

# Guidance for Employees

## Working in Worcestershire Schools

including Code of Conduct

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# SECTION 1 – WORKING FOR WORCESTERSHIRE COUNTY COUNCIL

## INTRODUCTION

Welcome to your new post in Worcestershire.

This guidance is for employees of Worcestershire Schools whether they have worked in a school for many years or are new to post. Together with your statement of employment particulars and letter of appointment this booklet should provide you with most of the information you need relating to your employment; however please feel free to contact the named person on your appointment letter or Children's Services Human Resources if you have any questions about your terms and conditions.

If you are a teacher your terms and conditions of employment are in accordance with:

- The School Teachers' Pay and Conditions Document  
and
- The Conditions of Service for School Teachers in England and Wales  
(The Burgundy Book).

If you are a member of the support staff your terms and conditions of employment are in accordance with:

- The NJC National Agreement on Pay and Conditions of Service  
(The Green Book).

Your Headteacher or Line Manager will provide you with specific induction information about your school.

If you work in a community or voluntary controlled school, your employer is Worcestershire County Council, however the Governing Body has delegated responsibility for decisions relating to your employment. The Headteacher has responsibility for the day-to-day management of the school including staffing issues. If there are any issues which the Headteacher needs to refer to the Governing Body during the course of your employment, you will be advised accordingly.

If you work in a Voluntary Aided, Foundation or Trust School the Governing Body is your employer and special conditions of service may apply to you. Please speak to your Headteacher for further information.

**This document is to be read in conjunction with any school handbook and policies in existence in your school, please speak to your Headteacher or Line Manager for further details.**

## EQUALITY AND DIVERSITY

Worcestershire County Council is committed to preventing and eliminating all forms of unjustifiable and unlawful discrimination, both as an employer and a service provider, pursuing equality of opportunity for all. We undertake to ensure that everyone has fair access to employment with us and will take all possible steps to help our staff implement this commitment.

Every employee has a right to be treated with respect and dignity and if at any time you feel that you have been treated unfairly or harassed you should speak to your Headteacher / Line Manager or Children's Services Human Resources.

**Serious offences such as harassment will be treated as misconduct or gross misconduct.**

**Many schools will have their own Equality policy which applies to staff as well as pupils.**

## **SECTION 2 – WORKING IN A WORCESTERSHIRE SCHOOL**

### **SAFEGUARDING AND THE DISCLOSURE AND BARRING SERVICE**

#### **Safeguarding**

All Worcestershire schools are committed to safeguarding and promoting the welfare of children and young people and all staff are expected to share this commitment. You must familiarise yourself with all school and county council procedures relating to safeguarding and child protection. Please speak to your Headteacher or Line Manager for further information.

Educational establishments play an important part in the prevention of abuse and neglect, through their own policies and procedures for safeguarding children, creating and maintaining a safe environment, and through the curriculum. They promote resilience in children by helping them to stay safe from harm and encouraging them to talk to someone if they have worries or concerns. Staff members play a crucial role in this process in noticing indications of abuse or neglect and in reporting concerns to Children's Services Social Care. But in rare circumstances staff in educational establishments have been found to be responsible for child abuse. Given their daily contact with children in a variety of situations, staff are also vulnerable to accusations of abuse, leading to allegations from children, parents or other staff members. The following employee guidance refers directly to such allegations and how they should be dealt with:

- Safe Working Practice for Staff working in Education Settings (January 2013)

A copy of this leaflet can be obtained from your Headteacher, Safeguarding Designated Member of Staff or Children's Services Human Resources. You must familiarise yourself with the guidance in this leaflet.

In addition there is statutory guidance available which is relevant for all staff working with children: [Working Together to Safeguard Children](#) and [Keeping Children Safe in Education](#)

All staff and volunteers working in regulated activity must be given appropriate safeguarding training, which includes safer working practice and management of allegations, which should be updated every three years.

## **Disclosure and Barring Service**

All staff in schools must have provided the school with a current DBS certificate (previously CRB) before taking up their post. Any convictions, cautions or other information on the disclosure will have been fully risk assessed and employees with convictions or cautions will only be permitted to take up post with the express authority of the Director of Children's Services.

