



## HUMAN RESOURCES POLICIES AND PROCEDURES

**Title: Code of Conduct**

**Reference Number: SMP-09-V1**

### 1. Operational Summary

#### 1.1. Policy Aim

This policy is recommended for adoption by the Governing bodies of community and voluntary controlled schools where the County Council is the employer of staff and by the Governing bodies of voluntary aided or foundation schools and academies where the governing body or trust is the employer of staff. It applies to all employees at the school who are under the direction of the Governing body.

The purpose of this policy is to ensure that all employees of Schools within Northumberland maintain the highest standards of conduct. It provides guidance so that they are clear about how they should conduct themselves in a manner that will bring credit to the school/academy.

#### 1.2 Policy Summary

All employees must be clear about the standards of conduct which are expected of them whilst employed at a school within Northumberland. The policy provides a guide to Head Teachers, Governors and employees on what is considered appropriate in relation to conduct. The policy also embraces the seven principles of public life which were drawn up by the Nolan Committee and endorsed by Parliament.

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, and in the health, education, social and care services.

All public office-holders are both servants of the public and stewards of public resources.

You are expected to consider carefully where and how to apply them in your daily duties. Please refer to the Code of Conduct which gives more information.

The Seven Principles are:

**Selflessness** - Acting solely in terms of the public interest.

**Integrity** - Avoiding placing yourself under any obligation to people or organisations that might try inappropriately to influence you in your work. You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships as detailed in the Code of Conduct.

**Objectivity** - Act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

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**Accountability** - Be accountable to the public for your decisions and actions and submit yourself to the scrutiny necessary to ensure this.

**Openness** - Act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty** - Act with honesty, and be truthful.

**Leadership** - Exhibit these principles in your own behaviour. Actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

These principles apply to all aspects of public life. Northumberland County Council has set them out here for the benefit of all who serve the public in any way.

### 1.3 What it means for staff

**Employees** - are responsible for reading and adhering to the policy

**Headteachers / Governors** - are responsible for ensuring adequate dissemination and implementation of the policy.

## 2. Scope

2.1 This Code applies to all employees of schools within Northumberland and others working within it regardless of the basis of the employment including:-

- secondments (both to and from the County Council),
- temporary assignments (both to and from the County Council), Work Placements and Trainees,
- full-time, part-time, casual, seasonal employees and volunteers
- office holders such as registrars,
- employees acting as members of companies or voluntary organisations,

2.2 The principles of this Code apply to employees subject to Local Management of Schools unless, and until, the relevant governing body has adopted a Code of its own which incorporates the Northumberland County Council model.

2.3 The Code also extends to additional or dual employment that has been secured as a result of working for local government.

2.4 Inevitably some of the issues covered by the Code will affect senior, managerial and professional employees more than it will others - but the basic principles apply to everyone.

## 3. Standards

### 3.1 General Principles

The public is entitled to expect the highest standards of conduct from all County Council / school employees. The role of employees is to serve the Council/school in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.

Teachers Standards were introduced on 1 September 2012 to set a clear baseline of expectations for the professional practice and conduct of teachers. All teaching staff are required to work to these professional standards and a link is provided below to the Teachers Standards. In 2016 teaching assistant standards were drafted, these are non-mandatory and non-statutory, but they sit alongside the statutory standards for teachers and head teachers and help to define the role and purpose of teaching assistants to ensure that schools can maximise the educational value and contribution of employees working directly with pupils. All teaching assistants are required to work to these professional standards and a link is provided below:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/283566/Teachers\\_standard\\_information.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283566/Teachers_standard_information.pdf)

<http://www.naht.org.uk/resources/assets/attachment/full/0/60839.pdf>

### **3.2 Accountability**

All County Council/school employees work for their employing authority and serve the whole of the authority. They are accountable to, and owe a duty to the authority. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

### **3.3 Political Neutrality**

All County Council/school employees, whether or not politically restricted, must follow every lawfully expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work. Where employees are politically restricted (by reason of the post they hold, the nature of the work they do, or the salary they are paid), they must comply with any statutory restrictions on their political activities.

