

# MARISH

## ACADEMY TRUST



# Code of Conduct

## 2024

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## **1. Scope**

This policy applies to all staff directly employed by Marish Academy Trust.

For Academies, all reference to trust should be taken to mean Academy, all reference to the Headteacher should, where appropriate, be taken to mean Executive Headteacher/Principal/Head of Trust, and all reference to the Governing Body should, where appropriate, be taken to mean the Academy Trust.

Under this policy, the Executive Headteacher will be required to make any declarations to the Chair of Governors.

## **2. Introduction**

Marish Academy Trust is committed to the highest standards of honesty and accountability; and this Code of Conduct provides the values and framework within which all staff, volunteers and contractors are required to adhere to in their work environment. This Code cannot cover every eventuality and is not an exclusive or exhaustive list of acceptable conduct at work.

All employees have personal and legal responsibilities, including: treating others with dignity and respect; acting honestly, using public funds and trust equipment appropriately, adhering to health and safety guidelines and practising equal opportunities at all times. Various professional and technical bodies may have their own code of conducts. For example, The National College for Teaching and Leadership should work in tandem with this document, and where any anomalies arise this should be raised with the Executive Headteacher at the earliest opportunity. Employees should also seek guidance if they are unsure about the contents of this document or if there are any questions as to whether particular conduct or behaviour is acceptable.

## **3. Compliance with the Code of Conduct**

This Code of Conduct forms part of an Employees contract of employment. As such, this code must be read, understood and adhered to. Any failure to do so will lead to action in line with the trust's Disciplinary Policy and Procedures and, if warranted, legal action. Ignorance of these guidelines will not be seen as a valid excuse. Appropriate action will be taken with volunteers and contractors as required, where it is considered that the actions of a volunteer or contractor are in breach of this code, the trust will consider not using their services.

## **4. Professional behaviour and conduct**

### **4.1. Treating other people with dignity and respect**

All employees are expected to treat other colleagues, pupils, and external contacts such as parents, with dignity and respect, in compliance with the trust's equality policies. Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, pupils and parents, etc.

### **4.2. Appropriate relationships with children**

All employees are expected to act in an open and transparent way that would not lead any reasonable person to suspect their actions or intent. Employees in schools are in a position of trust and have a duty to protect young people from discrimination and harm and to maintain appropriate professional boundaries. It is equally important for staff to avoid behaviour that might be misinterpreted by others in order to protect both young people and themselves. For further guidance, employees should refer to Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings which sets out appropriate and safe behaviours for all adults working with children in paid or unpaid capacities.

Conduct that may be considered in this way may include personal arrangements to see pupils, service users, their carers or families and exchanging personal contact details such as email, texts and communicate using social media.

Employees must refrain from conduct of this nature unless there is a sound business reason to do so, and the action is taken with the express approval of the Executive Headteacher, and the decision is officially recorded (see the trust's Child Protection/Safeguarding Policy).

#### **4.3. Associating with people outside work**

Employees who engage in any activity or associate with individuals or people outside work, whose current or past conduct could raise doubts or concerns about an employee's own integrity or ability to be in a 'position of trust' with regard to children or vulnerable adults, could have a direct consequence on their employment via the disciplinary procedures.

Staff who are required to complete a Childcare Disqualification declaration under the Childcare (Disqualification) Regulations 2009 must make an accurate disclosure and notify the trust if their circumstances change. The Regulations prohibit anyone who is disqualified under the Regulations, or who lives in the same household as a disqualified person, from working in a relevant setting, including in trusts. For further information and guidance, see Childcare Disqualification requirements check.

#### **4.4. Misuse of position**

Employees must not misuse or misrepresent their position, qualifications or experience or bring the reputation of the trust into disrepute. Such behaviour may lead to disciplinary action and, where relevant, referral to the relevant professional body (e.g. National College for Teaching and Leadership). Similarly, employees should not put themselves in a position where their job and personal interests conflict.

#### **4.5. Dealing with media enquiries**

Employees must not deal directly with the press or the media in relation to anything related to trust business unless required to do so as part of their duty, or authorised by the Executive Headteacher. Employees who speak as a private individual directly to the press or at a public meeting or other situation where remarks may be reported to the press must ensure that reasonable steps are taken to ensure nothing is said that might lead the public to think they are acting in the capacity as an employee of the trust.

