



EFAT Code of Conduct Policy

Date of Issue: 11th January 2021

Next Review Date: 1st January 2023

EFAT Code of Conduct Policy

Contents

1. Scope and purpose
2. Who is covered by the policy?
3. Who is responsible for the Code of Conduct?
4. Rules of Conduct
5. Misconduct
6. Gross Misconduct

Policy Cover Note

Title of the Policy	Code of Conduct
Summary/Reason for bringing to Board for Approval	This Code of Conduct should be read in conjunction with the Trust's Disciplinary Policy. The aim of the Code of Conduct and Disciplinary Policy is to set out the standards of conduct expected of all employees and to provide a framework within which the Trust can work with employees to maintain those standards and encourage improvement where necessary.
Statutory Requirement	No
Decisions to be made / recommendation on options	Recommended for approval by board and adoption by LGB's
Name of the author	Emma Barnes/Hill Dickinson
Date written	11 th January 2021
Date for Review	1 st January 2023
Policy/Procedure to be published on the trust website	No
Policy/procedure to be published on the Academy/Primary website	No
Amendments/Updates	This policy has been developed using a model supplied by Hill Dickinson and replaces an older style policy. It should be read in conjunction with the new COVID-19 addendum to the Code of Conduct policy.

EFAT CODE OF CONDUCT POLICY

1 SCOPE & PURPOSE

- 1.1 This Code of Conduct should be read in conjunction with the Trust's Disciplinary Policy. The aim of the Code of Conduct and Disciplinary Policy is to set out the standards of conduct expected of all employees and to provide a framework within which the Trust can work with employees to maintain those standards and encourage improvement where necessary.
- 1.2 It is the Trust's policy to ensure that any disciplinary matter is dealt with fairly and in accordance with the Disciplinary Policy.
- 1.3 If an employee is in any doubt as to his/her responsibilities or the standards of conduct expected he/she should speak to the Principal/CEO.
- 1.4 This Code of Conduct does not form part of any employee's contract of employment and it may be amended by the Trust at any time.
- 1.5 In this policy references to personnel are to the personnel present within the Trust at which the particular member of staff reviewing the policy is engaged.

2 WHO IS COVERED BY THE POLICY?

- 2.1 This policy covers all employees at all levels and grades, including senior managers, officers, employees, trainees, part-time and fixed-term employees (collectively referred to as employees in this policy). It does not apply to agency staff and self-employed contractors.
- 2.2 Whilst this policy does not directly apply to agency staff, self-employed contractors or volunteers, the expectations of good conduct detailed herein are equally applicable to such categories of workers and appropriate action may be taken where such workers fail to meet the reasonable expectation of the Trust in this respect.

3 WHO IS RESPONSIBLE FOR THE CODE OF CONDUCT?

- 3.1 The Trust has overall responsibility for the effective operation of this Code of Conduct and for ensuring compliance with the relevant statutory framework. The Trust has delegated day-to-day responsibility for operating the Code of Conduct and ensuring its maintenance and review to the Principal.
- 3.2 The Senior Leadership Team has a specific responsibility to ensure the fair application of this Code of Conduct and all members of staff are responsible for supporting colleagues and ensuring its success.

4 RULES OF CONDUCT

- 4.1 While working for the Trust an employee should at all times maintain professional and responsible standards of conduct. In particular an employee should:
 - 4.1.1 act at all times in good faith and in the best interests of the Trust, its pupils, parents and employees;
 - 4.1.2 ensure he/she behaves in a manner that demonstrates dignity, professionalism, accountability, tolerance and respect for Trust values;
 - 4.1.3 exercise confidentiality where required and appropriate;
 - 4.1.4 observe the published standards for teachers (or any other relevant professional or occupational standards for employees who are not teachers)

- 4.1.5 comply with all reasonable instructions provided by the Trust, the Principal and/or the Senior Leadership Team and/or the staff member's line manager;
 - 4.1.6 work together to create a Trust culture that is based on mutual trust and appropriate respect;
 - 4.1.7 desist from bringing any material onto Trust property that is not appropriate and/or in breach of any Trust policy;
 - 4.1.8 only exercise physical restraint as a last resort in accordance with relevant Trust procedures;
 - 4.1.9 speak with a child with the door open or with another adult present;
 - 4.1.10 treat other Trust personnel, parents and pupils with respect;
 - 4.1.11 treat resources responsibly and if possible reduce, re-use and recycle resources;
 - 4.1.12 be aware of the Trust's guidelines on handling money;
 - 4.1.13 create and maintain a good and open relationship with parents;
 - 4.1.14 be trained in Safeguarding and Child Protection procedures;
 - 4.1.15 create a positive classroom environment where all children are cared for, respected and valued;
 - 4.1.16 ensure that all activities, including curriculum provision, all forms of school supervision, interaction and out of school provision, conform to the values and ethos of the Trust, promote tolerance, uphold British values and reject all forms of discrimination and extremism;
 - 4.1.17 promote fundamental British values including democracy, the rule of law, mutual respect and tolerance of different faiths and beliefs;
 - 4.1.18 take care of his/her physical and mental well-being by maintaining a healthy work-life balance;
 - 4.1.19 maintain professional, smart and appropriate standards of dress and personal appearance at work;
 - 4.1.20 observe the terms and conditions of his/her contract;
 - 4.1.21 observe all of the Trust's policies, procedures and regulations which are notified to him/her from time to time by means of notice boards, e-mail, the intranet or otherwise; and
 - 4.1.22 take reasonable care in respect of the health and safety of pupils, parents, colleagues and third parties and comply with the Trust's Health and Safety Policy.
- 4.2 Failure to maintain satisfactory standards of conduct may result in action being taken under the Trust's Disciplinary Policy.