### **3.4 Relations with members, the public and other employees**

Mutual respect between employees and members is essential to good local government, and working relationships should be kept on a professional basis.

All County Council/school employees should deal with the public, members and other employees sympathetically, efficiently, and without bias.

### **3.5 Relationships with Governors**

You are responsible to the school through its senior managers. If your role is to give advice to governors and senior managers, you should remember that all are there to carry out the schools work. Mutual respect between staff and governors is essential to effective local governance.

Close personal familiarity between staff and individual governors can damage the relationship and such situations should be avoided.

### **3.6 Equality and Diversity**

All employees must comply with policies relating to equality and diversity issues, as agreed by the school, in addition to the requirements of the law. You are required to treat your colleagues, pupils,

parents and members of the public fairly and with respect.

### **3.7 Stewardship**

All employees must ensure that they use public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the school for personal use unless expressly authorised to do so.

### **3.8 Personal Interests**

Whilst employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others. In particular, they must comply with:

(1) the School's rules on the registration and declaration by employees of financial and non - financial interests,

(2) the School's rules on the declaration by employees of hospitality or gifts offered to or received by them, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the school. Employees must not accept benefits from a third party unless authorised to do so by their relevant manager.

### **3.9 Whistleblowing**

The governing body encourages employees who become aware of activities which they believe to be illegal, improper, unethical or otherwise inconsistent with this Code, to report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998, and with the school's confidential reporting procedure, or any other procedure designed for this purpose as outlined within the Whistleblowing Policy.

### **3.10 Treatment of Information**

Openness in the dissemination of information and decision making should be the norm. The law requires that certain types of information must be available to elected members, school governors, auditors, government departments, parents, pupils and the public.

However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a member, Council employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

### **3.11 Appointment of Staff**

All employees involved in the recruitment and appointment of staff must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, such employees must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related, or with whom they have a close personal relationship outside work.

All employees involved in the recruitment and appointment of staff must read and understand Section 3 of Keeping Children Safe in Education.

### **3.12 Investigations by the Monitoring Officer**

Where the monitoring officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000(4) a qualifying employee must comply with any requirement made by that monitoring officer in connection with such an investigation.

## **4. Guidance on Standards**

### **4.1 Loyalty**

It is a fundamental implied term of your contract of employment that you are loyal to your employer.

Generally speaking, you must not actively criticise or challenge the policies or decisions of your school or the County Council or its managers in public. However, it is perfectly legitimate (unless you hold a politically restricted position and therefore you should seek assistance from your HR Adviser) for you to use the methods of protest and persuasion that any other citizen can use such as letters of complaint, approaches to your local councillor, attendance at protest meetings or writing to the press. What you must not do is to use "inside information" which is not available to the public at large or to capitalise on your position in the school if you make statements intended to be published to the public at large. Neither must you deliberately set out to publicly embarrass or undermine your managers, your school or the County Council.

You can raise matters of concern informally with your manager, and, if the matter affects your employment, you could use the Grievance Procedure.

### **4.2 Personal Behaviour**

Your personal behaviour will influence the public's opinion of your school and the Council in any situation where you can be identified as an employee. Whilst on school business you should be mindful that you are representing the school at all times.

The consumption of alcohol during the working day (including lunch breaks) or before commencing work is strictly prohibited as even small quantities have an adverse effect on work performance and the reputation of the school / County Council. If you are suspected of being incapable of properly performing your official duties by reason of alcohol or drugs, you are liable to be suspended from duty pending a decision on disciplinary action being taken against you.

You must observe the statutory smoking ban and adhere with the school's Policy. The policy states clearly where smoking is banned and those who breach the rules may be liable to disciplinary action. You are expected to report incidents where the policy is being breached.

If any actions/behaviour outside of school are brought to the attention of the school, these matters will be looked into and could potentially result in disciplinary action being taken against you.