#### **4.6. Criminal actions**

Employees must inform their manager if they are arrested/convicted/cautioned of a crime and, if arrested, must notify the manager of the development and outcome of the case as soon as it happens. Employees do not need to disclose fixed penalty notices for minor driving offences, such as speeding tickets, defective light, etc, unless driving is a requirement of an employee's role or the conviction results in disqualification. The Executive Headteacher will discuss this with the employee in the context of their role and responsibilities in order to help safeguard children and other employees at the trust.

Disclosing a conviction does not necessarily mean disciplinary action against an employee.

The extent to which a criminal offence may affect employment depends on whether the conduct:

- makes the employee unsuitable for their type of work; and/or
- may reflect adversely on the trust's reputation or ability to perform its function.

Employees should always notify their manager if there is any doubt as to whether or not they need to share information about an arrest or conviction.

Failure to disclose such information may lead to disciplinary action.

### **5. Declaration & conflict of interest**

An employee is required to declare this where the situation (e.g. group or organisation) would be considered to be in conflict with the ethos of the trust. Membership of a trade union or staff representative group would not need to be declared. Employees should also consider carefully whether they need to declare to the trust their relationship with any individual(s) where this might cause a conflict with trust activities, for example, a relationship with a governor, another staff member or a contractor who provides services to the trust. Failure to make a relevant declaration of interest is a serious breach of trust and therefore, if employees are in doubt about a declaration, they are advised to take advice from the trust or union. All declarations should be submitted in writing to the Executive Headteacher on a trust Register of Business Interests.

### **5.1. Transparency**

Employees must declare in writing to the Executive Headteacher any relatives or partners, or friends who are engaged in a business, which either currently provides services to the trust, or trusts with which a trust collaborates or is federated to, or may do so in the future. This is in order to minimise the risk of suspicion that some influence may be exerted over a particular customer as to the choice of provider, or that the provider gained advantage in terms of information received.

### **5.2. Conflicts of interest**

Employees who have a connection in a private, social or domestic capacity with someone who also sits on a trust's Governing Body that may potentially create, or be thought to create, a conflict of interest will need to declare this to the Executive Headteacher, for them to consider (see appendix 2).

Employees must not work privately for personal gain unless written consent from the Executive Headteacher has been obtained.

### **5.3. Intellectual property**

The trust is entitled to ownership of intellectual property. For example, copyright of material created by the employee in the course of duties carried out by the employee of the trust.

Employees must not use any information obtained in the course of employment for personal gain nor pass it on to others who might use it in such a way or for any purpose for which it was not originally intended.

## **6. Confidentiality**

### **6.1. Information protected by the Data Protection Act**

No confidential information, politically or commercially sensitive information, or personal information protected by the Data Protection Act should be released to anyone, including governors, without authorisation from the Executive Headteacher. If there is any doubt about disclosing information, then guidance from the Executive Headteacher must be sought.

Employees at the trust and the governing body come into contact with a significant volume of data and information in relation to pupils, staff, trust activities and many other matters. There is an obligation to read and to observe the requirements of the Data Protection Act 1998.

## **7. Appointment, pay & conditions and other employment matters**

Employees responsible for the appointment, pay and conditions or any other employment matters must ensure that decisions are fair, open and based on merit and not on anything other than an individual's ability to do the job and in accordance with the trust's related policies and procedures.

If an employee is put in a position of being the line manager to a relative, close friend or partner this must also be immediately disclosed. Employees must not be involved in the recruitment and selection for anyone with whom they are in a close personal relationship with outside of work. See Recruitment and Selection Policy.

### **7.1. Investigations by Professional bodies**

Employees must inform their manager if they are being investigated by any professional body and any sanction imposed. If employees are in doubt about any of the above, advice from the Executive Headteacher must be sought, in the first instance.

### **7.2. Financial conduct**

Employees must inform the Executive Headteacher if they are declared bankrupt or are involved as a Director of a company which is wound up or put into voluntary liquidation if it may impact upon their role and duties. Bankruptcy may impact on the duties of employees who have a financial responsibility. Such information will be treated in the strictest confidence. The purpose of this is to ensure that a proper framework of support is in place.

### **7.3. Tendering for business**

Employees who wish to tender for a contract from the trust must declare such an intention to the Executive Headteacher as soon as intent has been formed; and at the earliest possible opportunity.

### **7.4. Holding multiple positions**

All staff employed by the trust in any capacity must be mindful of the local conditions of service and requirements placed upon them in holding multiple positions. Staff must ensure that any additional posts held do not interfere with employment at the trust or have any conflict of interest with the trust or bring it into disrepute.

