with the **Whistleblowing Policy** to the Headteacher immediately

so appropriate action can be taken.

# Roles and responsibilities

Headteachers are responsible for;

* **Ensuring that the JMAT COVID-19 response is disseminated throughout school setting and staff**
* **Ensuring that all COVID-secure measures are implemented, regularly reviewed and updated**
* Managing the conduct of employees in accordance with this policy and the Disciplinary Procedure.
* Ensuring that employees are aware of the expected standards of conduct, the Disciplinary Procedure and of any local rules or regulations specific to their job or area.

Employees are responsible for adhering to the set standards of conduct, the Disciplinary Procedure and any local rules or regulations, including any reasonable management instructions.

**General Obligations**

Staff are expected to support the aspirations of the JMAT at all times, and be especially sensitive when out

of school. The JMAT expects that all staff will actively promote the values which permeate the vision of their

school. For example:

* To promote an educational community based on love and inclusivity, providing a beacon of hope where all can flourish
* To foster, maintain and celebrate Christian distinctiveness in our schools where appropriate.
* To ensure that our schools are centres of excellence with a focus on the nurture and achievement of all their members
* To promote mutual support, encouragement and benefit between all our schools
* To develop a future and inspire aspirational thinking based on our educational heritage and to make use of the latest research in pedagogy and child development.
* To recognise and enable those who often remain invisible, through ethnic or cultural disadvantage, or through disability or poverty
* Church schools have a particular vocation to the poor and vulnerable, to enable them through education to change their lives

**In addition to the COVID-19 response**, staff should:

* Support all pupils of whatever ability to do their best and have high personal aspirations. The school is a learning community which hopes to inspire young people and to enhance and enrich students’ lives enabling them to experience as wide and as full a range of learning opportunities as possible.
* **Model the highest standards in social distancing measures, hygienic practices and infection control, so the children can follow by example**
* Have the highest possible example in their personal and professional relationships, their attitude in the community, their appearance, decorum and lifestyle.
* Promote learning at every level both inside and outside the classroom,
* Be friendly and welcoming, helpful, polite and courteous to everyone connected with the school: parents, other staff and students etc.
* Be sympathetic to the Christian Faith where appropriate.

**Confidentiality and Information Disclosure**

All employees of the JMAT must conform to the requirements of the Data Protection Act 2018 and must

take all reasonable steps to ensure that the loss, destruction, inaccuracy or disclosure of information does

not occur as a result of their actions. This includes information relating to school business and pupil data.

Members of staff/volunteers must not disclose personal or financial information about any other member

of staff to any unauthorised person, external organisation or agency without the express consent of the

individual concerned or that of the Headteacher.

Members of staff/volunteers must not use information obtained in the course of their duties to the

detriment of the JMAT or for personal gain or benefit; nor should they impart this information to others who

might use it in such a way.

Confidential information belonging to the JMAT must not be disclosed to any person not authorised to

receive it.

**Staff Dress Code**

**In line with JMAT’s COVID-19 response, staff must wear clean clothes every day. This is to inhibit the potential spread of the virus.**

To dress professionally shows pride, effort, respect for oneself and one’s profession. Adults in school are

role models for learners in the school; therefore they have a responsibility to model appropriate dress and

appearance. The image that we project as professionals is associated with how we present ourselves; the

image of the school in the community is related to how all adults in the school dress. It is therefore

important to dress appropriately when acting in a professional capacity. The staff dress code is smart rather

than casual. Staff are expected to not dress or present themselves in a way that would cause

embarrassment to pupils, parents/carers, colleagues or other stakeholders.

However, this is not a code of conduct meant to detail every eventuality, it is up to individual staff to decide

whether their appearance is appropriate, guided by the principles below:

* Adults should be neat, clean, smart and tidy, wearing clothes, including shoes, which are commensurate with their post in the school.
* Denim and revealing clothes, such as short skirts or low cut tops, should be avoided.
* Inappropriate tattoos should also be covered and facial piercings should be discreet or covered.
* For health and safety reasons jewellery should be kept to a minimum and be appropriate to the role.

The JMAT is committed to promote diversity and will therefore respect individual preference in terms of

customs, culture, religion and tradition.

**Mobile Phone Use**

In line with the Digital Safeguarding and Mobile Phone Policy mobile devices are not permitted to

be used during school hours by members of staff**.**

**During contact time mobile phones should be switched to silent and locked away in a secure**

**location (classroom cupboard, etc).** Phones can only be on your person and used during non-contact

time.