#### **4.3 Internet and Social Networking**

The County Council accepts that social networking and use of the internet for other ways of recording personal thoughts is commonplace, but employees have a duty to represent the school / authority at all times. This means that staff should not post photos, videos or comments online that could bring the School or County Council into disrepute, either through referring to the School /County Council or its clients directly, or by making comments that could be deemed to harm the public's image of the staff the school / County Council employ. Further information regarding the expected behaviour of staff when using the internet is available in the Social Networking Guidelines and Policy which can be found on the Learning Together site.

#### **4.3 Personal Appearance**

In your appearance as well as in your behaviour, you should regard yourself as an ambassador for the school and dress in clothing that is appropriate for your duties. Your School may have a code of dress where it is important to project a favourable image of the school and its employees, and you must follow any such code that applies to you. All employees are required to be neat and tidy in appearance. If you have direct contact with customers or members of the public you must look smart.

If you are required to wear specific items of clothing, hairstyles or jewellery in accordance with your ethnic background or faith, your needs will be accommodated where possible and practicable, however this must not pose a hazard to the health and safety of any person or contravene any legitimate or reasonable requirement of the school / County Council.

Further guidance on what the school deems acceptable regarding employee's appearance is available in the dress code. -

#### **4.4 Equality Issues**

The school is committed to tackling discrimination in how it treats its employees and how it delivers services, and also to actively promoting and championing equality in the community. You are entitled to expect fair and reasonable treatment by your colleagues, managers, Governors and Councillors. If you feel that you have been unfairly treated, discriminated against or harassed, you are entitled to make use of the school Grievance Procedure. You are also entitled to be treated with respect by clients, service users and members of the public, and be supported with this by the school. In the same way, you are required to treat your colleagues, pupils, parents, staff and members of the public fairly and with respect. Not only is it a criminal offence to harass another person on any ground, it is also a disciplinary offence. It is your responsibility to read and abide by the Equality Policies, undertake the mandatory training and to be familiar with your legal duties under the Equality Act 2010.

#### **4.5 Health and Safety Issues**

In line with legal and contractual obligations, all employees are required to cooperate and ensure compliance with the school and relevant County Council Health & Safety Policies and objectives. This includes adherence to all identified safe working procedures and risk assessments. All employees are actively encouraged to familiarise themselves with Health and Safety documentation, especially risk assessments, attend any training identified as part of their role and raise any health and safety concerns within the first instance, their line manager.

All staff in schools will have direct contact to a greater or lesser degree with pupils. Staff must conduct themselves in accordance with the Guidance on Safer Working Practice for Adults who work with children and young people.

If you use a car on school business you are responsible for ensuring that you are properly licensed to drive and that the vehicle in question is properly maintained, taxed, insured and has a current MOT certificate. The insurance policy must cover you for the use of the vehicle in connection with your employment (business use). On a regular basis you will have to produce satisfactory evidence that you and any vehicle that you use complies with prevailing statutory requirements in relation to driving and vehicle licensing, taxation and certification. If you or the vehicle are unable to meet the statutory requirements you must notify your line manager immediately and you must not use the vehicle on school business. Failure to comply with these provisions is a serious disciplinary matter.

#### **4.6 Outside Commitments**

An employee's off-duty hours are their own personal concern but they should not subordinate their duty to their private interests or put themselves in a position where their duty and their private interests conflict. As a general rule, the school will not attempt to preclude employees from undertaking additional employment, but any such employment must not, in the view of the school, conflict with or react detrimentally to the school's interests, or in any way weaken public confidence in the conduct of the school's business. No secondary employment will be allowed if it results in a breach of the Working Time Regulations. If you are in any doubt about this you should seek advice from your Head Teacher. If you wish to pursue an application you should complete an "APPLICATION TO UNDERTAKE SECONDARY EMPLOYMENT OR ENGAGE IN ANOTHER BUSINESS" form, which is available from the HR pages of the intranet.

