

**SPROTBROUGH ORCHARD INFANT SCHOOL**

**Staff Code of Conduct Policy**



**Policy 1<sup>st</sup> adopted by Governors in: 2009**

**Reviewed on: 7<sup>th</sup> December 2023**

**To be reviewed in: October 2024**

**Person Responsible for Policy: ELAINE MARTIN (HEADTEACHER)**

**SIGNED**  **(Headteacher)**



**(Chair of Governors)**

**Adapted from the DMBC Staff Code of Conduct for Schools and Educational Establishments**

# STAFF CODE OF CONDUCT FOR SCHOOLS AND EDUCATIONAL ESTABLISHMENTS

## 1. INTRODUCTION AND POLICY ISSUES

All employees have personal and legal responsibilities, including: treating others professionally and with dignity; acting honestly, using public funds and school 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 all staff, including the Headteacher and Senior Management team.

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 in the school, or representing the school, 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.

## 2. INTRODUCTION AND POLICY ISSUES

The Code of Conduct forms part of an employee’s contract. Failure to comply with it and with the associated school policies (“Required Reading”) may result in disciplinary action being taken, and the school and/or the Local Authority reserves the right to take legal action against employees where breaches of the Code warrant such action.

### **Required reading:**

- Keeping Children Safe in Education
- School’s Equality Policies and Schemes
- Teachers Professional Standards (Teachers Only)
- Low Level Concerns Policy
- Whistleblowing Policy

The School operates within a culture of openness, trust and transparency in which staff must uphold the values of the organisation. The School expects all staff to commit to putting children first.

## 3. PROFESSIONAL BEHAVIOUR AND CONDUCT

### 3.1 Treating other people with dignity and respect

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

### 3.2 Expectations

Staff must lead by example and are required to: -

- Maintain high standards in their attendance and punctuality.
- Never use inappropriate or offensive language.
- Treat pupils and others with dignity and respect.
- Show tolerance and respect for the rights of others.
- Not undermine Fundamental British Values, including democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs
- Express personal beliefs in a way that will not overly influence pupils, exploit their vulnerability, or potentially lead them to break the law.
- Understand the statutory frameworks they must act within.
- Commit to the safeguarding culture of the school and report any concerns regarding staff who demonstrate behaviour that is not consistent with the code of conduct.

### 3.3 Appropriate relationships with children

School 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 at all times. It is equally important for staff to avoid behaviour that might be misinterpreted by others in order to protect both young people and themselves. Staff are required to read and understand school policies on child protection and in particular 'Keeping Children safe in Education' and should seek clarification on any points they are not clear on. See Appendix 3: Guidance about Conduct for Staff, Volunteers, Governors etc whose work brings them into Contact with Children and Young People.

If members of staff and pupils must spend time on a one-to-one basis, staff will ensure that: -

- This takes place in a public place that others can access.
- Others can see into the room.

Staff should avoid contact with pupils outside of teaching hours if possible, unless the contact is due to after school clubs/activities/residential visits that are provided by and verified by the school.

Personal contact details must not be exchanged between staff and pupils. This includes social media profiles.

Whilst we are aware some pupils and their parents may wish to give gifts to staff, for example at the end of the academic year, gifts from staff to individual pupils are not acceptable.

If a staff member is concerned at any point that an interaction between themselves and a pupil may be misinterpreted, they should report this to their line manager or the headteacher. All staff must observe professional boundaries at all times with pupils.

Staff should refer to the Low-level concerns policy if they have any concerns about behaviour that is not consistent with the of the Code of Conduct.

### **3.4 Professional behaviour**

Employees must not misuse or misrepresent their position, qualifications or experience or bring the reputation of the school into disrepute. Such behaviour may lead to disciplinary action. Employees of the school are in an influential position and will act as role models for pupils by consistently demonstrating high standards of behaviour in and outside of the workplace.

### **3.5 Criminal actions**

School employees must inform the Headteacher (Governing Body if the employee is the Headteacher) immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. The Headteacher or Governing Body 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 school.

### **3.6 Communication, social media and use of mobile phones**

All employees of the school must not make any social media profiles available to pupils. If employees have a personal profile on social media sites, they should not

use their full name, as pupils may be able to find them. Staff should consider using a first and middle name instead and set public profiles to private.

All employees are prohibited from attempting to contact pupils or their parents via social media, or any other means outside of the school in order to develop any sort of private relationship. They will not make any efforts to find pupils' or parents' social medial profiles.

Staff will ensure that they do not post any images online that identify children who are pupils at the school without their, or their parents' consent. Any images or content regarding pupils will only be posted on verified social media platforms that represent the school.

The use of personal mobile phones by staff is only permitted at designated break times and in areas to which pupils do not normally access. In exceptional circumstances, with prior consent from senior leaders, personal urgent phone calls may be taken outside of the classroom and away from children. In an emergency situation, staff would be permitted to use their personal mobile phone to call for emergency services if delaying a phone call would put a person at risk.

Mobile phones should be switched off or in silent mode during teaching time. It is prohibited to take photographs of pupils on any personal mobile device.