Staff must be mindful of their responsibility under the Working Time Regulations 1998; staff cannot lawfully be required to work more than an average of 48 hours per week. Where staff work in excess of an average of 48 hours per week they will be required to write to the trust, confirming that they agree to opt out of the working time regulations.

Employees who are permitted to engage in any other business or take up any additional employment must not undertake any work in connection with their additional employment during the time in which they are scheduled to be in the trust. It is the responsibility of each individual employee to declare any additional personal income to Her Majesty's Revenue and Customs (HMRC).

Employees who have any doubt whatsoever should make a declaration, so that the Executive Headteacher can make a judgement as to whether a conflict exists.

### **7.5. Dress and appearance**

Marish Academy Trust recognises the diversity of cultures and religions of its employees and will take a sensitive approach when this affects dress and uniform requirements. However, priority will be given to health and safety, security and other similar considerations.

**All staff are role models and how we dress demonstrates to our community the pride we have in our work and how we value them.**

- All staff are expected to dress in smart office wear or traditional cultural dress for school;
- Teachers and Senior leaders who identify themselves as male must wear a shirt and tie; polo shirts and open neck shirts are not acceptable, except for days when PE lessons are taught.
- During PE lessons, staff should wear appropriate clothing and footwear. Staff can wear PE clothes and trainers to work on the day in which they are delivering a PE lesson.
- On INSET days, training sessions and school trips, staff may dress casually.

Examples of inappropriate clothing and appearance to be avoided include:

- Jeans, including denim skirts and jackets, jeggings, leggings or scruffy/torn trousers;
- No flip flops or trainers (exceptions will be made for pregnant women and those with medical conditions).
- Short miniskirts, or shorts or culottes that do not reach mid-thigh at least;
- Low cut t-shirts, blouses and transparent clothing or tops that do not cover shoulders and underwear;
- Sweatshirts or t-shirts with slogans or symbols;
- Excessive or unconventional jewellery, including facial piercings.
- Extreme hairstyles or colours such as shaved logos or words, or noisy hair accessories
- Visible tattoos are discouraged and must be discreet or covered at all times

Please refer to the staff handbook for further details regarding acceptable dress code.

## **8. Probity of records and other documents**

Where an employee falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

## **9. Financial inducements**

### **9.1. Financial Regulations for trusts**

All trust employees must comply with the trust's Financial Regulations. Employees should familiarise themselves with the regulations; some of the principal employee requirements are summarised below.

### **9.2. Business contacts**

Business contact refers to any person, body or organisation with which the trust 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 (e.g. they are tendering for future business).

### **9.3. Declaration of gifts**

Staff should avoid accepting gifts as it can be construed as a bribe by others or may lead the giver to expect preferential treatment. Any gifts that are received should be declared in writing to the Executive Headteacher on the Register of Gifts and Hospitality, with the exception of those items specifically identified in section 9.4, below. The Executive Headteacher is required to make any declarations to the Governing body.

### **9.4. 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 Executive Headteacher 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 Executive Headteacher who will keep a record of it and decide how it is to be used. Such gifts remain the property of the trust 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 (e.g. 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 trust staff to express their thanks, such as boxes of chocolates should only be of token value. Such gifts do not have to be declared in writing to the Governing Body or be included in the Register of Gifts and Hospitality. For the avoidance of doubt, employees must always refuse gifts of money. All other gifts that are received should be declared in writing to the Executive Headteacher on the Register of Gifts and Hospitality.

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 a dinner or sporting event, should only be accepted after authorisation from the Executive Headteacher. These would normally only be approved where there is a clear and demonstrable benefit to the trust and the hospitality would not expose the trust to criticism that the business contact was exerting undue influence. These should be recorded in the Register of Gifts and Hospitality.

### **9.5. Gifts to children**

Under no circumstance must staff offer or give gifts to children. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a young person should be in accordance with agreed practice within the trust. Whole class tokens of food or stationery items and stickers are exempt.

## **10. Use of trust contacts**

Apart from participating in concessionary schemes arranged by Trade Unions or other such groups for their members, employees shall not use trust business contacts for acquiring materials or services at trade/discount prices for non-trust activities unless authorised by the Executive Headteacher.

## **11. Health and safety**

Employees must adhere to the trust's Health and Safety policy, procedure and guidance and must ensure that they take every action to keep themselves and everyone in the trust environment safe and well. This includes taking immediate safety action in a potentially harmful situation (either at trust or off-site) by complying with statutory and trust guidelines and collaborating with colleagues, agencies and the local authority where required.