You must immediately inform your Headteacher if, during the course of your employment, you are subject to any allegations of a criminal nature, any criminal proceedings or convictions or cautions in order that this risk assessment can be undertaken. Not all convictions will automatically exclude you from continuing in your role however failure to notify the Headteacher of any such occurrences may be viewed as a serious breach of conduct and be subject to disciplinary action, including dismissal.

## **WHAT TO DO IF YOU ARE SICK**

### **Notification of Sickness Absence**

You should familiarise yourself with the procedures operating in your school and follow these at all times.

You, or someone acting on your behalf, must notify your Headteacher, or person designated for the purpose, of your absence from work as soon as possible, the reason for it and the likely duration. If your absence is for more than one day, you should keep in regular contact with school to advise of your likely return date.

If you return to work before the eighth consecutive day of sickness absence, including weekends, you will need to complete a sickness record form (self-certification). If you are absent for eight days or more you must provide a medical certificate from your GP to cover all periods of absence thereafter.

### **GP's 'Fit Notes'**

Since April 2010, the medical certification system allows a more proactive approach to managing a return to work. 'Fit Notes' allow for two options: the GP can either state that you are **not fit for work** or they can state that you **may be fit for work** taking into account advice on the note, such as amended duties, altered hours, workplace adaptations, etc. There is no longer a 'fit for work' option on the form.

### **On Return to Work**

You must ensure the Headteacher is aware that you have returned to work. In many schools, the Headteacher or a manager will routinely meet with colleagues returning to work. This meeting often includes completion of a sickness record form.

### **Sickness Allowances**

Subject to the provisions of your conditions of service, you will be entitled to receive contractual sick pay on the following basis:

### **Teaching Staff – in accordance with the Burgundy Book**

- During 1st year of service - full pay for 25 working days and, after completing four months' service, half pay for 50 working days;
- During 2nd year of service - full pay for 50 working days and half pay for 50 working days;
- During 3rd year of service - full pay for 75 working days and half pay for 75 working days;
- During 4th and successive years - full pay for 100 working days and half pay for 100 working days.

### **Support Staff - in accordance with the Green Book**

- During 1st year of service - full pay for one month and, after completing four months' service, half pay for two months;
- During 2nd year of service - full pay for two months and half pay for two months;
- During 3rd year of service - full pay for four months and half pay for four months;
- During 4th and 5th year of service - full pay for five months and half pay for five months.
- After 5 years service - full pay for six months and half pay for six months.

If you are not entitled to sick pay as described above, or if you are sick for a long period and your entitlement runs out, you will be informed of this by School Employee Services Section at the time. They can be contacted for further information and assistance.

If you are absent due to illness, your school or the Council has a right to refer you to Occupational Health for advice; that may ask you to undergo a medical examination and may refuse to allow you to return to work without a satisfactory result of such a referral.

## **WORKING TIME AND HOLIDAYS**

### **Teachers**

Your working time is in accordance with the School Teachers' Pay and Conditions Document, and as directed by your Headteacher.

You may not take holiday during term-time without prior written permission from the Governing Body.

### **Support Staff working term-time only**

Your working time will be in accordance with your Contract of Employment and as directed by your Headteacher or Line Manager. (Your salary includes an element of holiday pay pro rata to the annual leave entitlement of a full-time, full year employee.)

You may not take holiday during term-time without prior written permission from the Governing Body.

### **Support Staff working 52 weeks**

Your working time will be in accordance with your Statement of Employment Particulars, and as directed by your Headteacher or Line Manager.

Your annual leave entitlement is 25 days. An additional 5 days annual leave is granted after 5 years of service.

Part-time employees receive a pro-rata leave entitlement.

Requests for leave must be made to your Headteacher or Line Manager as far in advance as possible. Reasonable requests will usually be agreed but you must remember that you may be restricted if you seek leave at particularly popular times or when there is a high level of work. In many schools you may be required to take the majority of your annual leave during school holiday periods, please speak to your Headteacher for further details.

The annual leave year runs from 1st April to 31st March. Your annual leave should be taken in the leave year to which it applies. However, there are provisions available for you to be able to automatically carry forward up to 5 days leave (pro rata for part-time employees) from one year to the next. Payments in lieu of leave not taken are not made.