### **3.7 Acceptable use of technology**

When on school premises, staff are prohibited from using **any** technology, whether personal or belonging to the school to view material that is illegal, inappropriate or likely to be deemed offensive. This includes, but is not limited to, sending obscene emails, gambling and viewing pornography or other inappropriate contents/websites. Staff must be mindful of sites that are open on their own devices whilst on the school premises, it is advisable to close down all open browsing services including apps/photos/videos/emails etc. upon entering the school premises.

Staff are prohibited from using any technology belonging to the school to view material that is illegal, inappropriate or likely to be deemed offensive when off school premises.

Staff will not use personal mobile phones or laptops, or school equipment for personal use in teaching hours or in front of pupils. At no time will any member of staff use their own personal mobile phones or cameras to take pictures/videos of pupils.

We have the right to monitor emails and internet use on the school's IT system.

The School 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 school has the right to access employees' personal email and computer files if saved on school communication systems, if required for investigation of misuse.

It is recommended that employees do not use school systems (phone, email, computers) for excessive personal use. Inappropriate usage, which includes excessive or regular personal 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 or 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 are advised to inform their Headteacher or line manager immediately.

### **3.8 Honesty and integrity**

Staff must maintain high standards of honesty and integrity in their role. This includes when dealing with pupils, staff and parents, handling money, claiming expenses and using the school's property and facilities.

The guiding principles to be followed by all members of staff must be:

- the conduct of individuals should not create suspicion of any conflict between their official duty and their private interest.
- the action of individuals acting in an official capacity should not give the impression (to any member of the public, to any organisation with whom they deal or to their colleagues) that they have been (or may have been) influenced by a benefit to show favour or disfavour to any person or organisation.

### **Gifts or hospitality to an employee in the course of employment**

As an employee of the Council, you are personally responsible for all decisions connected with your acceptance of any gift or hospitality and for avoiding the risk of damage to public confidence in local government and schools.

You should treat with extreme caution any offer of gifts or hospitality made to you personally or to partners/members of your family. You should refuse any gift or hospitality which might be perceived by the public as influencing your decisions or actions as an employee of the school or Council. Acceptance in the context of your employment of any fee or reward, other than your proper remuneration, can constitute a criminal offence.

Gifts or hospitality of nominal value (e.g. gifts from children at Christmas/end of year or a token promotional gift) may be accepted.

Tactfully refuse gifts or hospitality from any external commercial body where these might be seen by the public to compromise your integrity, e.g. complimentary tickets to sporting events, paid holidays etc. It may help to explain that this is school policy. If the gifts are sent to the school, return them if the sender can be identified. If it is not possible for you to return them, make arrangements for them to be officially appropriated to the benefit of the school or to a charity nominated by the school.

Any cash payments made in the context of your employment, e.g. a token payment following a talk you have given or a training session, if not paid to the school for brokered services, must be refused or if intended for charity, paid via the School. It is not appropriate to make the donation yourself.

### **3.9 Conduct outside work**

Staff will not act in a way that would bring the school, teaching profession or professional position of staff into disrepute. This covers relevant criminal offences, such as violence or sexual misconduct, prohibited drugs/substances, as well as negative comments about the school on any social media sites.

Derogatory or offensive comments on any social media platform about any schools must be reported to the headteacher. Employees are instructed not to respond to or 'like' any such comments. Whilst we acknowledge that all employees have a right to their own opinions and political views, we advise employees to avoid 'liking' or commenting on social media posts that could be deemed unprofessional, including those that are hateful/discriminatory, controversial or offensive.

All staff must be aware of professional boundaries both in and outside of the work place with regard to pupils.

### **3.10 Required reading:**

- School's Safeguarding Policy, Child Protection Policy, Whistleblowing Policy, Low Level Concerns Policy
- School's Equality Policy
- (Teachers only) Teachers Standards

## **4. DECLARATION OF INTERESTS**

Employees should declare any financial or non-financial interests that may cause any conflict with the School or the Council's interests. When considering whether there may be a conflict of interest an employee shall apply the test "Would a reasonable

member of the public knowing all the facts, think the employee might be influenced?" If the answer is yes, then the interest should be declared. When considering whether there may be a conflict of interest an employee shall seek advice from their Head teacher and if necessary complete the relevant declaration form. If in doubt, declare the interest.

Interests will include pecuniary interests, for example, land ownership, and involvement in contractual or employment relationships. Interests will also include indirect pecuniary interests, where known, i.e. pecuniary interests of your close relatives. A pecuniary interest is one, which has the potential for making you, your employer or your relative or friend gain or lose financially.

Non-pecuniary interests, where known, are just as important. Any potential for a good or a bad effect on employees, their family, close relations, friends, club or societies etc. and any of those they are associated with, will count.

See Appendix 1: Register of Employee Interests

## 5. PROBITY OF RECORDS AND OTHER DOCUMENTS

The deliberate falsification of documents is not acceptable. 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.

Where an employee who has claimed any benefit, including housing benefit, either directly or indirectly and has failed to disclose their full earnings to the appropriate benefit agency, this will be treated as gross misconduct and the employee may be dismissed and referred to the Police.

