

Eastwood Park Academy Trust

EPAT

Believe Succeed Together

Employee Code of Conduct Policy

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1.0 Policy Statement

The Trust believes that a Code of Conduct is an essential document to assist in the procedures associated with safeguarding children, maintaining high standards of professionalism, and protecting the welfare and wellbeing of all employees.

Broadly, the purpose of this policy is to establish, and encourage all employees to achieve, high standards of conduct at work, and to help provide a fair and consistent way of dealing with alleged failures to observe them.

All employees in the Trust are expected to give the highest possible standard of service. Employees should conduct themselves with integrity, impartiality and honesty. Breaches of conduct and personal behaviour will be dealt with under the Disciplinary Misconduct Policy.

All employees in the Trust have an absolute duty to promote and safeguard the welfare of children and to take appropriate action where they consider that a child may be at risk of suffering harm – refer to Safeguarding Policy.

2.0 Employment

2.1 Recruitment

Refer to Recruitment Policy.

2.2 Disclosure during Employment

2.21 Wrongdoing

It is an express term of each employee's employment with the Trust that any wrongdoing or alleged wrongdoing by the employee (regardless of whether the employee denies the wrongdoing/alleged wrongdoing), including any incidents arising from alternative employment or outside of work which may have a bearing on the employee's employment with the Trust, must be disclosed to the Trust immediately. Any such disclosure should be to the Principal, or in the case of the Principal, the CEO, or in the case of the CEO, the Chair of the Trust. Failure to disclose any wrongdoing or alleged wrongdoing, will be considered a serious matter, which could result in disciplinary action, and in certain circumstances could potentially lead to dismissal. Any such disclosure (and any action arising from it (if any)) will be considered in the context of the individual circumstances and taking into account all the relevant factors including (but not limited to) the seriousness/level of the disclosed information and the individual's role within the Trust.

2.22 Childcare Disqualification

Any individual employed in a post covered by the Childcare (Disqualification) Regulations 2009 must immediately inform the school of any events or circumstances which may lead to their disqualification from working in the post by virtue of the Regulations – refer to the statutory guidance - [Disqualification under the Childcare Act 2006](#)

2.23 Business and Pecuniary Interests

A business interest is the involvement of an individual or their family members in any trade or profession, along with any direct interest they may have in any company providing goods or services to the Trust. Staff influencing financial decisions, must complete a 'Business, Pecuniary and Personal Interests Form'.

Pecuniary interests include personal financial interests, such as involvement in a trust fund or investment, as well as potential interests, for example, where a member of staff's husband is applying for a vacancy in a constituent academy or where a staff Local Governor is involved in the decision over the promotion of a colleague, and where they may be a potential candidate for the post made available. All staff should declare such interests, in writing to the Principal, or in the case of the Principal the CEO, or in the case of the CEO the Chair of the Trust, as they arise.

2.24 Secondary Employment

The Trust does not seek to unreasonably preclude employees from undertaking additional employment, but employees are required to devote their attention and abilities to their duties at the school during their working hours and to act in the best interests of the Trust at all times. Accordingly, employees must not, without the written consent of the Trust, take secondary employment or engagement once in post. This does not apply to those whose net average weekly earnings are at or below the lower earnings limit, although they should advise the Trust of any secondary employment so that the employer can have regard to any responsibilities it may have in relation to the Working Time Regulations.

Secondary employment or engagement must not interfere with the performance of the employee's duties with this employer. In addition, employees should not engage in business or employment activities which are incompatible with or might conflict with the Trust's interests.

2.3 Close Personal Relationships at Work

Situations arise where relations, or those in other close relationships, may be employed by the Trust and it is recognised that close personal relationships can be formed at work.

Close personal relationships are defined as:

- Employees who are married, dating or in a partnership or co-habiting arrangement.
- Immediate family members e.g. parent, child, sibling, grandchild etc.
- Other relationships e.g. extended family (cousins, uncles, in-laws), close friendships, business associates (outside the Trust).

Whilst not all such situations where those in close personal relationships work together raise issues of conflict of interest, implications can include:

- Effect on trust and confidence.
- Perception of service users, the public and other employees on professionalism and fairness.