**Any exceptions to this must be discussed and agreed with headteacher.**

Mobile devices must not be used to take images or videos of pupils, or contact children at any time.

**Attendance**

The school expects that staff members will:

* **Follow DfE guidance and medical advice with regard to shielding, and provide documents as requested to support this**
* **Attend school in line with the school’s own staffing rota**
* Be punctual in all circumstances.
* Attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days of work and holidays.
* Make routine medical and dental appointments outside of their working hours or during holidays, where possible.
* Refer to the Headteacher if they need time off for any reason other than personal illness.
* Follow the school’s absence reporting procedure when they are absent from work due to illness or injury, **including attending for COVID-19 testing (if appropriate).**
* Bring to the attention of their Line Manager any medication or illness which may affect their work performance or behaviour.

**Professional behaviour and conduct**

If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement. This also applies to social contacts made through outside interests or the staff member’s own family.

Staff members are expected to treat other colleagues, pupils, parents/carers, and external contacts with dignity and respect.

The use of foul and abusive language will not be tolerated.

Discrimination, bullying, harassment or intimidation, including physical, sexual and verbal abuse, will not be

tolerated.

Staff members will not misuse or misrepresent their position, qualifications or experience, or bring the

school into disrepute.

Staff members will inform the Headteacher if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. The JMAT may then make a decision as to whether this constitutes unprofessional conduct and whether there has been a breakdown in the bond of trust necessary between employer and employee. In such cases, dismissal may be appropriate. Each case will be considered independently and on its merits. It is likely that the JMAT would view any conviction for possession of prohibited drugs, sexual misconduct, theft, misappropriation of school funds or equipment, violent conduct, disorderly conduct in a public place etc as gross misconduct, within the general heading of “professional misconduct” and therefore the member of staff concerned would be liable for dismissal.

**Conduct outside of work**

Staff may undertake work outside school, either paid or voluntary, provided that it does not conflict with the

interests of the school. The nature of the work cannot be seen to bring the school into disrepute, nor be at a

level which may contravene the working time regulations or affect an individual's work performance.

Staff will not engage in outside work which could seriously damage the reputation and standing of the

school or the employee’s own reputation, or the reputation of other members of the school community. In

particular, criminal offences that involve violence, possession or use of illegal drugs or sexual misconduct

are unacceptable.

Headteacher is to be informed in advance of a decision to apply for a post elsewhere. The JMAT

recognises that every individual has a right to seek employment as and when they deem appropriate.

However, since the school will generally be asked for a reference, it is both courteous and sensible for the

application to have been discussed in advance. Staff who have been on interview will be asked to inform

the Headteacher of the outcome on the morning following return to school.

**Smoking, alcohol and other substances**

Staff will not:

* smoke on school premises, this includes school grounds.
* smoke whilst working with or supervising pupils off-site, such as when on educational visits and trips.

The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. Staff

members must never attend work under the influence of alcohol or illegal drugs.

If alcohol or drug usage impacts on a staff member’s performance, the school has the right to discuss the matter with the employee and take appropriate action in accordance with the school’s disciplinary procedures, including referral to the police.

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# Health and safety

Staff members will:

* **Comply with all DfE guidance with regard to the coronavirus pandemic**
* **Ensure they read the Operational Risk Assessment and related documents on Safeguard.**
* Be familiar with and adhere to the school’s Health and Safety Policy, and ensure that they take every action to keep themselves and everyone in the school environment safe and well.
* **Comply with health and safety regulations and use any safety equipment and personal protective equipment supplied to them.**
* Comply with hygiene requirements, **including all protective measures in line with pandemic guidance.**
* Comply with accident reporting requirements.
* Inform the Headteacher of any paid work which is undertaken elsewhere, for compliance with The Working Time Regulations 1998 (as amended).

**E-safety**

**During the coronavirus pandemic school staff have remained in contact with children, through**

**Dojo, email or other electronic means. It is important, therefore, that all** staff will adhere to the

procedures outlined in the school’s **Digital Safeguarding Policy** and **Social Media Policy** at all times.

Staff are required to employ the highest security settings on any personal profiles they may have.

Staff will not engage in inappropriate use of social networking sites; this includes contacting pupils or their

family members, accepting or inviting friend requests from pupils or their family members, or following

pupils or their family members on social media.