## **12. Use of alcohol and drugs**

The taking of illegal drugs and 'legal highs' is unacceptable and will not be tolerated. All employees are expected to attend work without being under the influence of alcohol or drugs and without their performance



being adversely impacted by the consumption of alcohol or drugs. If alcohol or drug usage impacts on an employee's working life, the trust has the right to discuss the matter with the employee and take appropriate action, having considered factors such as the trust's reputation and public confidence. Further details are available on the Trusts' Alcohol & Drug Abuse' policy.

### **13. Use of trust premises, equipment & communication systems**

Trust equipment and systems (telephone, email, computers, etc.) are available only for trust-related activities and should not be used for the fulfilment of another job or for personal use, unless authorised by the Executive Headteacher.

This includes photocopy facilities, stationery and premises. It also applies to access provided for remote use (e.g. hand held portable devices, etc.) and to staff working outside of trust premises and using their own IT equipment. Illegal, inappropriate or unacceptable use of trust equipment or communication systems may result in disciplinary action and, in serious cases, could lead to an employee's dismissal. The following list sets out some examples but is not an exhaustive list:

- Creating, sending or forwarding any message that would reasonably be considered inappropriate or unacceptable.
  - Accessing, publication or circulation of illegal, offensive, unacceptable or inappropriate material.
  - Any illegal activities.
  - Posting confidential information about the trust and/or other employees, children or parents, etc.
  - Gambling or gaming.
  - Unauthorised use of trust facilities.
  - Use of Social Media on trust owned devices unless it is in accordance with the trusts policies and procedures.
- Employees receiving inappropriate communication or material, or who are unsure about whether something they propose to do might breach this policy, the Trusts ICT usage policy, Social media policy or other related policy should refer to these policies for guidance or seek advice from the Executive Headteacher.

The trust has the right to monitor e-mails, telephone 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 and equipment.

Communication systems may be accessed when the trust suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity. Passwords should not be shared and access to computer systems must be kept confidential. Breach of this confidentiality may be subject to disciplinary action. Where appropriate, the trust will consider a system of proxy access. The trust will deal with breaches in line with the appropriate policy.

Any trust equipment that is used outside trust premises, for example laptops, should be returned to the trust when the employee leaves employment or upon the Executive Headteacher's request.

### **14. Social networking websites, personal websites and blogs**

Only official trust sites must be used for communicating with pupils or to enable pupils to communicate with one another. There must be a strong pedagogical or business reason for creating official trust sites to communicate with pupils or others, and written consent from the Executive Headteacher must be obtained. Sites created must not breach the terms and conditions of social media service providers, particularly with regard to minimum age requirements. Staff must not create sites for trivial reasons which could expose the trust to unwelcome publicity or cause reputational damage.

The Social Media policy and Acceptable use of the Internet policy provides further advice and guidance.

### **15. Obligations under the Data Protection Act**

#### **15.1. Managing data**

Where staff are required to collect, maintain and dispose of sensitive or personal data, it is done so in line with the Data Protection Act.

#### **15.2. Disclosing data**

Staff should not disclose sensitive information about the trust, its employees or pupils to other parties. For example, parents or colleagues. There are particular exceptions to this; for example, disclosure of suspected or alleged abuse of a pupil to Child Protection officers; discussion with a person accompanying or representing an employee in a formal meeting or disclosure under the Whistleblowing Procedure. All communication with the media must be directed through the Executive Headteacher or their nominee, who will have sought advice

from the appropriate source (e.g. the Local Authority's communication department). There are circumstances in which staff are obliged to release pupil data. For example, parents seeking information about their child. Staff should be aware that, from time to time, information about employees' salaries is matched with other public sector information in order to prevent fraudulent claims.

#### 16. Declaration form

I declare that I have read and understood the Code of Conduct and the associated "Required Reading".

Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Job Title: \_\_\_\_\_

**Appendix 1****REGISTER OF BUSINESS INTERESTS FORM****Staff declaration form**

I wish to declare the following information in accordance with the Executive Headteacher's requirements that a Register of Business Interests should be maintained.

**Name:**

**Post:**

**Signature:**

**Date:**

You should provide full details of your declaration below:

Name of Business	Nature of Business	Nature of Interest	Date of Appointment or Acquisition	Date of Cessation of Interest	Date of Entry

**Appendix 2****REGISTER OF GIFTS AND HOSPITALITY****Staff declaration form**

I wish to declare the following information in accordance with the Executive Headteacher'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.

Declaration of gifts and hospitality		
Date gift received	From whom	Details of the Gift or hospitality