## **RESIGNATION**

If you wish to resign from your post you must give the following minimum notice in writing to your Headteacher:

### **Teachers – in accordance with the Burgundy Book:**

To leave at the end of the Autumn term  
resignation must be received by 31st October

To leave at the end of the Spring term  
resignation must be received by 28th February

To leave at the end of the Summer term  
resignation must be received by 31st May.

## **Support Staff – in accordance with the Green Book (or your individual contract of employment)**

To leave at any time in the school year, unless your individual contract states otherwise you are required to give a minimum of one month's notice. For salary grades SO1/2 - two months, PO1 and above – three months.

## **LEAVE OF ABSENCE – ALL STAFF**

You may from time to time need to ask your Headteacher for paid or unpaid leave of absence. There are arrangements covering time off for such things as jury service, local councillors, union duties, health screening, maternity and paternity leave, etc. Further information can be obtained from your Headteacher or Children's Services Human Resources.

## **TRAVEL AND SUBSISTENCE**

You may be entitled to travelling and subsistence expenses related to approved journeys. Details are available in your school.

## **TRADE UNIONS**

You have the right to be a member of any Trade Union or none if you wish. If you are a member you can take part in its activities at appropriate times and seek election to office or hold office in the union.

The unions currently recognised by the county council are:

### **Teaching:**

Association of Teachers and Lecturers (ATL)

National Association of Headteachers (NAHT)

National Association of Schoolmasters Union of Women Teachers (NASUWT)

National Union of Teachers (NUT)

VOICE

The Association of School and College Leaders (ASCL)

### **Support Staff:**

Unison

GMB

## **CONCERNS / GRIEVANCES**

If you have any issues about your employment which are causing you concern, you are advised to raise these directly with your Headteacher or Line Manager in the first instance. However, you may also seek advice from your union or Children's Services Human Resources.

## **OTHER POLICIES AND PROCEDURES**

Up to date and full copies of all policies and procedures for your school and other information relating to your employment including: Managing Sickness Absence, Grievance and Harassment, Disciplinary, Whistleblowing, Redundancies, Retirement, etc. are available on request from your Headteacher or from Children's Services Human Resources. In many schools, they are made available on the school's intranet or, if you have access to EduLink, you can also download copies directly at [www.edulink.networcs.net](http://www.edulink.networcs.net). You will need to have username and password details for this, if you do not have direct access you can speak to your School Secretary.

## **PENSIONS**

If you require information about your pension including contribution rates, benefit estimates or scheme details please contact the following:

### **Teachers:**

The pension scheme for teachers is administered by Teachers' Pensions and many of your questions can be answered through accessing their website at [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk). or telephoning 0845 6066166. You may also contact School Employee Services on 01905 766111.

### **Support Staff:**

The Local Government Pension Scheme for Worcestershire is administered at County Hall. The Pensions Section can be contacted by telephoning the main County Hall switchboard on 01905 763763. General information about the Local Government Pension Scheme can be found on the website at [www.lgps.org.uk](http://www.lgps.org.uk).

## **USEFUL SOURCES OF INFORMATION**

Children's Services Human Resources – Duty Adviser number for all queries relating to employment – 01905 766188.

All pay queries should be referred to School Employee Services. There are different sections dealing with Teachers and Support Staff contracts. Please speak to your Headteacher or School Secretary for details of who the appropriate contact is for your school and your job.

If you are a member of a Trade Union you can also contact your school or local representative for advice on employment matters.

## **SECTION 3 - CODE OF CONDUCT**

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## **1.0 Introduction**

- 1.1 This Code describes the standards of conduct and behaviour expected from our staff and any staff seconded or engaged from other organisations to undertake work within Worcestershire schools. It also highlights some types of behaviour or conduct which might be considered incompatible with being a school employee. It is intended to help you by describing the standards expected of you and has been approved by Worcestershire County Council following consultation with the appropriate Trade Unions. Please take time to read it and ensure your conduct meets these requirements. If you are at all uncertain about what is expected please seek further clarification from your Headteacher or Line Manager so that you do not unwittingly contravene this Code or otherwise act against the school or county council's interests.
- 1.2 Contravening or failing to act within the spirit of the Code, or behaving in a manner which could bring the good name of the school or county council into disrepute, whether or not within the workplace or working time, might be seen as a breach of discipline and could lead to action being taken against you under the appropriate procedure.
- 1.3 While workers who are not employees of the school or County Council are expected to comply with the spirit of the Code, any action that may be taken in response to a breach will depend on the precise nature of their working relationship with the county council.
- 1.4 This code relates to all staff working for Worcestershire County Council. Teachers must be aware that there are also published *Teachers' Standards* (DfE 2011) and are advised to familiarise themselves with the requirements of these.