## 6. FINANCIAL INDUCEMENTS

### 6.1 Financial Regulations for Schools

All school employees must comply with the school's and local authority's Financial Regulations.

### 6.2 Business Contacts

In this section, "business contact" refers to any person, body or organisation with which the school 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).



## 7. USE OF SCHOOL PREMISES & EQUIPMENT

School equipment and premises are available only for school-related activities and should not be used in relation to another job or post or for excessive or regular personal use, unless authorised in writing and in advance by the Headteacher. Where school's offer the use of premises e.g. gym, swimming, band practice, then a clear policy should be in place for this.

This includes photocopying facilities, stationery, telephones and computers and premises. Where any school equipment e.g. laptops is taken off premises, the school guidance/expectations should be followed including making sure it is not visible in a parked car. Employees are expected to sign an agreement to confirm they understand this guidance if they do take laptops/iPads off school premises. Any school equipment that is used outside school premises, for example laptops, should be returned to the school when the employee leaves employment or upon request by the Headteacher.

## 8. OTHER EMPLOYMENT

Employees are permitted to take up secondary employment outside the school, as long as the activity does not constitute a conflict of interest, adversely affect their primary employment at the school or exceed the legal maximum time 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 by other organisations.

## 9. HEALTH AND SAFETY

Employees must adhere to the school and Local Authority Health and Safety policy, procedure and guidance and must ensure that they take every action to keep themselves and everyone in the school environment safe and well.

This includes taking immediate safety action in a potentially harmful situation (either at school or off-site) by complying with statutory and school guidelines and collaborating with colleagues, agencies and the local authority.

Risk assessments must be in place for all activities involving children and young people undertaken both on and off the school site. Staff leading educational visit are expected to complete relevant documentation and risk assessments prior to leading the visit.

More detailed Health and Safety advice will be provided within your school's induction procedures.

#### 9.1 Required reading:

- School's Health and Safety Policy
- Educational Visits Policy

### 10. USE OF ALCOHOL AND ILLEGAL DRUGS

The taking of alcohol or illegal drugs during working hours is unacceptable and will not be tolerated. All employees are expected to attend work without being under the influence of alcohol or illegal drugs and without their performance being adversely impacted by the consumption of alcohol or illegal drugs.

If alcohol or drug usage impacts on an employee's working life, the school has the right to discuss the matter with the employee and take appropriate action, having considered factors such as the school or Local Authority's reputation and public confidence.

All school and Local Authority buildings and premises operate a no smoking/vaping policy.

### 11. CONFIDENTIALITY

In the course of their role, employees are often privy to sensitive and confidential information about the School, staff, pupils and their parent. This information must not be:

- Disclosed to anyone without the relevant authority.
- Used to humiliate, embarrass or blackmail others.
- Used for a purpose other than what it was collected and intended for

This does not overrule staff's duty to report child protection concerns to the appropriate channel where they believe a child is at risk or harm.

Employees of the School must not give statements to the media or press regarding School business; any enquiries for information from the media must be referred to the Headteacher.

Whilst we understand staff may discuss elements of their day when they are at home, as part of their own management of well-being, it is imperative that children, families/parents and staff must not be identifiable. Discussions of this nature must not be made in a public place.

### **11.1 Managing data**

Under GDPR UK, staff are required to collect, maintain and dispose of sensitive or personal data in a responsible manner. There is an obligation to read and to observe the requirements of GDPR UK.

### **11.2 Disclosing data**

Staff should not disclose sensitive information about the school, its employees or the Local Authority to other parties, for example, parents, colleagues or social networking sites and internet blogs. There are particular exceptions to this; for example, disclosure of suspected or alleged abuse of a pupil to Child Protection officers and discussion with a person accompanying or representing an employee in a formal meeting or disclosure under the school's Whistleblowing procedure. All school communication with the media must be directed through the Headteacher.

There are circumstances in which staff are obliged to release pupil data, for example, to parents seeking information about pupil progress or to other colleagues in the school.

Staff should be aware that from time to time, information about employees' salaries is matched with other public sector information to prevent fraudulent claims, for example housing benefits.

### **11.3 Access to data**

Everyone has the right to access data that is held about them, including references written by your current employer, and such requests should be made to the Headteacher who will address the request in conjunction with the Data Protection Officer.

### **11.4 Required reading:**

- School's Whistleblowing Procedure

## **12. COPYRIGHT**

Copyright legislation should be displayed next to photocopier machines and employees are required to adhere to the guidance provided about use of educational resources.

## **13. DRESS AND APPEARANCE**

We expect all employees to dress in a smart, clean and professional manner. This means the clothes staff wear at school, may be different to those adopted in their personal life. Employees will always dress in a decent, safe and appropriate manner

for the tasks/role they undertake. Outfits will not be overly revealing and staff are expected to check the suitability of outfits before coming to work by doing a 'drop test' and 'bend over test' to check for decency. Clothes will not display any offensive or political slogans.

All employees are encouraged to make sound judgments and choices in relation to their attire for work. The head teacher is empowered to determine the standard of smartness that is acceptable in the school.

Whilst the School accepts that tattoos are an expression of an individual, any visible tattoos that display profanities or expression of extreme views must be covered up.