**Staff should be mindful of their use of social media and their web-based presence; this includes**

**written content, videos or photographs, and views expressed directly or indirectly which may bring**

**themselves, the school or the school community into disrepute.** **This extends to expressing their**

**personal views with regard to the current crisis.**

The school understands that some staff members are also parents/carers of pupils at the school and,

therefore, may wish to make contact with other parents/carers. When doing so, staff will exercise their

professional judgement and will not contact family members on social media if this would lead to a conflict

of interest.

While the JMAT accepts that staff will access the internet for personal reasons, using the school system

access should not take place while on “duty”, (e.g. when teaching or for support staff, in working time).

During non-contact time, before or after school etc. the school system can be used but all staff should be

aware that personal access to sites will be monitored and no site is to be accessed that would be

considered inappropriate. Staff are asked to seek guidance from their Line Manager if in any doubt about

the appropriateness of accessing a particular site.

**Relationships with pupils**

The school expects that staff will:

* Maintain professional boundaries and relationships with pupils at all times, and will consider whether their actions are warranted, proportionate, safe and necessary.
* Act in an open and transparent way that would not lead to others questioning their actions.
* Ensure that they do not establish social contact with pupils for the purpose of securing a friendship, or to pursue or strengthen a relationship.
* Ensure that they do not develop personal or sexual relationships with pupils; this includes sexual remarks and discussing their own sexual relationships with, or in the presence of, pupils.
* Only contact pupils via the school’s established mechanisms; personal phone numbers, email addresses or social media platforms will not be used to contact pupils.

**Physical contact with pupils**

**Due to the current circumstances surrounding the coronavirus pandemic, staff must follow all**

**social distancing rules as far as possible. However,** the school understands that there are

circumstances in which it is entirely necessary for staff to have physical contact with pupils, e.g. when

applying first aid and assisting with intimate care, but staff will only do so in a professional and appropriate

manner in line with **COVID-secure measures and** relevant school policies.

When physical contact is made with pupils, it is imperative that it is conducted in a way which is responsive

to the pupil’s needs, is of limited duration and is appropriate to their age, stage of development, gender,

ethnicity and background.

It is expected that staff will:

* seek the pupil’s permission, where possible, before initiating contact.
* always use their professional judgement when determining what physical contact is appropriate,

 as this may differ between pupils. As such, the pupil’s feelings and wishes will always be taken into

 account.

* never touch a pupil in a way which is indecent, and will always be prepared to explain their

 actions.

* be aware that even well-intentioned physical contact may be misconstrued by a pupil, an observer

 or by anyone to whom this action is described and, therefore, will be prepared to justify their actions

* not engage in rough play, tickling or fun fights with pupils.
* take extra caution where it is known that a pupil has previously suffered from abuse or neglect.
* ensure physical contact is never secretive; if a member of staff believes an action could be misinterpreted, this will be reported to the Head of School/Headteacher and appropriate procedures will be followed.

**Whilst being mindful of social distancing measures, staff must consider the situation according to**

**the child’s needs,** If a child is in distress and in need of comfort as reassurance, staff may use age-

appropriate physical contact, such as placing their hand on the pupil’s shoulder. Staff will remain self-aware

of their actions at all times and ensure that their contact is not threatening, intrusive or subject to

misinterpretation.

Staff may also use reasonable force as a means of physical contact with pupils for restraint purposes; such

instances will always be in accordance with the school’s **Positive Handling Policy and its COVID-19**

**addendum.**

**Changing for PE/Swimming Lessons**

Pupils are entitled to respect and privacy whilst they are changing before/after PE; however a level of

supervision is required to ensure that pupils are safe, and that they are not subjected to bullying.

The supervision will be appropriate to the needs and ages of the pupils, and sensitive to the potential for

embarrassment.

Staff will announce their intention of entering the changing room to allow pupils to maintain their privacy.

Staff will never change in the same area as pupils.

**Transporting pupils**

When it is necessary to transport pupils off-site, staff will ensure that the transport arrangements of the

vehicle meet all legal requirements, they have an appropriate license, and the vehicle is roadworthy, has a

valid MOT certificate and is insured for business purposes.

Staff will gain consent from parents/carers before transporting pupils, and will be aware that the welfare of

all pupils in the vehicle is their responsibility.

Staff will ensure that car seats are used in line with legal requirements for age/weight/height of a child(ren).

**Premises, equipment and communication**

JMAT equipment is to be treated with due care and respect. If staff wish to borrow equipment for personal

use they must first gain permission from the Line Manager to whose department the equipment is

inventoried and to whom the Head of School/Headteacher has delegated the authority to authorise loans.