## **2.0 Guiding principles**

- 2.1 As a school employee, you should put the well-being, development and progress of children and young people first. You should recognise that you are in a position to influence children and young people through your slightest actions, comments or behaviour.
- 2.2 To the public you are a representative of the school. You are expected to maintain the highest standards of professional competence, knowledge, integrity, confidentiality, financial propriety and personal conduct. Contact with all members of the school community, including parents and outside visitors, should be courteous, efficient and impartial to all groups and individuals. You must also familiarise yourself with, and adhere to any rules or codes of conduct or policies relating to your particular school and role and you should comply with all reasonable requirements or instructions from the Headteacher.
- 2.3 It is not appropriate for you when working within your role as an employee to oppose the stated aims and policies of the school or county council or to undermine the performance of its duties and responsibilities. It is important for all employees to present a unified image to the public.

- 2.4 You should ensure that your relationships with your fellow employees and with pupils are always conducted in a professional and courteous manner; you should not censure other colleagues or criticise their work in the hearing of a pupil or parent/carer.
- 2.5 It is not acceptable for you to publicly criticise or blame school management, colleagues or the county council through any medium including internet 'blogs', websites or social networking tools such as Facebook or Twitter and you must be aware that the laws governing defamation, breach of copyright, etc. apply equally to 'blogging' as to other forms of communications. Offensive, defamatory, discriminatory or otherwise inappropriate comments will not be tolerated and may constitute a disciplinary and/or criminal offence, as could the disclosure/publication of any confidential or personal information about the school, its staff, pupils or other members of the school community.
- 2.6 Any disagreement involving the interpretation or application of the Code as it applies to you should be discussed with your Headteacher or Line Manager in the first instance. However, if you feel the Code is being applied unreasonably you may be able to seek redress through the school's Grievance Procedure.

### **3.0 Personal interests (see also notes 1 and 2 below)**

- 3.1 The interests of the school or the way you do your job must not be influenced by personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that you are using your position with or knowledge of the school for personal gain or that you could be influenced by improper motives. If you belong to outside organisations, including voluntary organisations, there must be no conflict with your job or other school or county council interests. You should advise your Headteacher or Line Manager in writing about anything which could give this impression.
- 3.2 **For Headteachers and other staff who have responsibility for placing orders and school expenditure, please see more detailed guidance in Section 20.**

### **4.0 Private work**

- 4.1 School or Council premises, equipment, working time or other resources must not be used to undertake private work.
- 4.2 The school needs to be aware if its employees undertake private work or voluntary activities in their own time to ensure that there is no conflict of interests with the school and to meet its obligations under Health and Safety legislation. Therefore, to protect yourself, the school and the Council from potential criticism you should not put yourself in a position where there is an actual or perceived conflict of interests. You should be aware that outside work or activity, whether or not you receive payment, could reduce your ability to safely and effectively carry out your employment with the school or county council, e.g. through tiredness, and would be considered unacceptable.
- 4.3 You must advise your line manager before engaging in any other work especially if it could reasonably be seen to conflict with your employment with the school or lead to misunderstanding or criticism.

- 4.4 You must not undertake private work for any individual, organisation, department or establishment which otherwise would be undertaken as part of your normal duties. Any charge raised as a result of undertaking work within another school or other establishment whilst in your normal working hours should be paid to your employing school.
- 4.5 You must not undertake private work when on sick leave without the express knowledge and prior written approval of your Headteacher and subject to appropriate medical advice.
- 4.6 You must not undertake private work for any Worcestershire County Council school or establishment during a period of paid leave or suspension.

