



CODE OF PROFESSIONAL CONDUCT POLICY FOR ALL TRUST STAFF

Policy Title	Code of Professional Conduct policy for Staff	Department Responsible:	Human Resources
Version	V1 – 14 December 2015	Review Date:	1 August 2017
Date of Impact Assessment	Date: TBA	Date Approved:	14 December 2015

Code of Professional Conduct Policy

1. Scope

- 1.1 This policy applies to all within the Trust.
- 1.2 It also applies to all temporary workers, consultants, contractors, agents and subsidiaries acting for, or on behalf of an Academy within the UK and overseas.

2. Context

- 2.1 The trust is committed to providing a safe working and learning environment for its staff and learners.
- 2.2 For staff employed in the teaching profession, there are the conditions which need to be adhered to under the, 'Code of Conduct and Practice for Registered Teachers' as set out by the teaching Authority. A copy can be obtained from the Human Resources Department.
- 2.3 Failure to meet these standards will be adjudged as misconduct and in some instances a failure may be so serious as to warrant gross misconduct.
- 2.4 This Code is issued in accordance with the requirements of the Employment Rights Act 1996 and the ACAS Code of Practice and forms part of the conditions of employment.

3. Aims

- 3.1 By having a common set of rules the Trust will seek to promote harmonious, effective and positive working relationships amongst staff, students, contractors, suppliers and visitors.

4. Policy details

- 4.1 The Code is intended as a guide for employees, providing examples of offences which will be considered as Misconduct or Gross Misconduct. The examples given are neither exhaustive nor exclusive, and other offences not listed may be considered to be of similar gravity.
- 4.2 **Gross Misconduct** is misconduct of a serious nature. An allegation of gross misconduct will normally lead to the employee's immediate suspension with pay, pending an investigation. If the allegations are substantiated the result will be dismissal without notice. Offences considered to constitute gross misconduct will include:
 - ***Discrimination, Bullying, Harassment and or verbal abuse***
Participating in or inciting acts of deliberate or wilful discrimination, harassment or verbal abuse against other employees, students or members of the public on the grounds of race, colour, sex, ethnic or national origin, religious belief, disability, age, sexual orientation or marital status
 - ***Violence, Assault or Intimidation***
Violence, physical assault, intimidation of another employee, student, contractor or member of the public, or inciting violence.

- **Theft, misappropriation of trust property or fraud**
Theft or unauthorised possession of property or facilities belonging to the Trust or to any employee or student. Knowingly falsifying attendance sheets, salary claims, overtime or expenses claims. Taking on paid employment whilst in receipt of sick pay or in receipt of maternity pay.
- **Breach of Trust and or Serious Abuse of an Employee's Position**
In-appropriate behaviour and wilful abuse of position to take advantage of vulnerable adults and/or children in contravention of the Trusts Code of Professional Conduct and Safeguarding Policy.
- **Vandalism or Wilful Damage**
Deliberate vandalism or wilfully and knowingly damaging Trust premises or property.
- **Knowingly Withholding or Falsifying Information**
Knowingly falsifying records, including application forms, medical forms, attendance sheets, absence/sickness forms, disclosure baring checks, qualifications or any information relevant to the statutory requirements for employment with children, young adults and vulnerable adults.
- **Breach of Data Protection**
Disclosure of highly confidential matters to an unauthorised source in breach of the Data Protection act or Whistleblowing procedures.
- **Actions Likely to Seriously Endanger Self and/or Others**
Deliberate or serious breaches of technical or health and safety regulations: endangering own their own safety or the safety of others.
- **Bribery and/or Corruption**
Acceptance of bribes to give others unfair advantage in accessing trust contracts and services.
- **Substance or Alcohol Abuse**
Being under the influence of alcohol, classified drugs or substance abuse, sufficient to cause a serious risk.
- **Possession of Illegal or Classified Drugs**
Being in possession of illegal or classified drugs.
- **Criminal Conviction**
Conviction of a criminal or civil offence unconnected with the trust, but which questions or casts doubt on an employee's acceptability for employment with the Trust.
- **Unauthorised Secondary Paid Employment**
Conducting unauthorised business or paid employment for personal and/or financial gain without the consent of the Academy Principal or Chief Executive Officer.
- **Serious Misuse of Trust computer systems**
Knowingly downloading software or using software which breaches the licences; placing trust systems at serious risk by downloading unauthorised material; accessing sites which are offensive or likely to be in breach of the law, sending or

posting offensive material on social media or breaching the trusts Acceptable Usage Policy.

- **Bringing the Trust into Disrepute**
Serious misdemeanours, outside the work situation, which may adversely affect the Trusts reputation and or image.

5. **Misconduct** offences amount to unacceptable or improper behaviour which does not usually require suspension whilst an investigation is undertaken. A final written warning can be sanctioned for found misconduct breaches. These include:

- **Negligence**
Negligent performance of the duties of the post such as not securing equipment or documents.
- **Non-Compliance with Reasonable Instructions**
Failure or refusal to comply with reasonable management instructions.
- **Unauthorised Absence or Unacceptable Absence from Work**
Unauthorised absence from work which is neither sickness nor annual leave.
Unauthorised absence during the day or part of the day.
- **Lateness and or Taking Excessive Breaks**
Persistently bad or poor time keeping, including taking excessive breaks for lunch or smoking breaks.
- **Non-Compliance or Late Compliance with Sickness Absence Reporting or Certification procedures**
Failure to follow sickness absence reporting requirements and/or to comply with the Trusts Absence Management Policy.
- **Inappropriate use of Language**
Swearing or using offensive language aimed at other employees, students, contractors or members of the public.
- **Unprofessional or Inappropriate Behaviour**
Inappropriate behaviour with other employees, students, contractors or members of the public.
- **Breach of Health and Safety (Low risk to self and others)**
Behaviour causing breaches of health and safety procedures. Smoking on the premises. (Smoking in hazardous areas will constitute gross misconduct).
- **Persistent failure to show ID**
Persistent refusal to show ID card or carry ID card whilst on Trust premises.
- **Dress Code**
Persistent failure to dress appropriately for your role.

The above lists are not exhaustive

6. Monitoring and Review

6.1 This policy will be reviewed every 2 years.

6.2 Its impact and effectiveness will be judged in terms of the positive benefits and any negative consequences arising from its implementation.

7. Dissemination

7.1 All policies that need to be conveyed to students, staff and families will be available on the Academy's website.

7.2 Staff will be informed about policies during induction and through on-going in-service training.