Staff should ensure their footwear is safe and appropriate for their role and tasks they undertake. For safety reasons, open toed sandals, flip flops and narrow heels are not recommended as appropriate footwear given the polished surfaces around school.

#### 14. POWER AND POSITIONS OF TRUST

As a result of knowledge, position and/or the authority invested in their role, staff working with children and young people are in positions of trust in relation to those people in their care. It is vital for all staff to understand the power this can give them over those they care for and responsibility they must exercise as a consequence of this relationship.

Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

I declare that I have read and understood the Code of Conduct for School Employees and have been made aware of the "Required Reading".

Name

Date

Signature

APPENDIX 1

**Doncaster Borough Council**  
**Register of Governor/Employee Interests**

**Registration of Financial and Other Interests – Maintained Schools**

**(To be completed by new Governors and updated annually by all Governors)**

*Please refer to the corresponding guidance notes when completing the declaration*

(Please complete this section in block capitals)

Full Name: .....

School: .....

I [person detailed above] **give notice that I have set out below, under the appropriate headings, my interests which *conflict* with the work of the Council, which I am required to declare under the Code as to the conduct which is expected of Doncaster Council and I have put ‘none’ where I have no such interest under any heading.**

Give details of

**1. Any employment or business conducted by you and/or close relative, in addition to your current role within the School.**

- state company and position

**2. Any involvement in companies by you and/or close relative**

- state company and position

**3. Involvement in contracts with the Council by you and/or close relative**

- state contract and involvement

<b>4.</b>	<b>Governor of other educational establishments</b>
<b>5.</b>	<b>Close relative to/relationship with a senior officer or elected member at the Council, Governor or member of school staff</b> (include spouses, partners and close relatives)
<b>6.</b>	<b>Beneficial interest in land or property</b>
<b>7.</b>	<b>Intent to bid for land or property owned by the Council</b>
<b>8.</b>	<b>Member of a secret society as defined by Local Government Management Board</b>
<b>9.</b>	<b>Any gift or hospitality offered or received in the past year that was valued under £20. (Please refer to the Notes for Guidance section below)</b> A gift or hospitality with a value under £20 does not need to be recorded separately at the time of receipt. However, your Headteacher must determine whether it can be accepted or declined. You are nevertheless required to declare gifts or hospitality under £20 on your annual declaration form.

Give details including the name of the individual or organisation that has provided the gift or hospitality, a brief description of what has been provided and an estimated value.

**10. Any gift or hospitality offered or received in the past year that was valued over £20. (Please refer to the Notes for Guidance section below)**

A gift or hospitality with a known or estimated value over £20 must be declared and recorded when accepted or declined. Give details including the name of the individual or organisation that has provided the gift or hospitality, a brief description of what has been provided and an estimated value.

**Please note**

It is the Responsible Officer's responsibility to take appropriate action on any declared interests. Please detail **below** any further action taken

I recognise that it can be a disciplinary matter to:

1. Omit information that ought to be given in this notice;
2. Provide information that is materially false or misleading;
3. Fail to give further notices in order to
  - Bring up-to-date information in this notice
  - Declare an interest that I acquire after the date of this notice and have to declare.

I understand that I must, within 28 days of becoming aware of any change to the interests specified above, provide written notification of that change.

To the best of my knowledge, the information supplied above is correct and complete. I understand that it is my responsibility to declare any conflict of interest/loyalty, business or personal that relates directly or indirectly, to myself, or any relation in any contract, proposed contract or other matter when present at a meeting at the council/school where such contract or matter comes under consideration. I understand that I must withdraw from any meeting during the discussion of such contract or matter and must not vote in respect of it.

I agree to review and update this declaration annually, and as any changes occur throughout the year and give consent for the information provided to be used in accordance with the school's conflicts of interest policy.

Signed:.....Date:.....

(Governor)

Received by responsible officer

Signed:.....Date:.....

(Responsible officer)

Post Title:.....

Once this form is completed and signed it should be stored by your responsible officer, and updated annually and as any changes occur throughout the year.



# Doncaster Borough Council

## Register of Interests

### Notes for Guidance

The process of declaring personal or business interests is designed to prevent individuals from abusing their position, protects them in the event of allegations of this nature and allows the school to manage such conflicts appropriately. The processes ensure that all relevant potential conflicts of interest are transparent through being documented and the appropriate management action also being recorded.

#### ***Conflict:***

**Governors and staff should declare any financial or non-financial interests that may cause any conflict with the School's or Council's interests.** The Register should be used by all Governors to identify any business/commercial/financial interests they have which might give rise to a potential conflict of interest and whether they have any interests (or relationships) which could in some circumstances lead to suggestions that their objectivity and integrity is compromised.

When considering whether there may be a conflict of interest a Governor shall apply the test "Would a reasonable member of the public knowing all the facts, think the Governor might be influenced?" If the answer is yes, then the interest should be declared. If in doubt declare the interest. Assistance can be sought from the Headteacher if any clarification is required.

#### ***Pecuniary Interests***

Interests will include pecuniary interests, for example, land ownership, and involvement in contractual or employment relationships. Interests will also include indirect pecuniary interests, where known, i.e. pecuniary interests of your close relatives. A pecuniary interest is one, which has the potential for making you, your school or your relative or friend gain or lose financially.