- Operational issues e.g. working patterns, financial and procurement separation requirements.
- Conflicting loyalties and breaches of confidentiality and trust.

Open, constructive and confidential discussion between employees and managers is essential to ensure these implications do not occur.

It is inappropriate for an employee to line manage or sit on an appointment panel, for those with whom they have a close personal relationship. Employees must not be involved in any decisions relating to discipline, promotion or pay adjustment for anyone where there is a close personal relationship. If this was the case, the Principal would need to identify another individual to undertake the particular responsibility, so that a 'conflict of interest' situation is avoided.

It may be appropriate to employ someone to work in a team with someone with whom they have a close personal relationship. It may also be necessary in certain circumstances to consider transferring staff that form close personal relationships at work. Any such action will be taken wherever possible by agreement with both parties and without discrimination.

3.0 Health and Safety

All employees are protected under the **Health and Safety at Work Act 1974**, however, employees have a duty to familiarise themselves with all the safety regulations that apply to their job and the area in which they work.

4.0 Discrimination and Equal Opportunities

All current and prospective employees will have equal opportunity for employment, promotion and training on the basis of relevant ability, qualifications and merit. The Trust endeavours to work within the current legislation and guidance to ensure that it does not unfairly discriminate on the grounds of gender, race, colour, marital status, national or ethnic origin, nationality, disability, sexuality, age or religion.

5.0 Harassment and Bullying

The Trust seeks to provide an environment for all employees, contractors and temporary workers free from harassment, bullying, intimidation and victimisation.

Disciplinary action will be taken against any employee who is found to have committed a deliberate or unlawful act of discrimination, sexual or racial harassment or bullying – refer to Disciplinary Misconduct Policy.

6.0 Safeguarding Children

Refer to Safeguarding Policy.

7.0 Professional Conduct

7.1 Absence

Refer to Sickness and Absence Policy and Leave of Absence Policy.

7.2 Dress Code

Dress and appearance should project a formal and professional image to colleagues, pupils, parents and visitors. Dress should also be fit for purpose according to the specific role and activity of the employee. In all cases dress should be such that it:

- Is not likely to be viewed as offensive, revealing, or sexually provocative.
- Does not distract or cause embarrassment.
- Does not include political, offensive or otherwise contentious slogans.
- Is not considered to be discriminatory and/or culturally insensitive.

Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation. On occasion, senior managers may advise staff of the unsuitability of their attire; this will be undertaken sensitively and in confidence.

7.3 Personal Possessions

Employees are responsible for the safety and security of their personal possessions while on Trust premises. The Trust will not accept responsibility for the loss or damage of personal possessions.

7.4 Acceptable Use of ICT

7.41 ICT Protocols

The following applies to Trust owned ICT equipment, services and connections, regardless of whether the employee uses these facilities in the workplace or off site.

When using ICT equipment, employees should not:

- Bring their own computer or equipment onto the work premises, unless authorised by the Principal.
- Use their own equipment to connect to the Trust's network, unless specifically permitted to do so by the Principal, and the equipment meets appropriate security and other standards.
- Use Trust equipment or property for personal gain or fraudulent, malicious, illegal, libellous, immoral, dangerous, offensive purposes. Employees should not undertake ICT-related activities that are contrary to the Trust's policies or business interests including accessing, downloading, storing, creating, copying or distributing offensive material (this includes but is not limited to pornographic, sexual, violent or criminal content and racist, sexist, or otherwise discriminatory material).

- Store sensitive or confidential data on their own equipment – this extends to personal cameras, mobile phones and other similar devices.
- Use unsecured disks/memory sticks (all disks/memory sticks used must be encrypted and/or password protected).
- Use the internet/intranet facilities or equipment to deliberately propagate any virus, worm, Trojan horse or any such other programme that is harmful to normal computer operations.
- Copy, retrieve, modify or forward copyrighted materials, except as permitted by the copyright owner.
- Engage in any activity which might compromise the security of the Trust's network.
- Use electronic media and services in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.
- Use, transfer or tamper with other people's accounts and files.
- Release any personal details of any colleague or pupil.
- Give anyone access to their username/password.
- Leave their account open at the end of a session.