## **5.0 Expressing concern about irregularities and tackling malpractice**

- 5.1 If you feel there is something seriously wrong at work please tell an appropriate person (see paragraph 5.2) as a 'voice of concern'. It might be, for example, the conduct of another employee, the way a contractor is behaving, a work practice, something that is endangering the safety of pupils or staff. You might be the first to notice it and your intervention could stop things getting worse.
- 5.2 No matter how reticent you may feel, you should raise any serious concern - e.g. a suspicion of fraud or corruption or reasonable belief that a child or adult's health, safety or well-being are in danger - with your Headteacher so that potentially serious problems or malpractice can be addressed without undue delay. If this is not appropriate, then you should contact either the Chair of Governors or Children's Services Human Resources. If the matter relates to fraudulent activity, you may inform the Audit Division. If you do raise a genuine concern in good faith all reasonable steps will be taken to respect your confidence and protect you from possible reprisals (see Confidential Reporting (Whistleblowing) Policy).
- 5.3 The school and county council take this issue very seriously and will investigate and address any problems genuinely raised. However, any frivolous, malicious or mischievous use of the Confidential Reporting Policy will be treated as a serious disciplinary matter.

## **6.0 Copyright**

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

## **7.0 Confidentiality**

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

- 7.2 You may sometimes acquire information at work which has not been made public or is confidential. Examples include information about a pupil or family, a colleague, information on tenders or costs, the proceedings of confidential meetings.
- 7.3 You must ensure that sensitive and/or confidential information is properly secured and safeguarded at all times especially if being transported in paper or electronic formats. Particular care must be taken with information stored on portable electronic media such as laptops and memory devices which are often targeted for theft due to their high intrinsic value.
- 7.4 Confidential Information which comes into your possession must not be used for personal benefit or divulged to other parties except in the proper course of duty, for example to other professionals working with the same child. If you have any doubt whether or not disclosure is appropriate, you must check with your Headteacher before releasing confidential information.
- 7.5 Some information can be extremely valuable in business and commerce and its publication loss or misuse could seriously disadvantage the school or county council and its employees. Therefore, it is important that you do not, deliberately or inadvertently, pass on information, including software, during or after your employment with the school, to anyone who has no right to receive it. You must not discuss, disclose, publicise or use such information for your own or anyone else's personal interest or advantage.
- 7.6 You must decline any approaches or offers made asking for information which could be detrimental to, or help others to gain a contract, grant or any other advantage from the school or county council and/or its employees, e.g. a potential contractor could offer a financial reward for information leading to the award of a major contract. Approaches or offers of this kind must be declared to your Headteacher without delay.
- 7.7 You must not criticise the school, its policies or staff in open media such as internet 'blogs', websites, social networking sites, etc. where it may be seen by parents, children or others in the school community.

## **8.0 Contact with the media**

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

## **9.0 Information Technology and Data Protection**

- 9.1 Everyone using computing equipment has a duty of care to use it according to prescribed arrangements, e.g. to avoid introducing computer viruses, to comply with the Data Protection Act, and to safeguard and ensure the security of information.

- 9.2 You must familiarise yourself with the schools' ICT policies, including use of the internet. In particular, all use of the internet and email facilities must be authorised, legal, appropriate and in accordance with the provisions of the school policies. Personal use of any facilities – including laptops – must be authorised and only undertaken at times deemed appropriate by your Headteacher.

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

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

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

**Employees should also take account of policies on cyber bullying.**

- 9.3 Employees should also be aware when they are using personal IT equipment for undertaking school related business that the same rules apply. Please refer to your Headteacher for a copy of your school's full policy on appropriate use of IT.
- 9.4 You should not use social media in any way that might bring your professional status or your school into disrepute. You should not accept pupils as 'friends' or 'followers' and should not 'follow' or have any personal connections with pupils on any social media or other internet sites.

**10.0 Gifts, inducements, hospitality and sponsorship  
(see also notes 1 and 2 below)**

- 10.1 You must not accept any commission, discount, allowance, direct or indirect profit, inducement, payment, perk or benefit in connection with any professional work undertaken, other than any fee recoverable on behalf of the school or county council.
- 10.2 Minor gifts and hospitality are sometimes part of the normal courtesies of life: the parent of a pupil may offer a modest gift, especially at Christmas or as a token of appreciation, and in an office situation simple items such as diaries and calendars are often distributed as advertising matter. As a guideline, any gift or hospitality with a value of £25.00 or more is highly unlikely to be viewed as a 'token'. With the exception of these 'tokens' and any special schemes (e.g. travel or discount schemes) arranged by the county council, all gifts, vouchers, fees, special discounts, rewards or preferential treatment must be refused. Collection of reward card points such as Nectar and Clubcard on a personal account in respect of school or council purchases is a benefit in kind which should be reported to HMRC and subjected to deduction of Income Tax. In situations where refusal of a gift is difficult or might offend you must inform your Headteacher or Line Manager who will decide on the appropriate action.

