

# Kernow Learning

## Code of Conduct for Employees

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## 1. Purpose

The aim of this Code of Conduct for employees is to set out the standards of conduct expected of all staff and to provide further information for employees. This should be read in conjunction with our disciplinary procedure and the Teachers' Standards.

All employees have personal and legal responsibilities, including; treating others with dignity and respect; acting honestly, using public funds and academy equipment appropriately, adhering to health and safety guidelines and practising equal opportunities at all times. These expectations are set out below and should be fully observed by This policy covers all employees working at all levels and grades. It also applies to consultants, contractors, casual and agency staff and volunteers (collectively referred to as **staff** in this policy).

This document is not a prescriptive guide to what employees should and should not do. It highlights the principal areas where employees need to be aware of their responsibilities when working for Kernow Learning and is a framework for behaviour. Employees should ensure they are familiar with the specific policies that underpin these behaviours through reference to the documents highlighted in the "Required Reading" throughout the Code. If these documents are not supplied at induction, the employee should ask the academy for copies.

Employees should note that this Code is not exhaustive in defining acceptable and unacceptable standards of conduct and employees must use common sense in adhering to the underpinning principles. If any employee is ever unsure what the expectations are in any given circumstance they should speak to the Headteacher.

This Code does not form part of any employee's contract of employment and it may be amended at any time.

## 2. Scope

The Code applies to all employees regardless of length of service including those in their probationary period. It also applies to agency workers and self-employed contractors although, unlike employees, breaches of the Code will not be managed through the disciplinary procedure.

As recognisable figures in the local community the behaviour and conduct of staff of Kernow Learning outside of work can impact on their employment. Therefore, conduct outside work may be treated as a disciplinary matter if it is considered that it is relevant to the employee's employment - see disciplinary rules.

## 3. Required reading

- Academy's Safeguarding policy and procedure
- (teachers only) The Teachers Standards available form [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/665520/Teachers\\_Standards.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/665520/Teachers_Standards.pdf)
- Keeping Children Safe in Education
- IT User Policy
- Social Media Policy
- Data Protection Policy
- Dress Code Policy
- Use of Alcohol and Drugs Policy
- Anti-Bribery Gifts & Hospitality policy
- Pecuniary Interest Policy

## 4. Safeguarding and promoting the welfare of children

All employees are responsible for safeguarding children and promoting their welfare. This means that employees are required to take action to protect children from maltreatment, prevent impairment of children's health or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care. This will enable all children to have the best outcomes.

All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.

To do this employee must have fully read and understood our Child Protection Policy, Safeguarding Policy and all other relevant safeguarding policies, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times.

All employees must cooperate with colleagues and with external agencies where necessary.

## 5. Duty of care

Staff must:

- understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- always act, and be seen to act, in our students' best interests
- avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
- take responsibility for their own actions and behaviour.

## 6. Health & Safety

All employees must ensure that they:

- familiarise themselves with the Health and Safety statements available from the office
- read and understand Kernow Learning's Health and Safety Policy
- comply with Health and Safety Regulations and use any safety equipment and protective clothing supplied to you
- comply with any hygiene requirements
- comply with any accident reporting requirements
- never act in a way which might cause risk or damage to any other members of the academy, community or visitors
- inform their line manager of any paid work undertaken elsewhere. This is to comply with the Working Time Regulations, which are a Health and Safety initiative.

## 7. Honesty and personal integrity

Employees are expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct within Kernow Learning.

Employees uphold public trust in Kernow Learning and maintain high standards of ethics and behaviour, within and outside school, by:

- treating students with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position
- having regard for the need to safeguard students' 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 students' vulnerability or might lead them to break the law

Employees must have proper and professional regard for the ethos, policies and practices of Kernow Learning and maintain high standards in their own attendance and punctuality.

Staff must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of Kernow Learning property and facilities.

## 8. Tackling discrimination

Employees are required to understand the types of discrimination and bullying that students and colleagues may be subject to. Employees are required to have read and understood our Equality and Diversity policy and Positive Behaviour policy.

Employees must not ignore any form of discrimination. This includes inappropriate jokes and banter. Employees must positively promote equality and diversity and inclusion at all times.

## 9. Professional boundaries and relationships

Employees in Kernow Learning are in a position of trust in relation to our pupils and their families.

Employees must ensure that they avoid behaviour which might be misinterpreted by others. This includes any type of communication that they may have with pupils and their families.

Employees must not make sexual remarks to any pupils or discuss their own sexual relationships with, or in the presence of pupils. Any sexual behaviour by a member of staff towards any pupil is unacceptable and illegal.

Employees must ensure that professional boundaries are maintained at all times. This means that employees should not show favouritism to any pupil and should not allow pupils to engage in any type of behaviour that could be seen to be inappropriate. Pupils are not employees or friends, and should not be treated as such.

Employees should be aware that it is not uncommon for pupils to become strongly attracted to a member of staff or to develop an infatuation. If any member of staff becomes aware of an infatuation they should discuss it with their Headteacher immediately so that they can receive support on the most appropriate way to manage the situation.