7.42 Remote/ Virtual Learning or Meetings

The same standards of conduct and behaviour and proper application of all policies and procedures are expected in virtual interactions with pupils and adults as are required in person. In addition to following the other provisions within this policy and all other Trust policies:

- Virtual connections should only be made where agreed and approved.
- An adult should be present with the pupil where engagement is one to one.
- Dress codes should be observed.
- Virtual interactions should be in a neutral space - avoid personal spaces such as bedrooms and be aware of what is in the background on the screen.

7.43 Use of E-mail

When using e-mail, employees should:

- Always conduct Trust business through an official e-mail address.
- Respond in a timely and appropriate fashion.
- Report any suspicions regarding viruses. Extreme care must be taken with attachments from third parties, particularly unidentified third parties, as these may contain viruses.
- Avoid global e-mails.
- Observe 'netiquette' on all occasions. E-mail should not be considered a private medium of communication and great care should always be taken over content, because of the possibility of public scrutiny.
- Not include offensive or abusive language in my messages or any language which could be considered defamatory, obscene, menacing or illegal.
- Not use language that could be calculated to incite hatred against any ethnic, religious or other minority.
- Ensure that messages do not contain potentially libellous content.

- Not knowingly send any message which is likely to cause annoyance, inconvenience or needless anxiety.
- Not use anonymous mailing services to conceal identity when mailing through the internet, falsify e-mails to make them appear to originate from someone else, or provide false information to any Internet service which requests name, e-mail address or other details.

7.44 Privacy and Monitoring

The Trust respects employees' privacy and will not routinely inspect or monitor emails, data or internet usage. However, employees should not have any expectation of absolute privacy in his or her use of the Trust systems or equipment (including but not limited to networks/servers/internet usage/networks/Wi-Fi).

Under the following circumstances the Trust reserves the right, at its discretion, to review any electronic files and messages to the extent necessary to ensure systems are being used appropriately:

- When required by law.
- If there is a substantiated reason to believe that a breach of the law or Trust's policy has taken place.
- If the Trust suspects that the employee has been viewing/transmitting offensive or illegal material.
- If the Trust suspects that the employee has been spending an excessive amount of time on an activity which is not work related.
- Where required, for compliance checks e.g. auditors, data protection.
- Where there are emergency or compelling circumstances.

The Trust will endeavour to notify affected individuals of any monitoring which will take place and the reason for it, unless in exceptional circumstances (see below).

Employees will normally be notified of what information will be recorded and retained, and for how long, who will have access and how such information will be used, which will include using such information for disciplinary purposes, where applicable.

When monitoring emails, the Trust will, in exceptional circumstances, confine itself to looking at the address and heading of the emails. Employees should mark any personal emails (where these are permitted by the Trust) as such and encourage those who send them to do the same. The Trust will avoid, where possible, opening emails clearly marked as 'private' or 'personal'.

The Trust considers the following to be valid reasons for checking an employee's email:

- If the employee is absent for any reason and communications must be checked for the smooth running of the academy to continue.
- If the Trust suspects that the employee has been viewing or sending offensive or illegal material, such as material containing racist terminology or nudity (although the Trust

understands that it is possible for employees to inadvertently receive such material and they will have the opportunity to explain this).

- If the Trust suspects that an employee has been using the email system to send and receive an excessive number of personal communications.
- If the Trust suspects that the employee is sending or receiving emails that are detrimental to the Trust or its pupils.

The Trust may monitor communications without notification in certain specific circumstances, including, but not limited to:

- Establish the existence of facts relevant to the Trust e.g. whether a contract was entered into by email.
- Ascertain compliance with regulatory or self-regulatory practices e.g. checking that the Trust is complying with external or internal regulations.
- Ascertain or demonstrate standards that are or ought to be achieved by employees using the system.
- Investigate unauthorised use of the telecommunication system, which would include checking that employees are not breaching the Trust's ICT Acceptable Use Policy.
- Ensure the effective operation of the system, e.g. through virus monitoring. Monitoring will be reasonable and in accordance with current legislation.