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

### **11.0 Use of Council resources and equipment**

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

### **12.0 Overseas travel on official business**

- 12.1 Any proposal to travel overseas on official business must be approved by the Governing Body before the travel takes place.

### **13.0 Equality issues**

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

### **14.0 Standards of appearance**

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

### **15.0 Relatives and close personal relationships within the workplace**

- 15.1 In order to avoid any possible accusation of bias you should endeavour not be directly involved in the appointment, promotion, discipline or other employment decision relating to another employee to whom you are related or with whom you have a close personal relationship. If a situation arises in which you feel you may be in such a position, please seek the advice of Children's Services Human Resources.
- 15.2 If you work in close proximity with other employees or pupils to whom you are related or have a close personal connection you must maintain a strictly professional relationship at work. You should also be aware that if any relationship leads to disruption in the workplace, unacceptable conduct or performance or situations involving undue favouritism or detriment, action will be taken under the appropriate procedure which could lead to you being redeployed or your contract terminated.

## **16. Smoke free environment**

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

## **17.0 Drugs and alcohol**

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

## **18.0 Health and Safety**

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

## **19.0 Criminal charges, cautions and convictions**

- 19.1 You must advise your Headteacher immediately if you are charged with or cautioned or convicted of any criminal offence whilst you are an employee of the school or county council. While such proceedings will not necessarily affect your employment, the school and Council needs to be sure there are no implications for the school, its reputation, the safety of children or in relation to the role you undertake.
- 19.2 You must also advise your Headteacher immediately if you have been arrested or appeared in court and released on bail in circumstances where bail conditions have been applied which could have consequences for your work e.g. you are constrained from having contact with children. If you are in any doubt about whether you should report bail conditions, especially where safeguarding could be an issue, you must discuss it with your Headteacher so that any concerns can be addressed from the outset. Failure to report such conditions would be considered as serious misconduct and could potentially lead to breach of bail.

## **20.0 Specific standards for staff with responsibility for expenditure**

### **20.1 Personal interests:**

- 20.1.1 The interests of the school and county council must not be undermined by personal interests. The way you do your job must not be influenced by personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that you are using your position with or knowledge of the school or county council for personal gain or that you could be influenced by improper motives. If you belong to outside organisations, including voluntary organisations, there must be no conflict with your job or other school or county council interests.
- 20.1.2 All orders, contracts and grants must be awarded on merit following fair competition. No favour should be shown because of personal interests and no part of the community should be discriminated against.
- 20.1.3 You must advise your Line Manager in writing about anything which could give the impression that you may be acting for personal gain, financial or otherwise, or in the interests of another person or organisation; or you are involved as an employee in matters which might reasonably be regarded as affecting the well-being or financial position of yourself, your spouse, partner, relative, a close friend or any person with whom you have a close association, e.g. if any of those persons
- hold an office or employment with
  - have any connection or influence with
  - have any financial interest in
- any company or organisation doing or seeking to do business with, or requesting grants or other funding from the school or county council.
- 20.1.4 You should avoid being involved as an employee in matters which might reasonably be regarded as affecting the well-being or financial position of yourself (or the persons, companies or organisations referred to above) so significant that it is likely to prejudice your judgment of the school/county council or public interest. (N.B. Holding shares in a company with which you know the county council is likely to be dealing, or acting as an agent for them, could be regarded as a financial interest.)
- 20.1.5 You must advise your Headteacher who will notify the Head of Legal & Democratic Services in writing of any direct or indirect pecuniary interest in a contract or proposed contract with the county council as soon as practicable after becoming aware of it so that it can be recorded in the 'Register of Officers' Interests'. Failure to do so may be a criminal offence as well as a disciplinary matter.
- 20.1.6 You must advise your Line Manager of any personal dealings of a business or private nature with existing or potential suppliers, consultants or contractors who you know (or could reasonably be expected to know) to have dealings with the school or county council.

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

20.2 Gifts, inducements, hospitality and sponsorship:  
(see also notes 1 and 2 below)

20.2.1 See information in 10.2 regarding the acceptance of gifts. As a guideline, a gift with a value of more than £25 is unlikely to be seen as only a 'token', so needs to be referred to your Headteacher or Line Manager.