5 MISCONDUCT

- 5.1 The following are examples of matters that will normally be regarded as misconduct and will be dealt with under the Trust's Disciplinary Policy:
- 5.1.1 minor breaches of the Trust's policies including but not limited to the Sickness Absence Policy, Electronic Information and Communications Systems Policy, Social Media Policy, Equal Opportunities Policy, Behaviour Management Policy, Health and Safety Policy, Special Leave (including Time Off For Dependants) Policy, Parental Leave Policy and Shared Parental Leave Policies.
 - 5.1.2 minor breaches of contract;

- 5.1.3 damage to, or unauthorised use of Trust property;
- 5.1.4 poor timekeeping;
- 5.1.5 time wasting;
- 5.1.6 failure to follow instructions or any other insubordination;
- 5.1.7 inappropriate and/or excessive use of the Trust's telephones for personal calls;
- 5.1.8 inappropriate and/or excessive personal e-mail or internet usage;
- 5.1.9 minor bad language or other minor offensive behaviour;
- 5.1.10 negligence in the performance of duties or responsibilities;
- 5.1.11 breaches of the Trust's No Smoking Policy;
- 5.1.12 being an accessory to a disciplinary offence committed by another employee;
- 5.1.13 neglect of health; or
- 5.1.14 failure to disclose that he/she is subject to criminal proceedings, or are charged with a criminal offence that is relevant to the nature of his/her employment.

This list is intended as a guide and is not exhaustive.

6 **GROSS MISCONDUCT**

- 6.1 Gross misconduct is a serious breach of contract and includes misconduct which, in the **Trust's** opinion, is likely to prejudice the Trust or its reputation or irreparably damage the working relationship and trust between employee and employer. Gross misconduct will be dealt with under the Trust's Disciplinary Policy and will normally lead to dismissal without notice or pay in lieu of notice (summary dismissal).
- 6.2 The following are examples of matters that are normally regarded as gross misconduct:
 - 6.2.1 theft, or unauthorised removal of Trust property or the property of any other person or the incitement to steal;
 - 6.2.2 fraud, forgery or other dishonesty, including fabrication of expense claims and/or time sheets;
 - 6.2.3 gross failure to follow reasonable and lawful instructions;
 - 6.2.4 unauthorised absence;
 - 6.2.5 gross insubordination;
 - 6.2.6 deliberate mutilation or destruction of official documents;
 - 6.2.7 the initiation or participation in any inappropriate verbal or physical conduct with a child;
 - 6.2.8 actual or threatened violence or extremism, or behaviour which provokes violence or extremism;
 - 6.2.9 any behaviour which can be considered as supporting fundamentalism, extremism or otherwise as being anti- British values;
 - 6.2.10 deliberate damage to Trust buildings, fittings, property or equipment, or the property of any other person;
 - 6.2.11 serious misuse of Trust property;

- 6.2.12 deliberately accessing internet sites, social media, forums or groups containing pornographic, offensive, obscene, defamatory, extremist, incitements to violence, sexist racist, homophobic, harassing or libellous material whilst at work or at any time using Trust equipment;
- 6.2.13 serious or persistent insubordination and/or the refusal to follow management instructions;
- 6.2.14 bringing the Trust into serious disrepute;
- 6.2.15 being under the influence of alcohol, illegal drugs or other substances during working hours;
- 6.2.16 causing loss, damage or injury through serious negligence;
- 6.2.17 serious breach of health and safety rules;
- 6.2.18 unauthorised use or disclosure of confidential information (other than in accordance with the Trust's Whistleblowing procedure) or failure to ensure that confidential information in his/her possession is kept secure;
- 6.2.19 acceptance of bribes or other secret payments;
- 6.2.20 using or attempting to use his/her official position for his/her own or another person's private advantage;
- 6.2.21 committing a criminal offence that in the opinion of the Trust may affect its reputation or its relationships with its employees, parents, pupils or the public, or otherwise affects his/her suitability to continue to work for the Trust;
- 6.2.22 possession, use, supply or attempted supply of illegal drugs;
- 6.2.23 serious neglect of duties, or a serious or deliberate breach of his/her contract or operating procedures;
- 6.2.24 knowing breach of statutory rules affecting his/her work;
- 6.2.25 unauthorised use, processing or disclosure of personal data contrary to the Trust's Data Protection Policy;
- 6.2.26 harassment of, or unlawful discrimination against, employees, contractors, parents, pupils or members of the public, related to gender, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, disability, religion or belief or age contrary to the Trust's Equal Opportunities Policy or the Trust's Anti-harassment and Bullying Policy;
- 6.2.27 giving false information as to qualifications or entitlement to work (including immigration status);
- 6.2.28 making a disclosure of false or misleading information under the Trust's Whistleblowing Policy maliciously, or for personal gain/advantage, or otherwise in bad faith;
- 6.2.29 making false or misleading allegations in bad faith against a colleague;
- 6.2.30 victimising or harassing a colleague who has raised concerns, made a complaint or given evidence information under the Whistleblowing Policy, Anti-harassment and Bullying Policy, Grievance Policy, Disciplinary Policy or otherwise;
- 6.2.31 serious misuse of the Trust's information technology systems (including misuse of developed or licensed software, use of unauthorised software and misuse of e-mail and the internet) contrary to the Trust's Electronic Information and Communications Systems Policy;
- 6.2.32 serious misuse of social media contrary to the Trust's Social Media Policy; or

6.2.33 undertaking unauthorised paid or unpaid employment during his/her working hours.

This list is intended as a guide and is not exhaustive.