The use of covert monitoring will only be used in exceptional circumstances e.g. where the Trust suspects criminal activity or where telling the employee about the monitoring would make it difficult to prevent or detect such wrongdoing.

If the Trust considers covert monitoring to be justified, this will only take place as part of a specific investigation and will cease when the investigation has been completed.

7.45 Data Protection

Refer to the Trust's Data Protection Policy.

7.46 Social Networking

In respect to social networking, employees should not:

- Access, maintain and/or develop social networking sites during the working day, unless it is for an official Trust-related purpose.
- Include the Trust's logo and/or other branding elements, unless it is for an official Trust-related purpose.
- Discuss pupils, parents, work colleagues or any other member of the Trust community.
- Post images of themselves (or other employees) which compromise their professional status and/or damage the reputation of the Trust.
- Engage in conversations with former pupils, particularly those under the age of 18 years.
- Accept new people as 'friends' where they are not entirely sure who they are communicating with.

7.47 Mobile Phones

In respect to mobile phones, employees should:

- Ensure they are switched off and/or silent during working hours (excluding authorised breaks).
- Only use them in 'pupil free zones' e.g. offices and staff areas.
- Not contact pupils or divulge their number to pupils under any circumstances, unless given express permission by their line manager.
- Not take photographs or videos of staff or pupils.
- Ensure that, particularly in the case of EYFS, they do not have a mobile phone on their person in particular areas e.g. sleep areas, toilets and changing rooms.

7.5 Use of Financial Resources

Employees must ensure that they use public and any other funds entrusted to them in a responsible and lawful manner. They must strive to ensure value for money and to avoid legal challenge. They must work within the Trust's Financial Regulations and Academy Trust Handbook.

7.6 Trust Property

Employees must ensure they take care of Trust property at all times. If employees are found to have caused damage to Trust property through misuse or carelessness this may result in disciplinary action.

7.7 Private Use of Academy Facilities

Employees are not permitted to use official stationery for private purposes and must not carry out private correspondence during working time.

Employees are allowed to make essential private telephone calls that cannot be made outside working hours, when they do not have a personal mobile phone with them, but this privilege may represent misconduct if abused. Employees are advised that the telephone calls they make from the Trust system are automatically monitored for duration and number dialled and that these records are subject to inspection. No telephone calls can be made for any private business purpose by staff.

Staff wishing to make use of Trust equipment or facilities privately, must seek permission from the Principal. The Principal will not grant such permission where this interferes with Trust usage.

Staff must take reasonable care to protect Trust equipment from loss or damage both inside and outside of the constituent academy premises. Staff are responsible for ensuring that any allowed private use does not cause any loss of amenity to the Trust, or risk of injury to themselves or others.

7.8 Transport

Employees using the Trust minibuses must be conversant with the conditions associated with their use.

Employees using private vehicles for Trust business must ensure:

- The vehicle is road worthy and complies with road traffic/transport regulations.
- That the vehicle is insured for 'business use'.
- They are licensed to drive the vehicle and abide by road traffic/transport regulations.
- They do not drive under the influence of alcohol or drugs or where there is ill health that may impair their ability to drive the vehicle safely.

7.9 Interaction with Pupils

Employees are required to operate within the confines of the Behaviour and Discipline Policy of their constituent academy.

Under **The Education and Inspections Act 2006** Academies have a statutory power to discipline pupils for breaches of rules, failure to follow instructions or other unacceptable conduct. All teachers and other staff in charge of pupils have the power to discipline.

Corporal punishment, as defined in **section 548 of the Education Act 1996**, is unlawful. Although the **Education Act 1996** forbids corporal punishment, it does allow all teachers to use *reasonable force* to prevent a pupil from:

- Committing a criminal offence.
- Injuring themselves or others.
- Damaging property.
- Acting in a way that is counter to maintaining good order and discipline.