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

20.3 Personal purchases:

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

20.4 Procurement of goods and services and disposal of county council property:  
(see also note 2 below)

20.4.1 Procurement procedures must be strictly adhered to and you must not accept any inducement or preferential treatment if you are responsible for procuring goods or services for the school or disposing of surplus property.

20.4.2 In addition, staff should always be in a position to demonstrate that 'Best Value' has been sought and achieved. Detailed guidance on procurement and tendering is set out in the council's Financial Regulations and Procurement Code.

## 21. Conduct and Performance

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

21.2 You must ensure you understand the requirements of this Code of Conduct and any terms and conditions, rules, standards and requirements that apply to you and your job (see also note 2 below). Any of the examples of unacceptable behaviour listed below may be considered as misconduct or gross misconduct depending on the relevance to your role, your seniority, the seriousness of the act and particular circumstances. Those underlined normally will be considered as gross misconduct. The list is not exhaustive and other unacceptable behaviour not specifically listed nevertheless may be considered as misconduct or gross misconduct:

- a) any form of unjustifiable discrimination, harassment, threatening or bullying behaviour, e.g. on the grounds of race, sex/gender, sexual orientation, marital status, disability, age, religion or belief; whether or not the subject of current legislation;
- b) any physical, emotional or sexual abuse of a child or other vulnerable person
- c) possession, displaying, viewing or downloading of offensive materials, playing or downloading games, accessing 'unacceptable' websites, e.g. websites of a sexual nature, gambling, betting or gaming, in the workplace or via any portable device, e.g. laptop, mass storage, which is the property of the school or county council and has been provided in connection with the postholder's work;
- d) undertaking private activities during working hours;
- e) unpunctuality, misuse of time and time recording, unauthorised absence from work;
- f) refusing to comply with reasonable orders and instructions;
- g) deliberately causing damage to school or council property;
- h) harming or endangering other persons or property, e.g. by contravening safety rules;
- i) neglect of duty/lack of due care or diligence, disruptive behaviour, poor attitude;
- j) fighting, threatening or actual violence towards, physical assault or abuse of another person whilst at work (NOTE: this does not include reasonable physical restraint necessarily carried out in the course of duty);

- k) theft, unauthorised removal, misappropriation, improper or unauthorised use of school or council property, systems (including telephones, IT, email and internet), vehicles, equipment, name or other resources. This may include loss by failing to properly secure or safeguard;
- l) failure to report criminal convictions, particularly those which may be relevant to the type of work undertaken, e.g. driving convictions where the work necessitates driving on school business, indecent assault where working with children or vulnerable adults;
- m) fraudulent or misleading practices and/or omissions in connection with official duties, e.g. deliberately falsifying school or council documents, reports, etc.;
- n) fraudulent or false claims for payment of salary, expenses and/or allowances, etc. or seeking financial gain by deception;
- o) acts involving bribery or corruption;
- p) any action for which it would be appropriate for the school or council as an employer to take legal proceedings (irrespective of whether such proceedings are taken);
- q) sexual misconduct at work;
- r) wilfully breaching any school or county council policy or procedure;
- s) drunkenness, being unable to carry out duties through the influence of any substances including drugs, whether or not prescribed, and alcohol, or for any other avoidable reason. (N.B. It is equally inappropriate for those hosting visitors or working in close proximity to service users such as children and vulnerable adults to have alcohol on their breath even though this may not amount to drunkenness.);
- t) possession, buying or selling of weapons, illegal substances or materials at work;
- u) any breach of trust or security in respect of information or procedures;
- v) obtaining or attempting to obtain access to any information (including information held or stored by electronic means) to which the employee is not entitled;
- w) any action which may bring the good name of the school or county council into disrepute;
- x) as an employee, public opposition to the stated aims and policies of the school or county council, criticism or blame of colleagues, council departments or county councillors through any medium including internet 'blogs', websites, social networking sites, etc.;

- y) any action unconnected with work which brings in to question your suitability as an employee of the school or county council;
- z) failing to report serious misconduct, aiding or inciting another employee to undertake any of the above actions or other act of wrongdoing.

**Note 1:**

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

**Note 2:**

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

HH/djc  
December 2014