#### ***Non Pecuniary Interests***

Non pecuniary interests, where known, are just as important. Any potential for a good or a bad effect on the school, Governors, their family, close relatives, friends, club or societies etc. any of those are associated with, will count.

#### ***Declaring the interest***

Any interest or relationship need be described in no more detail than is necessary to make clear in what circumstances an individual's position might be compromised, e.g.:

'I am an employee of XYZ Ltd (or 'I am employed by XYZ Ltd as *Job Title*) - a likely supplier or contractor to the school'.

'My sister is a director of XYZ Ltd - a likely supplier or contractor to the school'.

'My brother-in-law is a Supply Teacher - who may be engaged by the school'.

### **Code of Conduct**

The Governing Body Code of Conduct is essential reading and outlines principles and procedures, and provides further guidance to assist Governors in their day-to-day work. It is aimed at ensuring that Governors are aware of the standards of behaviour expected of them by the Council.

### **Individual Accountability**

Failure to observe the standards set out in this code, including failure to declare conflicting interests where applicable, will be regarded as serious and any breach will result in that individual Governor being held to account.

In the event that there is a serious breach of this Code by a Governor behaving in a manner that would be inconsistent with the Nolan Principles of Public Life and the School's ethos and values, including failure to declare conflicting interests where applicable, the Governing Body has the right to hold that individual Governor to account.

### **Definitions**

A pecuniary interest (as defined by the Roles, Procedures and Allowances (England) Regulations 2013) includes an interest in a contract or a proposed contract where

- (a) the Governor was nominated or appointed to office by a person with whom the contract was made or is proposed to be made;
- (b) the Governor is a business partner of a person with whom the contract was made or
- (c) a relative of the Governor (including spouse, civil partner or someone living with the Governor as if the other person were the Governor's spouse or civil partner), to the knowledge of the Governor had, or would be treated as having, such an interest.

A Governor will not be treated as having a pecuniary interest in any matter

- (a) provided that the value of the Governor's pecuniary interest is no greater than that of the pecuniary interest commonly held by those paid to work at the school;
- (b) by reason only of the fact that the Governor was nominated or appointed to office by, is a member of, or is employed by, any public authority (public authority" includes any person who performs functions which are of a public nature); or
- (c) by reason only of the fact that the Governor is a member of a corporation or other body if the Governor has no financial interests in any securities of that corporation or other body.

Governors are not, by reason of their pecuniary interest in the matter, prevented from considering and voting upon proposals for the Governing Body to take out insurance protecting their members against liabilities incurred by them arising out of their office and the Governing Body is not, by reason of the pecuniary interest of their members, prevented from obtaining such insurance and paying the premiums.

**1 Close Relative:**

**A close relative is defined as a spouse, parent, sibling, son, daughter or common law partner.**

2 Involvement could be either paid or unpaid. Involvement in companies includes, for example, directorships and company secretary, or any other position where a person is actively involved in the running of a company's affairs, where the company has, or may have, a contractual relationship with the School or Council.

3 The holding of shares or other securities in a company or other body with whom the School or Council contracts or is considering contracting, must be declared if the holding exceeds £25,000 or more than 1/100th of the nominal value of the issued share capital, whichever is less. The size and nature of the holding need not be declared, simply the name of the company. This requirement does not extend to banks and building societies.

4 Membership of Governing Bodies or Management Committees, including all schools maintained by the Council, all further education establishments and all grant maintained schools.

**5 Close relative (also described in section 1) is defined as spouse, parent, sibling, son, daughter or common law partner. A 'close relationship' is defined as any relationship that is likely to be perceived as advantageous.**

6 Beneficial interest in land or property excludes the Governor's own dwelling and only relates to land and property within the Council's boundary.

7 The intention to bid for the purchase of land or property owned by the Council should be declared as soon as is practicable. Section 117 of the Local Government Act also requires that the interest be declared to the departmental Chief Officer who shall also inform the Chief Officer.

8 Secret societies are defined as follows (it is recommended that this definition is used to determine whether a declaration should be made).

Any lodge chapter society trust or regular gathering or meeting which:

- a) is not open to members of the public who are not members of the lodge chapter society or trust;
- b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and
- c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

A lodge, chapter, society trust gathering or meeting as defined above, should not be regarded as a secret society if it forms part of the activity of a generally recognised religion.

### ***Publication of Interests***

It should be noted that the statutory guidance now requires schools to publish the Governing Body's Register of Interests on the school website.

### ***Declaring Interests in Meetings***

Governors are reminded that completion of a declaration of interest form does not remove the requirement upon them to disclose orally any interest at any specific meeting and the requirement to leave the meeting for that agenda item should the Governing Body deem it appropriate.

The School Governance (Roles, Procedures and Allowances (England) Regulations 2013 requires that Governors must disclose their interest and withdraw from the meeting (whether they have previously disclosed the interest or not) where:

- a) they may have a conflict between their interests and the interest of the Governing Body;
- b) a fair hearing is required and there is any reasonable doubt about the Governors ability to act impartially or
- c) the Governor has a pecuniary interest.