If you are a teacher or a member of support staff graded above Band 7 (SCP34) you are required to devote your whole-time service to the work of the school and not engage in any other business or take up any other additional appointment (paid or unpaid) without the express consent of the school. Employees graded up to and including Band 7 (SCP34) should, however, check with their manager to ensure that any other employment they propose to undertake does not conflict with their employment with the school and/or with the provisions of the Working Time Regulations which are explained in the Working Time Policy. This provision applies to part-time and full-time employees.

If you engage in any paid or unpaid secondary employment or business you must not use or mention your employment with the school / County Council in order to gain business or trade for that secondary employment.

#### **4.7 Intellectual Property**

All creative designs, writings and drawings produced by employees in the course of their duties are the property of the school.

All inventions made by employees remain the property of the school if made during the course of normal duties. Normal duties are those described in an employee's terms of employment, job description and those arising from an instruction from a manager or other authorised representative of the school.

This means that you are not free to disclose, publish or otherwise use the work you produce for the County Council for personal gain or benefit unless you have express, prior approval from your Head Teacher.

Fees for giving lectures or writing articles may only be retained by employees where these activities are not integral to their employment or position with the school and they are conducted in the employee's own time.

#### **4.8 Personal Interests**

You must declare any financial and/or non financial interests which could conflict with the school /County Council's interests to your Head Teacher using the "DECLARATION OF INTERESTS AND MEMBERSHIPS" form, which is available from the school office.

You must declare membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct to the Council's Monitoring Officer using the "DECLARATION OF INTERESTS AND MEMBERSHIPS" form, which is available from the school office.

If you are a Head Teacher this declaration must be made on the form referred to above and must be sent to the Council's Monitoring Officer immediately following the annual invitation to make a "DECLARATION OF OFFICERS' INTERESTS" under County Council Standing Order No. 47. This information is entered on a register kept by the Chief Executive and is open to inspection by any member of the County Council.

In accordance with the Local Government and Housing Act, certain employees occupy politically restricted posts and are required to seek exemption if proposing to engage in certain activities. Further details are available from HR.

The information supplied under the paragraphs above will not affect your position in the school. The information will normally be made available only to your Head Teacher and any employee nominated to be responsible for its secure storage. However, where a relevant complaint or query is made, the Monitoring Officer and the County Council's auditors will also have access to the information so that a proper response can be made to the complaint or query.

#### **4.9 Use of County Council Property and Information**

The general rule is that you must only use school or County Council property for work purposes and the paragraphs below set out this requirement in more detail. However, there are exceptions.

Teachers necessarily work at home and need to take books and records home to do that work. In addition, the headteacher may give staff permission to use school or County Council equipment away from the workplace. In all such circumstances, the Head teacher should keep a proper record of the identity of the equipment, the period of the loan, the reason for the loan and any restrictions imposed on the use of the equipment.

You must not engage in any secondary employment or business on school/ County Council premises at any time. To do so could be interpreted as gaining a pecuniary advantage by way of your employment and that is illegal.

If you are engaged in secondary employment you must not park any vehicle within the school grounds if it can be identified as being a vehicle used for that employment or if it contains any visible materials relating to that secondary employment. If the vehicle otherwise satisfies the foregoing conditions it must also be suitable and available for use in your official capacity if you are required to use a vehicle in your employment with the school.



You must not store any items connected with any secondary employment or any personal items (except those which are used in connection with your official duties) on school premises.

Where equipment is made available to the public you may use it at the same charge (if any) as is made to the public. Otherwise, equipment and property belonging to the School or County Council must only be used for official purposes. Some particular examples and exceptions are shown below.

If you are involved in the tendering process or dealing with contractors, you should be clear on the separation of client and contractor roles within the School. If you are a senior employee with both a client and contractor responsibility, you must be aware of the need for accountability and openness.

If you are employed in a contractor or client unit, you must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors. If you have any direct or indirect interest in the outcome you must play no part in the selection of tenderers, contractors or sub contractors and such interests should be declared to your Head Teacher / Chair of Governors.

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

You should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

#### **4.10 Corruption**

You are warned that it is a serious criminal offence corruptly to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in your official capacity. If an allegation is made, the law is such that the onus is on you to demonstrate that any such rewards have not been corruptly obtained.