7.10 Personal Behaviour

The Trust believes in treating all employees in a mature, respectful and considerate manner and expects this to be reciprocated. On occasion, employees may encounter what they perceive to be disrespectful and/or unprofessional conduct in their interaction with other staff. Attempts should be made initially to resolve these issues through line management system; however, if this proves unsuccessful staff may consider initiating grievance procedures in accordance with the Grievance Policy.

The Trust expects employees at all times to respect Trust property, other employees and their property, suppliers and the public. Negligence arises from failure by the employee to exercise reasonable care in his or her work. Employees must not cause loss or damage through carelessness, negligence, a reckless act or breach of instructions.

Employees should not engage in any inappropriate conduct with pupils and/or staff. Failure to observe this is likely to result in disciplinary action under the Disciplinary Misconduct Policy.

7.11 Media Enquiries

Employees should not respond to media queries on behalf of the Trust under any circumstances. All media queries should be referred immediately to the Principal.

7.12 Neutrality

Employees must not allow their own personal, political, religious or other views and opinions to interfere with their work.

7.13 Social Behaviour

Employees should be aware of the following expected standards of behaviour when attending work-related events, in and outside of work time, where attendance could be seen as representing the Trust:

- The Code of Conduct Policy will still apply e.g. regarding drug/ alcohol abuse, harassment and discrimination.
- Colleagues should remain professional and treat each other with mutual respect and consideration.
- Those in a position of management should not behave in any way that could undermine or compromise their position and/or the reputation of the Trust.
- Employees of the Trust should always maintain a positive public image.

7.14 Drugs

During the normal working day, including during official breaks and at official work-based meetings or events, staff should not consume or be under the influence of alcohol or any drug, including prescribed medication, which may affect their ability to discharge their duties effectively.

Staff convicted of offences related to drugs and alcohol, and, in doing so bring the Trust into disrepute, may be subject to disciplinary action under the Disciplinary Misconduct Policy.

7.15 Smoking

In accordance with the **Health Act 2006** each constituent academy is a non-smoking site. Refer to the Trust's No Smoking Policy.

8.0 Maintaining Professional Boundaries

Failure to understand professional boundaries can lead almost any employee to make serious mistakes (career threatening ones) in the management of teacher-pupil relationships. Staff should be aware of the need for maintaining appropriate and professional boundaries in their relationships with pupils and parents.

Any act of professional misconduct can lead to disciplinary measures being taken by the Trust. Even an unfounded allegation of professional misconduct could be permanently damaging to an employee, to their family, and to the teaching profession.

Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct, prohibition from teaching by the Teaching Regulation Agency (TRA).

8.1 Definition of Professional Boundaries

Employees are required to conduct themselves in their relationships with pupils and parents in a way that reflects their position of trust as a representative of the Trust. Further, when they interact with pupils, parents, colleagues, other professionals or the general public, their conduct should be that which allows them to achieve their objectives as an employee of the Trust.

Employees should avoid aggressive body postures, aggressive language or manifestations of anger, or physical contact which are intended to physically intimidate.

Employees must avoid excessive familiarity, including the use of touching, familiar language or other expressions of affection that are inappropriate.

Employees must avoid the use of inappropriate language which compromises their professional standing. Such inappropriate language includes the use of racist, homophobic, ageist, or sexist expressions. Comments by employees of a personal nature about physical characteristics of those they interact with, must be used with care and be within a professional context.

Employees should not lie or purposely mislead colleagues or others they interact with.

The Trust is committed to operating an active safeguarding culture for pupils. Paedophilic activity (and other abusive behaviours) involve offenders grooming pupils to accept behaviour which breaches professional boundaries. All employees are required to be looking at all times for individuals who are in breach of professional standards – refer to Safeguarding Policy.

Employees are responsible for recognising in themselves whether they are 'at risk' of crossing boundaries, and, if they are, of addressing the issue, seeking professional advice and or reporting any breach to their line manager. Employees also have a responsibility to report this issue when they witness a colleague who may be crossing boundaries – refer to Whistleblowing Policy.