For employees who are in a relationship with a colleague, parent or carer, or any other person associated with Kernow Learning we expect that they identify this to their Headteacher/Line Manager and ensure that this does not create a conflict of interest or affect their professional judgement or responsibilities in any way.

## 10. Confidentiality and protection of data

All employees of Kernow Learning, come into contact with a significant volume of data and information in relation to pupils, staff, academy activities and many other matters. There is an obligation to read and observe the requirements of GDPR. This could include personal and sensitive data, for example information about a pupil's home life or other employees. Employees should never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. Employees should never disclose this information unless this is in the proper circumstances and with the proper authority.

If an employee is ever in doubt about what information can or can't be disclosed they should speak to their Headteacher/ Line Manager.

Kernow Learning holds and processes data that is protected under GDPR. Employees are expected to comply with Kernow Learning's systems for collecting, storing and using data. If any employee becomes aware that data is at risk of compromise or loss, or has been compromised or lost they must report it immediately to the DPO.

Employees must ensure that they have read and understood all Academy Policies that relate to data including our IT policies.

## 11. Use of Communication Systems

Kernow Learning has the right to monitor emails, phone-calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems by employees.

Employees should be aware that the academy has a right to access employees' personal email and computer files if required for investigation of misuse.

It is recommended that employees do not use Kernow Learning systems (phone, email, and computers) for confidential personal use. Inappropriate usage, which includes excessive or regular use may result in disciplinary action for the employee and in serious cases could lead to an employee's dismissal.

Inappropriate use of email and internet systems also includes viewing, publication or circulation of illegal or offensive material, viewing, publication or circulation of junk mail, including chain letters, jokes or large attachments, gambling, gaming; these will be treated as disciplinary matters.

Passwords should not be shared and access to computer systems must be kept confidential. Breach of this confidentiality may be subject to disciplinary action.

Employees who receive inappropriate communications should inform their Headteacher or Senior Manger immediately.

## 12. Physical contact with Pupils

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils. Employees must ensure that they only do so in ways that are appropriate to their professional role and in response to the pupil's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the student. Employees should always be able to explain why they have made physical contact with a pupil. Employees should ensure that they have read and understood our Positive Handling Policy.

There may also be occasions where a pupil is in distress and needs comfort and reassurance which may include age appropriate physical contact. If an employee is in this position then they should consider the way in which they offer comfort, ensuring that it is not open to misinterpretation and is always reported to the Headteacher.

Staff may legally physically intervene with pupils to prevent them from committing a crime, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Physical force should never be used as a form of punishment.

Sexual contact, including grooming patterns of behaviour, with pupils is unlawful and unacceptable in all circumstances.

### 13. Social contact with pupils

Employees should not establish or seek to establish social contact, via any channels (including social media), with pupils or their parent/carers for the purposes of securing a friendship or to pursue or strengthen a relationship. Employees should use their work provided equipment only for communicating electronically with pupils and their parents/carers. If there are any circumstances in which an employee has had to provide their personal contact details, including phone numbers, email address etc, to any pupil or their parent/carers then they should report this to their Headteacher/ Senior Manager.

Kernow Learning's advice to staff is not to connect to pupils or their parents/carers via social media or other communication channels unless this is for professional purposes and that the employee can demonstrate that this is the case.

Kernow Learning is part of our community and we recognise that, as members of the community, employees will come into contact with pupils and their parents/carers outside of the Academy. We expect staff to use their professional judgement in such situations and to report to the Headteacher any contact that they have had with a pupil or their parents/carers, outside of school, that they are concerned about or that could be misinterpreted by others.

Employees should read and understand our Social Media policy.

### 14. Working one to one with pupils

There will be times where an employee is working one to one with a pupil and this is acceptable. Employees need to understand that this means that they may be more vulnerable to allegations being made against them. Therefore, it is important that employees:

- avoid meeting on a one to one basis in secluded areas of the Academy
- ensure that the door to the room is open or that there is visual access into the room
- inform a colleague or line manager of the meeting, preferably beforehand
- reports to their line manager if the pupil becomes distressed or angry.

### 15. Dress and appearance

Working in our Academy employees are role models to our pupils and how they present themselves is important. Our expectation is that staff are decently, appropriately and professionally dressed in work at all times. We do not permit the wearing of clothes that are revealing, allow underwear to be seen, have offensive logos or writing, or are ripped or torn at any times. If an employee is unsure whether any item of clothing is inappropriate, then they should not wear it to work. Employees can always speak to their line manager if they

are unsure. Where we identify that an employee is wearing clothing that we do not find acceptable they will be informed.

## 16. Financial Inducements

### Business Contacts

In this section, “*business contact*” refers to any person, body or organisation with which the academy is involved on a financial or charitable basis (including contractors; developers; consultants; regional or national charities). This also includes business contacts who are potential suppliers (eg they are tendering for future business).

### Declaration of gifts

Any gifts that are received should be declared in writing to the Governing Body on the Register of Gifts and Hospitality (Appendix 2) with the exception of those items specifically identified in sections 6.4 and 6.5 below. This document shall remain available for inspection by the authority’s Internal Audit department.

