



## **CODE OF CONDUCT FOR EMPLOYEES**

### **ALL STAFF**

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# 1. Introduction, Purpose & Scope

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## 1.0 INTRODUCTION

- 1.01 The Pontefract Academies Trust (“the Trust”) is committed to giving all employees the support and encouragement they need to raise aspirations, unlock potential and work to achieve excellence through encouraging a “can do” culture, which nurtures confident and competent people.
- 1.02 The Trust is committed to creating a positive working environment where all employees fully understand their individual responsibility to conduct themselves in a manner which upholds the Nolan Committee seven principles of public life (i.e. acting in the public interest through applying principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership) as a minimum and provides the highest possible standards to pupils/students, colleagues, parents/carers, contractors, Trustees, Local Governors, and the general public.

## 1.1 PURPOSE

- 1.1.1 The Code of Conduct for Employees (“the Code”) sets out the standards of behaviour expected of employees. Failure to observe the expected standards at any time may result in disciplinary action and dismissal in accordance with the Trust’s Disciplinary Procedure.

## 1.2 SCOPE

- 1.2.1 The Code applies to all employees employed within the Trust and for any other persons working on behalf of the Trust (e.g. agency staff, volunteers, contracted services).
- 1.2.2 The Code will not specifically cover every eventuality; however, employees should be aware that conduct which most people would consider as unreasonable or disloyal to the Trust will be treated as a breach of the Code (e.g. publicly making derogatory or defamatory remarks about colleagues, Trustees or Local Governors).

## 1.3 RELATED POLICIES OR PROCEDURES

- 1.3.1 The Code of Conduct for Employees will be read in conjunction with any other codes of practice or policies that relate to employee conduct and / or workplace or system security policies and procedures. This includes:
- Safeguarding and Child Protection Policy and Procedures
  - Equality and Diversity Policy
  - Anti-Fraud Bribery and Corruption
  - Conflicts Policy and Register of Business Interests
  - Whistleblowing Policy
  - Use of Electronic Equipment and Social Media
  - Health and Safety Policy and Procedures

## 2. Roles and Responsibilities

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### 2.0 CEO AND EXECUTIVE HEADTEACHER/HEADTEACHER RESPONSIBILITIES

The CEO and Executive Headteachers/Headteachers are responsible for making the Code available to all employees and incorporating it into the induction of new employees.

### 2.1 EMPLOYEE RESPONSIBILITIES

All employees have an individual responsibility to ensure that they understand the provisions of the Code and any related policies or procedures. Where an employee does not fully understand, they must in their own interests, seek clarification from their Executive Headteacher/Headteacher, the CEO, the Director of Finance Business and Operations, or the HR Manager/Advisor.

Employees must at all times comply with the law, act within the statutory frameworks which set out their professional duties and responsibilities, and comply with this Code of Conduct.

Employees must bring to the attention of management any impropriety or breach of procedure. The Trust Whistleblowing Policy enables employees to raise concerns in an appropriate manner and to ensure that they do not suffer any detriment as a result of doing so.

Employees will ensure they use public funds in a responsible and lawful manner and in accordance with the purposes intended. Employees will strive to ensure value for money and avoid any legal challenge to the Trust.

Employees have a duty to inform management should they receive a caution or charge from the Police (national or international) during the course of their employment.

### 2.2 EMPLOYEES WHO ALSO CARRY OUT OTHER PUBLIC ROLES

Employees who also carry out other public roles (e.g. Trade Union Representative, Local Councillor, Action Group Member) must ensure that they are clear in what capacity they are acting or speaking.

Employees should exercise great care in presenting the facts in order to avoid personal opinions which may be interpreted as the opinions of the Trust, or may be in conflict with paragraph 1.2.2 of this Code of Conduct.

## 3. Conflicts and Personal or Business Interests

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### 3.0 PERSONAL INTERESTS

A conflict of interest is any situation where an employee's personal interests or loyalties could, or could be seen, to prevent the employee from making a decision in the best interests of the Trust or its schools.