8.2 Unacceptable Behaviour

In general, activities, in this context, which take employees beyond the expectations of the employer, qualify as boundary violations. These include:

- Becoming too personally involved with pupils i.e. friend, confidant, surrogate parent.
- Seeing pupils in private or non-Trust settings.
- Writing or exchanging notes, letters; emails; correspondence on social networking sites (Facebook, Twitter, Snapchat, etc).
- Serving as a confidant with regard to a pupil's decision about his/her personal issues.
- Giving gifts or money to pupils.
- Inviting pupils to one's home.
- Having pupils stay overnight in one's home.
- Driving individual pupils to or from a constituent academy.
- Giving one pupil undue attention.
- Being alone with a pupil, with the exception of an emergency situation.
- Sharing personal problems with pupils.
- Sharing personal information about a pupil with a third party.
- Being suggestive or inappropriate.
- Initiating and/or engaging in inappropriate physical contact.

8.3 Protective Strategies

Employees must be ever vigilant of situations that place them in vulnerable positions and take appropriate preventative measures e.g.

- Teaching with the classroom door open.
- Speaking to a pupil with a physical barrier between them and the pupil.
- Having another adult present when speaking to a pupil.
- Avoiding physical contact that could be misconstrued or considered inappropriate e.g. hugging or touching.
- Informing staff through the line management system of behaviour that potentially falls outside professional boundaries. From time to time, staff may encounter young people who display attention-seeking behaviour or profess to be attracted to them. Employees should aim to deal with those situations sensitively and appropriately but ensure that their behaviour cannot be misinterpreted. In these circumstances, the member of staff should also ensure that a senior colleague is aware of the situation.

The 2022 DfE guidance [Safer Working Practices for those working with Children and Young People in Education Settings](#) includes information with which employees should be conversant.

- Power and positions of trust and responsibility.
- Confidentiality.
- Standards of behaviour.
- Dress and appearance.
- Gifts, rewards, favouritism and exclusion.
- Infatuations and 'crushes'.
- Social contact outside the workplace.
- Physical contact and other activities which require physical contact.
- Intimate/personal care.
- Behaviour management.
- The use of care, control and physical intervention.
- Sexual conduct.
- 1:1 situations.
- Home visits.
- Transporting pupils, including educational visits and clubs.
- First Aid and medication.
- Photography, videos and other images.
- Exposure to inappropriate images.
- Overnight supervision and examinations.
- Curriculum.
- Whistleblowing.
- Sharing concerns and recording incidents.

8.4 Abuse of a Position of Trust

All employees should clearly understand the need to maintain appropriate boundaries in their dealings with young people. A relationship of trust exists where a member of staff or volunteer is in a position of power or influence over a pupil by virtue of the work or nature of the activity being undertaken.

All employees 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 are dealing with adolescent boys and girls.

Intimate or sexual relationships between staff and pupils will be regarded as a grave breach of trust. It is a criminal offence for a person in a position of trust to engage in any sexual activity with a person aged under 18, with whom they have a relationship of trust, irrespective of the age of consent, even if the basis for their relationship is consensual.

9.0 Whistleblowing

Refer to the Whistleblowing Policy.

10.0 Confidentiality

10.1 Confidentiality when Dealing with Children

Children are entitled to the same duty of confidence as adults, provided that, in the case of those under 16 years of age, they understand the choices and consequences relating to this. However, all employees must be aware that they have a professional responsibility to pass on information in order to safeguard children. Moreover, all staff must be aware that they cannot promise to keep secrets – particularly in regard to a disclosure – refer to Safeguarding Policy.

It is important to note that if a child makes a disclosure, that is, telling the member of staff something of major significance to them, the following points must be observed.

- Listen to the child but do not ask leading questions.
- Re-assure the child.
- Never agree to confidentiality.
- As soon as possible discuss the matter with Designated Safeguarding Lead (DSL).
- Record details of information given – ensuring that the details are factual and do not contain any subjective comment.

10.2 Confidentiality when Dealing with Staff

All employees have a professional and moral duty to report any illegal, improper or abusive behaviour. The welfare and safety of children must take precedence over peer or professional loyalty. Anyone with such concerns should seek a private and confidential meeting with the Principal, or CEO if it concerns the Principal, or Chair of the Trust if it concerns the CEO and consult the Whistleblowing Policy.