The public is entitled to demand of a local government employee, conduct of the highest standard and public confidence in their integrity would be shaken were the least suspicion to arise that they could be influenced by improper motives. Any offers of a bribe must be reported immediately Head teacher and Chair of Governors.

#### **4.11 Hospitality**

You should only accept offers of hospitality if there is a genuine need to impart information or represent the School in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community and where the School should be seen to be represented. In such cases they should be properly authorised by your Head Teacher, or if you are the Head Teacher to the Chair of Governors and recorded using the "DECLARATION OF HOSPITALITY AND GIFTS" form found on the HR pages of the intranet.

Head Teachers should review and approve hospitality but also check at the same time that regular instances of hospitality with the same supplier are appropriate.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the fact that the School must be seen to be acting impartially and with integrity.

When receiving authorised hospitality you should be particularly sensitive as to its timing in relation to decisions which the School may be taking affecting those providing the hospitality.

It is acceptable for you to accept hospitality through attendance at relevant conferences and courses when it is clear the hospitality is corporate rather than personal, where the School gives consent in advance and where the School is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc., are required, you should ensure that the School meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

#### 4.12 Gifts

In a climate where gifts are accepted, the general public and the givers of gifts can come to believe that the level of service provided could be influenced by gifts; whether or not this is true in practice. Therefore, neither you nor members of your family should accept significant personal gifts from service users, clients, contractors or outside suppliers, although the School has no objection to you keeping insignificant items of token value such as pens, diaries, etc., up to a value of £25. Gifts of greater value should be dealt with as set out below. Where a number of small gifts over a period of time amount to more than £25 collectively these should be declared.

Where a gift is offered by a service user or client, The aim must always be to refuse a gift politely and tactfully and to give a proper explanation of the reasons for the refusal. If it is clearly not going to be possible to do this without causing unnecessary distress or offence to the donor, try to make an opportunity to consult your manager before accepting. If this is not possible, and you are quite sure that refusal would cause significant distress or offence, accept the gift but make an immediate written note of the details of the gift and the circumstances in which the gift was made and give that note to your manager at the first available opportunity. Your Head Teacher will then complete the "DECLARATION OF HOSPITALITY AND GIFTS" so the information can be recorded.

Occasionally a gift may simply be delivered and there may be a problem over returning it, for example, a turkey at Christmas. Should that happen, consult your Head teacher about what to do. It may, for example, be acceptable to the donor for the gift to be raffled and the proceeds donated to charity or it may be possible to ensure that needy members of the community (and not any school employees) receive the benefit of the gift. Whatever is done should be agreed with your Headteacher and the agreed course of action should be clearly documented using the "DECLARATION OF HOSPITALITY AND GIFTS".

It is recognised that pupils often give presents to members of staff, especially at Christmas, the end of trips or when a member of staff or class is leaving. The code is not intended to prevent this happening. However, in the unlikely event of a member of staff receiving a substantial gift from an individual pupil (or their parent / carer) at an unexpected time, it would be advisable for the member of staff to register the gift with their Head Teacher in accordance with the above guidance.

## 5. Monitoring and Audit

The Council will monitor the application of this policy and has discretion to review it at any time through the appropriate consultation mechanisms.

This model policy is only available for those schools in Northumberland that purchase the HR SLA from Northumberland County Council.

Responsibility for the implementation, monitoring and development of this policy lies with the Director of Human Resources. Day to day operation of this policy is the responsibility of Head Teachers who will ensure that this policy is adhered to.

## 6. Training and Support

Advice can be gained from the HR department in relation to the implementation of this policy and associated procedures.

## 7. Associated Documentation and References

Reference	Title
SMP-09-V1 Appendix 2	Declaration of hospitality and gifts
SMP-09-V1 Appendix 3	Application to undertake secondary employment or engage in another business form
SMP-09-V1 Appendix 1	- Declaration of Interests and Membership
SMP-33-V1	Whistleblowing Policy
SMP-28-V1	Social Networking Policy