### Gifts or hospitality to an employee

Where a business contact offers a personal gift, personal payment or other incentive such as secondary employment to an employee, these should not be accepted and should be returned with a suitable official letter. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality. If it is not possible to return gifts then the employee who deals with that supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to these are:

- Low cost, functional items suitable for business use rather than personal use and displaying the supplier’s logo eg diaries, calendars and pens. These items may be accepted and do not have to be included in the Register of Gifts and Hospitality.
- Gifts offered by parents or students to academy staff to express their thanks, such as boxes of chocolates. However, only gifts with an individual value of £25 or less may be accepted. Such gifts do not have to be included in the Register of Gifts and Hospitality. For the avoidance of doubt employees must always refuse gifts of money.

Where hospitality in the form of meals and drinks is offered by a business contact, this is only acceptable where it forms part of a normal business meeting (for example, refreshments at training events or meals at evening meetings). Offers of hospitality to specific events, such as dinner or sporting event, should/only be accepted after authorisation from Kernow Learning. These should be approved where there is a clear and demonstrable benefit to the academy and the hospitality would not expose the academy to criticism that the business contract was exerting undue influence. These should be recorded in the Register of Gifts and Hospitality.

Visits by employees to exhibitions, demonstrations, conferences, business meals and social functions in connection with the academy’s business and authorised by the academy, shall be at the academy’s expense.

### Gifts or hospitality to the academy

Where a business contact sends a gift to the academy, (for example, a stationary supplier sending a gift), this should not be accepted by an employee but should be declared as gift and included in the Register of Gifts and Hospitality. Such gifts remain the property of the academy and can be used by each academy for the benefit of pupils or for charitable or fundraising purposes.



The only exceptions to this are low cost, functional items suitable for business use (as opposed to personal use), such as diaries, calendars or pens, which may be accepted and do not have to be declared on the Register of Business Interests.

### Use of academy contacts

Apart from participating in concessionary schemes arranged by trade unions or other such groups for their members, employees shall not use academy business contacts for acquiring materials or services at trade / discount prices for non-school activities.

## 17. Use of academy premises and equipment

Academy equipment and premises are available only for academy -related activities and should not be used for fulfilment of another job or post or for excessive or regular personal use, unless authorised in writing and in advance by Trust leaders or Headteacher.

This includes photocopy facilities, stationary, telephones and computers and premises. Any academy equipment that is used outside of academy premises, for example laptops, should be returned to the academy when the employee leaves employment or upon request by the Headteacher.

## 18. Other employment

Employees are permitted to take up secondary employment outside the academy, as long as the activity does not constitute a conflict of interest, adversely affect their primary employment at the academy or exceed the legal maximum working week of 48 hours as defined by the Working Time Regulations.

The secondary employment must be undertaken outside the working hours of the employee's normal post and employees are required to keep the Headteacher (governing Body if the employee is the Headteacher) informed of their employment at other organisations.

## 19. Keeping within the law

Staff are expected to operate within the law. Unlawful or criminal behaviour, at work or outside work, may lead to disciplinary action, including dismissal being taken. However, being investigated by the police, receiving a caution or being charged will not automatically mean that an employee's employment is at risk.

Employees must ensure that they:

- uphold the law at work
- never commit a crime away from work which could damage public confidence in them or Kernow Learning or which makes them unsuitable for the work they do. This includes, for example:
  - submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)
  - breaching copyright on computer software or published documents
  - sexual offences which will render them unfit to work with children or vulnerable adults
  - crimes of dishonesty which render them unfit to hold a position of trust.
- write and tell Trust Senior Leaders or their Headteacher immediately if they or anybody in their household are questioned by the police, charged with, or convicted of, any crime whilst they are employed at Kernow Learning (this includes outside of their working hours). Trust Senior Leaders /Headteacher and Board of Trustees will then need to consider whether this charge or conviction

damages public confidence in Kernow Learning or makes the employee unsuitable to carry out their duties.

## 20. Conduct outside of work

Unlike some other forms of employment, working at Kernow Learning means that an employee's conduct outside of work could have an impact on their role.

Staff must not engage in conduct outside work which could seriously damage the reputation and standing of Kernow Learning or the employee's own reputation or the reputation of other members Kernow Learning's community. Employees should be aware that any conduct that we become aware of that could impact on their role within the academy or affect the academy's reputation will be addressed under our disciplinary procedure.

We therefore expect employees to make us aware immediately of any such situations that have happened outside of the academy.

## 21. Review

This Code of Conduct is reviewed and amended by Kernow Learning. We will monitor the application and outcomes of this code of conduct to ensure it is working effectively.

I have read and understand the above:

<b>Signature/s</b>	
<b>Print Name/s</b>	
<b>Date</b>	



**REGISTER OF GIFTS AND HOSPITALITY**

**Governors, Volunteers and Staff Declaration Form**

I wish to declare the following information in accordance with the Kernow Learning’s requirements that a Register of Gifts and Hospitality should be maintained.

**Name:**

**Post:**

**Signature:**

**Date:**

You should provide full details of your declaration below:

<b>Declaration of gifts and hospitality</b>		
<b>Date received</b>	<b>From whom</b>	<b>Gift or hospitality</b>