3.1 The Trust expects conflicts of interest to be identified at an early stage. This may include but is not limited to:

- Holding another public office;
- Being an employee, director, advisor or partner of another business or organisation;
- Pursuing a business opportunity;
- Being a member of a club, society or association;
- Having a professional or legal obligation to someone else;
- Having a beneficial interest in a trust;
- Owning or occupying a piece of land;
- Owning shares or some other investment or asset;
- Having received a gift, hospitality, or other benefit from someone / an organisation;
- Owning a debt to an individual or an organisation;
- Holding or expressing strong political or personal views that may indicate prejudice or predetermination for or against a person or issue;
- Being a spouse, partner, relative or close friend of someone who has one of these interests.

Employees engaged in decisions where conflicts of interest may arise should declare this to their Head Teacher/Senior Manager at the earliest opportunity.

Certain employees may be required to complete a declaration of interests at periodic intervals or when changes to their interests occur, in accordance with the Trust Conflicts Policy and Register of Business Interests.

### 3.2 RELATIONSHIPS

#### 3.2.1 Trustees/Local Governors

Mutual respect between employees and Trustees/Local Governors is essential to effective management. Personal familiarity with any individual Trustee or Local Governor may arise. Where such a personal relationship does exist, the relationship must always be disclosed when relevant to Trust activities. In addition, the employee should avoid any professional contact with the Trustee/Local Governor concerned on any matter where the personal relationship may be perceived by others to affect the conduct or judgement of the Trustee/Local Governor concerned.

Trustees/Local Governors and employees should avoid discussing, within the context of a personal relationship, any information of a private, or personal and confidential nature which they become aware of in the course of their duties/employment.

## 3. Conflicts and Personal or Business Interests

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### 3.2.2 Employees

Where a personal relationship exists between employees, the employees concerned should declare this to their line manager if the relationship could be deemed as a conflict of interest, trust or breach of confidentiality.

Where a personal relationship exists between employees who are in a line management or supervisory relationship at work, then they must not be involved in any activity involving the other employee such as, but not limited to, recruitment and selection, performance management, pay and grading, disciplinary, capability, or grievance.

### 3.2.3 The Local Community and Service Users

Employees must always remember their responsibilities to the local community, the users of the Trust and its schools. Employees should ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

Employees must always act in a way that preserves public confidence in the Trust and its schools.

### 3.2.4 Contractors

All relationships of a business or private nature with external contractors or potential external contractors of the Trust will be made known to the nominated manager and be formally declared at the earliest opportunity in accordance with the Trust Conflicts Policy and Register of Interests. Orders and contracts must be awarded on merit and in fair competition with other tenders in all cases. Employees will not be involved in those processes where they are at risk of being perceived as being influenced by a previous or current relationship with a contractor.

Employees who have access to confidential information on contracts for tender, or costs for either internal or external contractors, must not disclose that information to any unauthorised party or organisation.

Employees will not buy items for personal use through the Trust's contracts with external contractors.

## 3.3 APPOINTMENT AND OTHER EMPLOYMENT MATTERS

3.3.1 Employees involved in appointments will ensure that those appointments are made only on the basis of merit. In order to avoid any possible accusation of bias, employees will not be involved in an appointment where they are related to an applicant, or have a personal relationship with them outside work.

Similarly, employees will not be involved in decisions relating to discipline, promotion, recruitment or pay and conditions for any other employee who is a relative, partner, spouse, or with any other person with whom they have a close personal relationship.