This does not prevent a Governing Body allowing a person to be able to attend any hearing conducted by them into any matter to present their evidence; for the Governing Body to hear representation from the Governor acting in a capacity other than that of Governor or the Governor from entering into a contract with the Governing Body from which the Governor is entitled to profit. The key is that any interest or relationship is declared and accurately recorded in the minutes.

Where there is any dispute as to whether a person is required to withdraw from a meeting of the school and not vote, that question must be determined by the other Governors present at the meeting

### ***Gifts and Hospitality***

It is widely recognised that it is important for Governors to maintain and build effective networks in order to support the work of the school. However, contact with organisations outside the school can give rise to offers of gifts and hospitality.

Whilst accepting gifts and hospitality in certain circumstances may further the school's interests, this must be balanced with upholding high standards of propriety and guarding against any reasonable suspicion of perceived, or actual, conflicts of interest or an undue obligation being created. All offers of gifts and hospitality, which might be perceived to compromise your personal judgement or integrity, should be declined.

If a gift or hospitality (i.e. tickets) that cannot be accepted is sent to you, it should be returned to the sender. If for any reason the sender cannot be identified, you should arrange for it to be officially appropriated to the benefit of the school or to a charity nominated by the school.

### ***Gifts***

Gifts should not normally be accepted. The only exceptions are those that would normally be considered as low value items that can be used in the school such as office stationery, diaries/calendars, chocolates/biscuits etc.

Gifts which cannot be refused without causing offence, for example, a picture or an award or ornament commemorating an event, can be accepted 'on behalf of the school'. It should be made clear that it is not being accepted as a personal gift and such gifts must be kept within the school.

### ***Hospitality***

Any hospitality accepted should be in the interests of the school and help further its objectives. It should not be over-frequent or over-generous. Accepting hospitality from the same organisation could lead to a perception that the work of the school is being influenced by the objectives of a single organisation. Any hospitality you accept should not seem lavish or disproportionate to the nature of the relationship you have with the provider.

### ***Recording gifts and hospitality***

A gift or hospitality with a value under £20 does not need to be recorded separately at the time of receipt. However, your Headteacher must determine whether it can be accepted or declined. You are nevertheless required to declare gifts or hospitality under £20 on your annual declaration form.

A gift or hospitality with a known or estimated value over £20 must be declared and recorded when accepted or declined.

If you have any doubt as to whether or not hospitality or gifts should be accepted, you should seek advice and guidance from your Headteacher.

### ***Responsible Officer***

A Responsible Officer should be appointed; this could be the School's Business Manager, a Governor, Headteacher or other suitable member of staff.

### ***Responsible Officer's Duties***

The Responsible Officer should review the interests declared, ensure they are consistent with their knowledge of the individual and determine what impact this interest would have on the school or what advantage this could have for the individual. Once this has been determined the Responsible Officer should document what restrictions or actions, if any, are placed on the individual based on their declaration. This information should then be entered into the school's register of interests. The register will then show all personal potential conflicts of interest and the school's/Governing Body's response to that conflict. The Responsible Officer is also required to ensure that such restrictions/actions are put in place and are adequately dealing with the situation. Forms should be completed annually and the register updated appropriately.

Once completed the register should be retained in school, kept up to date and open to free inspection by Governors, staff, parents and the Local Authority, subject to any constraints under the Data Protection Act. As detailed above the Governing Body's register of interests should be published on the school's website.

Forms should be completed annually and the register updated appropriately. Any changes throughout the year need to be included on an updated form also.

**APPENDIX 2**

**DONCASTER METROPOLITAN BOROUGH COUNCIL**

Name of Employee .....

Who was/would have been the recipient of the gift/hospitality (*if not yourself*) and what is their relationship to you? .....

Who made the offer [*individual/company/organisation etc*] and when? .....

Give details of the gift/hospitality  
.....  
.....

What was its estimated value? .....

What was the purpose of the offer? .....

Did you accept or refuse the offer? .....

Is the individual/company/organisation dealing with you or the School in relation to any matters? If so, please give details  
.....  
.....  
.....

Are they providing goods/services to the School or hoping to do so in future? .....

I certify that to the best of my knowledge, I have complied with that guidance

Signature of Employee .....

Date of declaration .....



## **APPENDIX THREE DONCASTER METROPOLITAN BOROUGH COUNCIL**

### **1. INTRODUCTION**

This guidance is intended to assist schools to minimise the risk of staff and volunteers being accused of improper conduct towards the children and young people with whom they come into contact during their work. The subject should be covered in schools' induction arrangements for all staff and volunteers.

It would be impossible and inappropriate to lay down hard and fast rules to cover all the circumstances in which staff relate to pupils and where opportunities for their conduct to be misconstrued might occur. Staff must exercise professional judgement in their dealings with pupils. For the vast majority of staff this code of conduct will serve only to confirm what has always been their practice. If staff have any doubts about the advice contained in this document they should consult their head teacher.

Staff have a crucial role to play in shaping the lives of young people. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This guidance is designed to help staff establish the safest possible learning and working environments. The aims are to safeguard young people and reduce the risk of staff being falsely accused of improper or unprofessional conduct.