10.3. Disclosure of Personal Information relating to Employees/Pupils/Public

Many employees have access to personal information relating to other employees, pupils and other members of the public. All employees must treat this information in a discreet and confidential manner under the **Data Protection Act 2018** and adhere to the following guidelines:

- Written records and correspondence should be kept secure at all times.
- Information relating to staff/pupils/public must not be disclosed either orally or in writing to unauthorised persons, agencies and/or other relevant parties.
- Information relating to pupils/public must not be given over the telephone unless the caller has given details of their right to ask for such information. Employees should check on the caller's right to information by obtaining their telephone number and calling back to check their identity or by asking for a written request for information.

- Confidential matters relating to staff/pupils/public should not be discussed in areas where they may be heard by passers-by i.e. corridors, reception, staff development areas etc.

10.4 Preserving Anonymity

The **Education Act 2011** contains reporting restrictions preventing the publication of any material which could lead to the identification of a teacher in the event of an allegation against them made by a pupil at the same school. Any individual who publishes material which could lead to the identification of the employee who is the subject of an allegation of this kind may be subject to criminal and disciplinary action, up to and including dismissal.

“Publication” includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public. For the avoidance of doubt, this includes publishing details of an allegation or other information on a social media site which could lead to the identification of the teacher.

10.5 Confidentiality and Conflict of Interest

Employees must not use any information obtained during their employment for personal gain or benefit, nor should they pass it on to others who might use it for personal advantage.

11.0 Additional Activities and Conflict of Interest

Employees must seek permission from the Principal, or CEO in the case of the Principal, or Chair of the Trust in the case of the CEO, in respect to additional employment outside of the Trust.

Permission will not be unreasonably withheld but employees must not take outside employment that reduces their ability to discharge contractual obligations to the Trust, conflicts with the Trust’s interests or damages the Trust’s interests or reputation.

Where additional employment is not promptly declared as an interest, and/or there is a clear conflict of interest, this may be considered misconduct. Where there is a financial gain and or other benefits are derived, it may be considered gross misconduct.

12.0 Gifts and Hospitality

Under the **Prevention of Corruption Acts 1906** and **1916** it is an offence for an employee of a public body in his or her official capacity to accept any gift, inducement or reward, including hospitality, for showing favour or disfavour to any person or other organisation. It is the responsibility of the person receiving the favour to prove that it was not received dishonestly.

The following must be considered:

- Employees acting in an official capacity must not give the impression that their conduct both inside and outside work with any person or organisation is influenced by the receipt of gifts, rewards and hospitality or any other such consideration.
- Employees must think about the circumstances in which they are made offers and be aware that they may be regarded as owing a favour in return.
- Employees must seek permission from their line managers before accepting such offers and be aware that the offers may have to be returned/refused.
- When gifts/hospitality have to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the Trust.

How an employee should react to an offer depends on the type of offer, the relationship between the parties involved and the circumstances in which the gift or hospitality is offered:

- Employees must not be seen to be acting in their own personal interests and need to be careful that their behaviour cannot be misinterpreted.
- An offer of a bribe or commission made by contractors, their agents or by a member of the public must be reported to the line manager. Hospitality from contractors should also be avoided for where employees are singled out for example Christmas lunch etc, this may be perceived as preferential treatment.
- Employees must not accept significant personal gifts; however, there are occasions when children or parents wish to pass small tokens of appreciation to staff, e.g. at Christmas or as a thank-you and this is acceptable – refer to Hospitality Policy.
- Employees must be particularly wary from accepting gifts from a pupil and should be aware that such gifts may be professionally compromising e.g. where it is suspected that a pupil has a ‘crush’ on the employee.

No one working for, employed by, or providing services on behalf of the Trust is to make, or encourage another to make, any personal gain out of its activities in any way. Any person becoming aware of a personal gain being made at the expense of the Trust, contractors or the public, should consult the Whistleblowing Policy.