## 3. Conflicts and Personal or Business Interests

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### 3.4 ADDITIONAL EMPLOYMENT

- 3.4.1 All employees have contractual obligations with the Trust and will not undertake outside employment which conflicts with the Trust's interests, brings it into disrepute, or interferes with the proper performance of the employees duties.
- 3.4.2 All employees will seek advice before undertaking outside employment. Senior Leaders/Managers are required to obtain consent of the Trust, by applying to the CEO (for Executive Headteachers/Headteachers and Central Trust employees) or Executive Headteacher/Headteacher (for school based employees).
- 3.4.3 An employee's declaration of other employment does not remove the right of the Trust to take action against any employee if it is deemed to be, or has been, detrimental to the Trust's interest of reputation, or where the other employment affects the employee's work performance for the Trust.
- 3.4.4 No work, (i.e. other employment) other than for the Trust, whether paid or unpaid, will be undertaken in the workplace. This includes the use of workplace facilities, including, but not restricted to telephones, mobile phones, the internet, email, stationery, and photocopiers.
- 3.4.5 Employees will seek approval from the CEO (for Executive Headteachers/Headteachers or Central Trust employees) or the Executive Headteacher/Headteacher (for school based employees) if they wish to provide services on a consultancy basis to another organisation, or as a representative of another organisation. Approval will be dependent on the needs of the Trust at that time. Where the work takes place during normal working hours, any payments will be processed through the Trust's financial system and be made to the Trust or individual school. The individual employee will be entitled to claim any reasonable travel expenses or additional hours in accordance with the relevant Trust policy.
- 3.4.6 Employees taking other employment will ensure that the total number of hours worked in a week is not (or is not perceived to be) a risk to their own or colleagues' health and safety. Specifically, the Trust expects all employees to notify the CEO or Executive Headteacher/Headteacher of any other employment which may result in their total working exceeding an average of 48 hours a week.
- 3.4.7 Employees will be aware that all literary, dramatic, musical or artistic work (including (as an example) but not limited to documents, computer programs, photographs, drawings, recordings or graphic work) which is produced by the employee in the course of their employment with the Trust is the copyright of the Trust in accordance with S11 (2) of the Copyright Design and Patents Act 1988. Accordingly, employees must not do anything which in any way would constitute an infringement of the Trust's copyright in any literary, dramatic musical or artistic work. Employees will ensure that they do not do anything which would constitute an infringement of the copyright of any third party whilst in the course of their employment with the Trust.
- 3.4.8 Any communications using the Trust's systems may be monitored. Any such

### 3. Conflicts and Personal or Business Interests

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monitoring will be in accordance with the law. Telephone call and email/internet logging systems may be used to identify usage for private purposes.

## 4. Gifts, Hospitality and Donations

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4.0 Trustees, governors, or employees must not either directly or indirectly, accept any gift, reward or benefit from any individual or organisation with whom he/she has been brought into contact by reason of their duties other than those listed below:

**a) Trivial Gifts**

Trivial Gifts are those which are:

- Inexpensive items of a value of less than £25 from suppliers or contractors as expressions of gratitude such as boxes of chocolate or flowers;
- Seasonal/promotional gifts such as diaries, calendars, or pens with a value of less than £25;
- The receipt of the above gifts should only be accepted where they are occasional and where acceptance would not give rise to public concern. Gifts below £25 do not need to be recorded and can be disposed of by an appropriate method determined by the individual school.

**b) Routine Hospitality**

Routine hospitality is deemed that which is:

- working lunches provided as part of a business meeting and where there is no suggestion of improper influence;
- continuous professional development events paid for or offered free of charge by third parties;
- hospitality as part of a function or event where the individual is present in a professional capacity and the hospitality is offered to other individuals attending the event (corporate rather than personal);
- the receipt of routine hospitality as defined above does not need to be recorded. Hospitality of a value of greater than £25 should generally be declined and should always be declared.

**c) Where refusal might offend**

On occasions trustees, governors or employees may receive offers of gifts they must refuse but for various reasons find it difficult or almost impossible to do so (for examples gifts left for them in their absence, or where non acceptance may cause offence). If this happens the gift must be declared, recorded on the gifts and hospitality register and should be donated to the Trust. All such donations shall be recorded on the declaration form.