### **2. REPORTING CHILD ABUSE**

Child abuse may be physical, sexual or psychological. While child abusers may be relatives or friends of the family, some meet children in other contexts and a small minority of these may gain access to children in schools as teachers or support staff or through their voluntary involvement in school activities. Pupils and staff should not feel inhibited from reporting abuse by staff or volunteers, or any incident where a pupil has grounds to believe that a member of staff or volunteer has crossed the boundary of acceptable behaviour. Headteachers and staff will continue to do all they can to ensure that the environment within schools encourages pupils and staff to make truthful reports of any inappropriate behaviour.

#### **2.1 Child Protection Procedures**

The action to be taken by staff when they suspect a pupil is being abused by a person outside or inside the school, and the steps that must by law be taken if an

allegation of abuse is made against a member of staff by a pupil, are set out in the school's child protection procedure and all staff should be familiar with this.

## **2.2 Other procedures and guidance**

Staff should also be familiar with the school's policies about physical contact with pupils, the use of reasonable force to control or restrain pupils, and the procedures that should be followed if a pupil needs first aid or medical attention.

## **3 GUIDELINES FOR STAFF**

### **3.1 Private meetings with pupils**

(a) Staff and volunteers should be aware that private meetings with individual pupils may give rise to concern. There will be occasions when a confidential interview or a one to one meeting is necessary, but, where possible, such interviews should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people, and another pupil or adult should be present or nearby. Where such conditions cannot apply, staff should ensure that another adult knows that the interview is taking place.

(b) Meetings with pupils away from the school premises should only be arranged with the specific approval of the Headteacher.

### **3.2 Physical contact with pupils**

(a) Physical contact may be misconstrued by a pupil, parent or observer. Touching pupils, including well intentioned informal and formal gestures such as putting a hand on the shoulder or arm, can, if repeated regularly, lead to serious questions being raised. As a general principle staff must not make gratuitous physical contact with their pupils. It is particularly unwise to attribute touching to their teaching style or as a way of relating to pupils.

(b) Not all children and young people feel comfortable about physical contact, and adults should not make the assumption that it is acceptable practice to touch as a means of communication. Permission should be sought from a child before physical contact is made.

(c) Any form of physical punishment of pupils is unlawful. Any form of physical response to misbehaviour, unless as outlined in Section 93 of the Education and Inspections Act 2006, is also unlawful. It is particularly important that staff understand this both to protect their own position and the overall reputation of the school.

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### **3.3 Where physical contact may be acceptable**

(a) There may be occasions where a distressed pupil needs comfort and reassurance, which may include physical comforting such as a caring parent would give. Staff should use their discretion in such cases to ensure that what is, and what is seen to be by others present as normal and natural does not become unnecessary and unjustified contact, particularly with the same pupil over a period of time. Where a member of staff has a particular concern about the need to provide this type of care and reassurance he/she should seek the advice of the head teacher.

(b) Some staff are likely to come into physical contact with pupils from time to time in the course of their duties. Examples include: showing a pupil how to use a piece of apparatus or equipment; demonstrating a move or exercise during games or PE, and contact activities at a youth club. Staff should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted.

(c) There may be occasions where it is necessary for staff to restrain or remove a pupil physically to prevent him/her from inflicting injury to others or self-injury, damaging property, or causing disruption. In such cases only the minimum force necessary may be used and any action taken must be to restrain the pupil. Where an employee has taken action to physically restrain a pupil he/she should make a written report of the incident in the form prescribed by the school's policy on restraint.

### **3.4 Caring for pupils with particular problems**

(a) Staff who have to administer first aid should ensure wherever possible that other children or another adult are present if they are in any doubt as to whether necessary physical contact could be misconstrued.

(b) Wherever possible staff who have to help children with intimate care routines should be accompanied by another adult, and pupils should, wherever possible, be encouraged to change themselves. It is accepted that there will be some situations where pupils will present particular problems for staff and the emphasis will be on what is reasonable in all the circumstances.

### **3.5 Relationships and attitudes**

(a) All staff should clearly understand the need to maintain appropriate boundaries in their dealings with pupils. Intimate or sexual relationships between staff and pupils will be regarded as a grave

breach of trust, and any sexual activity between a member of staff and a pupil under 18 years of age may be a criminal offence.

(b) All staff should ensure that their relationships with pupils are appropriate to the age and gender of the pupils, and take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of staff of either sex are dealing with adolescent boys and girls.

(c) Staff should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her or his professional judgement in making a response and be aware that such social contact could be misconstrued.

(d) From time to time staff may encounter pupils who display attention seeking behaviour, or profess to be attracted to them. Staff should aim to deal with those situations sensitively and appropriately, but must ensure that their behaviour cannot be misinterpreted. In these circumstances, the member of staff should also ensure that the head teacher or a senior colleague is made aware of the situation.

(e) Staff should never give their personal details such as home or personal mobile phone number; home or personal e-mail address to pupils.