Illegal, inappropriate or unacceptable use of school equipment or communication systems may result in

disciplinary action and, in serious cases, could lead to an employee’s dismissal.

Employees receiving inappropriate communication or material, or who are unsure about whether something

he/she proposes to do might breach this policy, should seek advice from the Head of School/Headteacher.

The school reserves the right to monitor emails, phone calls, internet activity or document production,

principally in order to avoid radicalised, offensive or nuisance material and to protect systems from

viruses, but also to ensure proper and effective use of systems.

Staff must declare and pay for any private telephone, photocopying, faxing and postage made using school

resources. Emergency calls only can be made from school land lines.

Communication systems may be accessed when the school suspects that the employee has been misusing

systems or facilities, or for the investigation of suspected fraud or other irregularity. Access will be secured

by the technical advisor, only with the permission of the JMAT.

Passwords should not be shared and access to computer systems must be kept confidential except on the

express request of the Head of School/Headteacher or technical advisor. Breach of this confidentiality may

be subject to disciplinary action.

Any local school procedures for signing equipment in and out must be followed. If in doubt, check with the

line manager. Equipment taken out of school which has not been authorised and is subsequently lost or

broken must be replaced at the borrower’s own expense. Staff taking equipment out of school without

following the procedures are laying themselves open to accusations of “improper conduct”. Improper

conduct can lead to disciplinary action including dismissal.

School equipment that is used outside the premises, e.g. laptops, will be returned to the school when the

employee leaves employment, or if requested to do so by the Head of School/Headteacher.

# Declaration of interests

Staff members are required to declare their interests, both personal and financial, where the group or

organisation they are affiliated with would be considered to be in conflict with the ethos of the school.

For the purpose of this policy, a financial conflict of interest is one where there is, or appears to be,

opportunity for personal financial gain, financial gain for close relatives or friends, or where it may be

reasonable for a third party to take the view that financial benefits may affect an individual’s actions.

The term ‘financial interest’ means anything of monetary value, including:

* Payments for services
* Equity interests
* Intellectual property rights
* Hospitality or gifts

Examples of financial interests that must be declared include, but are not limited to, equity interests in

services considered for use by the school.

Non-financial conflicts of interest can also come into conflict, or be perceived to come into conflict, with an

individual’s obligations or commitments to the school. These interests may include any benefit or

advantage, including but not limited to, direct or indirect enhancement of an individual’s career, or gain for

immediate family or someone with whom the individual has a close relationship.

Examples of situations that could give rise to non-financial conflicts of interest include the following:

* Pressure or temptation to accept gifts, inducements or hospitality
* Participating in the appointment, hiring, promotion, supervision or evaluation of a person with whom the individual has a close personal relationship
* Where a member of staff has or develops a close personal relationship with a colleague

Membership to a trade union or staff representative group does not need to be declared.

Staff members will also carefully consider whether they need to declare their relationship with any individual

where this might cause a conflict with school activities.

Failure to make a relevant declaration of interests is a very serious breach of trust and, therefore, if

employees are in doubt about a declaration, they are advised to contact the school or trade union.

All persons employed by the JMAT in a management capacity will be subject to a Section 128 direction check using the Teacher Services system.

**Financial inducements**

Staff members will:

* Familiarise themselves and comply with the school’s financial regulations.
* Declare to the governing body, in writing, any gifts received, with the exception of:

* Low cost, functional items suitable for business rather than personal use and displaying the supplier’s logo – these items may be accepted.
* Gifts offered by parents/carers or pupils to school staff to express their gratitude, but staff members should always refuse monetary gifts.
* Hospitality in the form of meals and drinks where it is part of a normal business meeting.
* Authorised visits to exhibitions, demonstrations, conferences, business meals and social functions in connection with the school’s business, which shall be at the school’s expense.
* Not accept a personal gift, payment, or other incentive from a business contact – any such gifts should be returned.
* Declare any gift that cannot be returned to the governing body, who will decide how it will be used.
* Only accept offers to specific events after authorisation from the governing body.

The JMAT’s advice should be sought on any matter regarding Patent Copyright and the acceptance of gifts.

Staff should be aware that “intellectual copyright” of; for example, textbooks written by Staff, can in some

circumstances be claimed by the JMAT and clarification of the JMAT’s position should be sought.

# Monitoring and review

This code of conduct will also be reviewed on an **annual** basis by the **CEO**; any changes made to this policy will be communicated to all members of staff.

Members of staff are required to familiarise themselves with this policy as part of their induction programmes.

**Date of Review: September 2020**