### 4.1 Unacceptable gifts/hospitality

Offers of any of the following must be refused under all circumstances:

- cash;
- personal invitations from representatives of companies seeking or having business with the Trust;
- offers of holidays, accommodation or entertainment (theatre tickets, sporting events) to individuals;
- extravagant hospitality inappropriate to the occasion;
- use of company flats or facilities;
- gifts exceeding a value of around £25 if they are intended for exclusively personal or private use, such as jewellery or clothing;

## 4. Gifts, Hospitality and Donations

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- Offers to attend private, social or sporting functions should only be accepted when these are regarded as part of the life of the community where the Trust should be seen to be represented;
- If it is likely that a typical member of the public would think that a specific gift or incidence of hospitality is inappropriate, then it probably is and should therefore be declined. When dealing with gifts and hospitality caution should always be applied and if in doubt offers should be declined.

### 4.2 Registration of Gifts and Hospitality

All Trustees/Local Governors/Employees will ensure that all offers are declared and registered in accordance with the Trust Gifts and Hospitality Policy for items of gifts or hospitality with an individual or collective value estimated to be £25 or more whether it has been accepted or not.

### 4.3 Donations

4.3.1 An offer of a donation will be declined if one or more of the following conditions exist:

- The donation has conditions attached that are inconsistent with the Trust's objects within the Articles of Association;
- The donation has conditions attached that are inconsistent with procurement best practice or legislation;
- The donation has conditions attached that are inconsistent with the principle that a donation is a contribution that is voluntarily transferred by one person to another without compensation or benefit flowing from the giver to the receiver.
- The source of the donation or its intended purpose are inconsistent with the characteristics of an Academy Trust as laid out in the Funding Agreement or are likely in the view of the Trust to draw adverse publicity for the academy or bring it into disrepute.

4.3.2 In accordance with the Trust Donations Policy, all donors will be requested, for audit purposes, to put in writing details of their donation, the fact that it has no conditions attached (where relevant), their estimation of the value (where relevant), and when the individual school / central trust will receive the donation.

Where there are conditions attached these should be clearly set out in writing by the donor – i.e. Donation towards outdoor play area equipment.

## 5. Anti-Fraud, Bribery and Corruption

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- 5.0 The expectation is that Trustees, Governors, and employees at all levels will adopt the highest standards of propriety and accountability and demonstrate that the Trust is acting in a transparent and honest manner.
- 5.1 Any Trustees/Local Governors of the Trust who commits a fraudulent act against the Trust or is involved with bribery in the performance of their duties will be subjected to the Trust's procedures for dealing with complaints of misconduct against Trustees/Local Governors operated by the Trust's Audit and Risk Committee and may be reported to the Police.
- 5.2 Any employee committing a fraudulent act against the Trust or found to be involved with bribery in the performance of their duties will be subjected to the Trust's disciplinary procedures and may be reported to the Police. The internal action in relation to Trustees/Local Governors or employees will be in addition to any prosecution proceedings that might occur.
- 5.3 The highest standards are also expected from all organisations that have dealings with the Trust. Suppliers, contractors, consultants, partners and other organisations funded by the Trust are therefore expected to adopt equally high standards of corporate governance. The Trust will consider the extent to which it has further involvement with any organisation that fails to abide by these expected standards.
- 5.4 The Trust believes that the maintenance of a culture of honesty and openness, based on values such as fairness, trust and integrity is a key element in tackling fraud and bribery. In this respect, each Trustee, Governor, and employee of the Trust is under a duty to report any reasonable suspicions and is encouraged to raise any concerns about fraud and bribery, in the knowledge that such concerns will be properly investigated. The Trust's Whistleblowing Policy is in place to protect anyone who wishes to raise concerns about behaviour/practice.