### **3.6 Where conversation of a sensitive nature may be appropriate**

(a) Many staff have a pastoral responsibility for pupils and in order to fulfil that role effectively there will be occasions where conversations will cover particularly sensitive matters. Staff must, in these circumstances, use their discretion to ensure that, for example, any probing for details cannot be construed as unjustified intrusion.

(b) Other staff in school may, from time to time, be approached by pupils for advice. Pupils may also appear distressed and staff may feel the need to ask if all is well. In such cases staff must judge whether it is appropriate for them to offer counselling and advice or whether to refer the pupil to another member of staff with acknowledged pastoral responsibility for the particular pupil.

### **3.7 Inappropriate comments and discussions with pupils**

(a) As with physical contact, comments by staff to pupils, either individually or in groups, can be misconstrued. As a general principle therefore staff must not make unnecessary comments to

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and/or about pupils which could be construed to have a sexual connotation. It is also unacceptable for staff to introduce or to encourage debate amongst pupils in class, or elsewhere, which could be construed as having a sexual connotation that is unnecessary given the context of the lesson, or the circumstances. At the same time it is recognised that a topic raised by a pupil is best addressed rather than ignored.

(b) Systematic use of insensitive, disparaging or sarcastic comments is also unacceptable.

(c) The use of books, videos and films of an explicit or sensitive nature, particularly in relation to language of sexual behaviour must be given careful consideration to ensure that its selection is not subsequently misinterpreted. There should always be a clear link with the targets of the teacher's programme.

### **3.8 Extra-curricular activities**

(a) Staff should be particularly careful when supervising pupils in extra-curricular activities, or a residential setting such as a ski trip, outdoor education camp or extended visit away from home. Typically a less formal approach than usual is appropriate in these settings, but that can be open to misinterpretation. Although a more informal approach is usual in such circumstances, the standard of behaviour expected of staff will be no different from the behaviour expected within school or within normal school hours.

(b) Staff should take care in receiving or giving gifts to pupils which could be misunderstood (please refer to the Gifts and Hospitality guidance within the Code of Conduct). Gifts to individual pupils from staff will be exceptional and should be assessed against the school's policy or by a senior member of staff. Inappropriate gifts from pupils should be reported to the Headteacher.

### **3.9 On-line communication and social forums**

(a) While it is recognised that the use of e-mail as an agreed medium for the submission of work, advice over aspects of subjects being covered or other professional matters can be beneficial, it is essential that this is done safely and in a way that complies with school policy on e-safety and acceptable use.

(b) Staff should keep passwords secure and ensure that no other person can gain access to their e-mail account and maliciously send messages, which appear to have been written by them.

(c) Staff should only ever communicate with pupils using an e-mail address provided as part of the official school or LA internet service, Page 20 of 21

even if they are sending messages from home. These services can be monitored and provide a measure of protection for both parties.

(d) The increased availability of internet 'chat rooms', instant messaging and social networking sites also pose risks for children and staff. While they are popular among young people and offer many positive experiences, there is widespread concern about their potential abuse. The school's policy is that members of staff should not use internet 'chat rooms', instant messaging or social networking sites such as Twitter, Facebook or Bebo, to communicate with pupils. It is advised that any member of staff with a social networking site should ensure that it is appropriately secured and satisfy themselves that pupils and parents of the school can not access this.

(e) All use of the internet, e-mail or any other digital or electronic equipment within school must be in line with the relevant school policies on Acceptable Use and e-Safety.

### **3.10 Gifts, Rewards and Favouritism**

(a) The giving of gifts or rewards to children or young people should be part of an agreed policy for supporting positive behaviour or recognising particular achievements.

(b) It is acknowledged that there are specific occasions when adults may wish to give a child or young person a personal gift. This is only acceptable practice where, in line with the agreed policy, the adult has first discussed the giving of the gift and the reason for it, with the senior manager and/or parent or carer and the action is recorded. Any gifts should be given openly and not be based on favouritism. Adults need to be aware however, that the giving of gifts can be misinterpreted by others as a gesture either to bribe or groom a young person.

(c) Adults should exercise care when selecting children and/or young people for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be transparent and subject to scrutiny.

(d) Care should also be taken to ensure that adults do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment. (See Gifts and Hospitality in the Code of Conduct).

(e) There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. Page 21 of 21

## **4 Sharing Concerns and Reporting incidents**

### **4.1 Sharing Concerns**

It is the responsibility of every member of staff, volunteer and Governor within the school to report any concerns they may have that a child is being harmed or is at risk of being harmed. Any concerns should be reported immediately to your designated member of staff, Headteacher or local social care office.

### **4.2 Whistle-blowing**

Whistle-blowing is a mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. If a member of staff does not feel able to report concerns to a senior member of the school staff, then they can contact the Local Authority or relevant external agency e.g. the Health and safety Executive, trade unions etc, to report their concerns confidentially.

### **4.3 Reporting Incidents**

Following any incident where a member of staff feels that his/her actions have been, or may be, misconstrued he/she should discuss the matter with the Headteacher as soon as possible. Where it is agreed with the Headteacher the member of staff or volunteer should provide a written report of the incident. A detailed written report should always be made if a member of staff had been obliged to restrain a pupil physically, or where a complaint has been made by a pupil, parent or other adult.