## 6. Safeguarding and Child Protection

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- 6.0 Employees working with our children and young people have a responsibility to safeguard and promote the welfare of those children and young people during the course of their work. Any breach of policies and procedures meant to safeguard pupils, will be regarded as potential gross misconduct. This may lead to disciplinary action including the possibility of dismissal without notice.
- 6.1 All matters in respect of the Safeguarding and Child Protection should be dealt with in accordance with Trust Policy and Procedures and the appropriate Local Safeguarding Children Board's Child Protection Guidance and Procedures.
- 6.2 Employees will at all times ensure appropriate boundaries in terms of relationships with children and young people educated in the Trust. If an employee has difficulty enforcing or maintaining those appropriate boundaries because of actions or responses of the child / young person, the issue should be referred to the CEO (Executive Headteacher/Headteacher or central employees) or Executive Headteacher/Headteacher (school based employees) immediately to allow appropriate action to be taken and recorded.
- 6.3 Employees who witness any behaviour which they consider to be detrimental to the safety and welfare of children and young people within our Trust have a duty to report it in accordance with individual school procedures or the Trust's Whistleblowing Policy where appropriate.
- 6.4 Employees employed in positions covered by the Childcare Disqualification Regulations ("relevant posts") will complete a declaration form prior to commencing employment, and on an annual basis thereafter. They will declare immediately anything which could render them disqualified (including disqualification by association), and are not permitted to work in a relevant post if disqualified unless a waiver is granted by Ofsted.
- 6.5 Under the terms of the Rehabilitation of Offenders Act 1974, employees must disclose all convictions which are not "spent" both before commencement of, and during employment. Employees will disclose all convictions (including those "spent" under the Rehabilitation of Offenders Act 1974) when the employee is employed in a post covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Orders 1975 and 1986. Failure to disclose such convictions and to comply with any of the above constitutes possible gross misconduct and may result in disciplinary action including the possibility of summary dismissal without notice.
- 6.6 All employees whose work involves driving will declare any motoring offences, health issues, or medication to the CEO (Executive Headteachers/Headteachers or central trust employees) or Executive Headteacher/Headteacher (school based employees). Where employees are in charge of a vehicle whilst engaged on Trust activities they will ensure that it is safe to drive and has the relevant valid insurance.
- 6.7 All employees will at all times observe and work in accordance with the Trust Health and Safety Policy, underpinning individual school policy and procedures, and in accordance with safe systems of work, regulations, codes

## 4. Gifts, Hospitality and Donations

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of practice and relevant Health and Safety Law.

## 7. Smoking, Alcohol and Drugs

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- 7.1 Smoking or use of electronic smoking devices (vaping) is prohibited in all buildings or grounds operated by the Trust. If employees find it necessary to smoke, they are actively required to do so away from school boundaries and out of the sight of learners, and wherever possible, parents and the public.
- 7.2 All employees will attend work in a condition to undertake their duties in a safe manner. The consumption of alcohol or illegal drugs impairs performance and may constitute a health and safety risk. Where there is a substantial reason to believe that an employee is under the influence of alcohol or drugs whilst on Trust operated premises, then this will be regarded as potential gross misconduct. If the employee has an underlying substance related problem this will be dealt with in accordance with the appropriate policy.
- 7.3 The consumption of alcohol at any time when supervising children or young people on school premises or during a school trip is inappropriate and may be regarded as an act of misconduct. Exceptions to this will be agreed in advance and notified to staff by the CEO or Executive Headteacher/Headteacher for events such as end of term gatherings and PTA functions.
- 7.4 The expectation is that there should be zero level of alcohol or illegal substances in the body when driving on Trust/School business or when supervising children both on and off the premises.

## 8. Dress, Appearance and Language

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### 8.1 Dress and Appearance

Employees will ensure their standard of dress is appropriate within an educational setting and where they are considered role models to learners and their families. Inappropriate dress can create the view that the Trust is unprofessional, create offence, or be interpreted as disrespectful by the public.

Piercings, other than earrings should not be worn in the workplace, visible tattoos should be covered and outlandish hair colours will be unacceptable.

In all cases employees will be expected to conform to the requirements for dress codes which apply for health and safety reasons.

### 8.2 Language

The use of swear words, offensive language and / or gestures in conversation and communication with learners, their families, members of the community, or colleagues is unacceptable at all times.

Language which may be perceived as patronising or over familiar is also unacceptable.

## 9. Information Technology, Data Security, and Social Media

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- 9.0 The information stored and processed on the information technology systems operated by the Trust is of paramount importance in the day to day activities of the Trust. It is essential that data and systems are adequately secured against risks such as operator errors, theft, unauthorised access to or copying of programmes, use of unauthorised software on Trust machines and natural hazards such as fire, flood and power failures.
- 9.1 All employees will ensure that they comply with the requirements of the Data Protection Act 1998 and the Computer Misuse Act 1990.
- 9.2 Employees will ensure at all times that no unauthorised person gains access to equipment or data, which is within their responsibilities. Individual passwords and login details will remain confidential. Employees will only release data or information if and when authorised to do so by their nominated manager. Employees will not be authorised to release data or information which is protected by law.
- 9.3 E-Communications usage is to be used for Trust activities only. The tone and content of e-communication messages will be appropriate in upholding the Trust's commitment to valuing diversity, and promoting equality and dignity at work. Employees will remember at all times that e-communications have the same legal status as letters and therefore need wording with care, using professional language only.  
E-Communications will **not** be used for:
- the undertaking of any personal business for monetary gain;
  - knowingly engaging in any activity which threatens the integrity or availability of the Trust's systems;
  - intentionally sending, receiving, accessing, downloading or posting any inappropriate material. This means material which is illegal, obscene, indecent, abusive, racist, sexist, libellous, in breach of copyright, defamatory, or otherwise inappropriate;
  - transmitting, receiving, copying or storing digital media (including software, music, video etc) except for legitimate Trust business purposes in a way that complies with the copyright and licensing regulations;
  - disclosing sensitive information or personal data to unapproved persons or organisations;
  - attempting to breach security systems (hack) whether inside or outside the Trust;
  - originating or participating in chain letters or similar types of communications;
  - participating in chat rooms/forums unless this is work related or for professional development purposes;
  - Use of social media unless it is a Trust/School site and the employee has authority to post on it;
  - playing computer games or similar entertainment
- 9.4 Employees will be responsible for taking reasonable steps to ensure that their social media postings continue to uphold the values and ethos of the Trust. Any postings which make offensive, defamatory, or inappropriate comments about the Trust, an individual school, its learners and/or their

## 9. Information Technology, Data Security, and Social Media

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families, suppliers, Trustees, Local Governors, or volunteer may result in disciplinary action which could include dismissal.

- 9.5 Personal social media accounts will not be used to discuss work related issues, divulge confidential information, or undertake communications with existing or past learners educated within the Trust. In circumstances where employees feel this is necessary, advice should be sought and received in advance from the CEO/Executive Headteacher/Headteacher and professional boundaries observed at all times.
- 9.6 Employees will not engage in inappropriate use of Social Networking/Social Media sites which may bring the Trust, an individual school, or the community into disrepute.
- 9.7 Employees will not post any images of pupils or students on private social media accounts or any other unauthorised accounts.
- 9.8 The Trust may at any time monitor the use of its e-communication systems. Employees will not store personal data or images on any of the Trust systems and cannot expect any privacy of this data if they do so.

## 10. Communications with the Media

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- 10.1 It is the Trust Policy that all media liaison relating to the Trust and school activities is handled by the Executive Headteacher(s)/Headteacher(s) in liaison with the Chief Executive Officer.
- 10.2 If an employee has ideas for positive stories about the Trust or individual school activities or is approached by a journalist they should seek advice from the Executive Headteacher/Headteacher or the CEO before any information is given verbally, via email or in writing.
- 10.3 Any financial information in regard to the Trust or any individual school will not be disclosed without prior consultation for factual accuracy by the Director of Finance Business and Operations.
- 10.4 Where an employee is writing material for publication which does not refer specifically to the Trust, or an individual school of the Trust, but does relate to his/her profession or occupation the employee should notify his/her Executive Headteacher/Headteacher and/or the Chief Executive Officer prior to publication.