

Schools Code of Conduct for School Employees



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This Code has been drawn up broadly in line with the Local Government Management Board’s Model Code of Conduct, with variations to reflect the circumstances of schools.

INTRODUCTION

The public is entitled to expect the highest standards of conduct from all employees who work in schools and that their conduct should never be influenced by improper motives.

This Code has been formulated by the Council, following consultation with school Governors, Headteacher and employee representatives, to provide a set of standards of conduct, expected of school- funded employees at work and in respect of the link between their work and their private lives.

This Code takes into account the requirements of the law and the provisions on official conduct in the appropriate national conditions of service.

The Code applies to all school-funded employees and is of particular significance for employees involved in the procurement of goods and services.

The Code will be made readily accessible in all schools and to all employees.

Investigations of alleged breaches of this Code will be dealt with under the school’s disciplinary code.

If employees are in any doubt whether they may be in breach of this Code they should seek advice from their Headteacher, or in the case of the Headteacher from the Director of Education.

STANDARDS

Employees are expected to give the highest possible standard of service to pupils and parents, and where it is part of their duties, to provide appropriate advice to other employees and Governors with impartiality. Employees should bring to the attention of management any deficiency in the provision of service and must report any impropriety or breach of procedure.

DISCLOSURE OF INFORMATION

The law requires that certain types of information must be available to Governors, Members, auditors, government departments, service users and the public, e.g. on school performance and budgetary matters.

Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor shall they pass it on to others who might use it in such a way.

Only employees authorised by their Headteacher to do so may talk to the Press, or make public statements on behalf of their school. Generally, an employee (including a Headteacher) contacted by the Press should seek the advice of the Council’s Press Office who may deal with the matter on the school’s behalf if the school wishes. This is not intended to prevent employees from writing or talking to the media on behalf of a Trades Union.

If employees consider that the non-disclosure of certain information is contrary to the wider public interest, they should advise their Headteacher or the Chair of Governors of the information and the issues concerned.

POLITICAL NEUTRALITY/ACTIVITY

Employees serve the Governing Body of their school within the overall framework of the Council.

Some school funded non-teaching employees, who are normally those in more senior(M-grade) positions, are in politically restricted posts and by law are prevented from taking part in certain political activities outside their work. Employees who are in this position should have been told of this in writing and of the rules for claiming exemption, but any employee who is in any doubt about their position should contact their Headteacher. In any event, all teachers including the Headteacher are exempt from these restrictions.

The political activities which are restricted for these non-teaching employees mainly cover the following areas:

1. Standing as a candidate for election to the House of Commons, European Parliament or a local authority (other than a Parish Council)
2. Holding office in a political party at any level, except in limited roles concerned only with the internal membership of the party
3. Canvassing at an election
4. Speaking in public or publishing any written or artistic work which appears to be intended to affect public support for a political party

If an employee is in any doubt about whether any activity is political activity and covered by these rules, they should seek advice from their Headteacher.

It is important that all relevant employees are aware of their position in terms of political activity because any breaking of the statutory rules will be a breach of contract and liable for investigation under the disciplinary procedure.

Employees, whether or not politically restricted, must not allow their own personal or political opinions to interfere with their work and must exercise careful judgement if asked to express personal opinions in the course of their work.

RELATIONSHIPS

a) Governors

Some employees are required to give advice to Governors as part of their job. Mutual respect between employees and Governors is essential to good local practice in schools; however close personal familiarity between employees and individual Governors can damage the relationship and prove embarrassing to other employees and should therefore be avoided. Any close relationship should be declared on the register of interests so that steps can be taken to avoid a conflict of interests.

b) The School, Local Community and Service Users

Employees must always remember their responsibilities to the school and the wider community that they serve by ensuring courteous, efficient and impartial service delivery to all groups and individuals within the school and the wider community.

c) Contractors

All relationships with contractors or potential contractors must be made known to the Headteacher. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no favoritism should be shown to businesses run for example by friends, partners or relatives. No part of the community should be discriminated against.

Employees who engage or supervise contractors or who have an official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with a contractor, must declare that relationship to the Headteacher.

APPOINTMENT AND OTHER EMPLOYMENT MATTERS

Headteachers and other employees involved in appointments must ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the work. In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant, or have a personal relationship outside of work with them. This should be declared so that the employee can be removed from the appointment process. It would be advisable to ask candidates to declare, on appointment, any relationship to a member of the Governing Body or senior member of staff of the school.

Similarly, Headteachers and other employees must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative, partner or close friend.

There should not be a line management relationship between relatives, partners or close friends. If, in exceptional circumstances, a decision is made to go ahead with such a working arrangement, schools will need to be able to demonstrate, by way of documentation, that they have made an assessment of the risks involved if the appointment is made.

1.2.3 The Headteacher or Chair of Governors must endorse the decision.

(For further guidance on this area refer to the School's Employment of Relatives, Partners and Friends Policy).

OUTSIDE COMMITMENTS

Employees' off-duty hours are their personal concern but they must not subordinate their duty to their private interests or put themselves in a position where duty and private interests conflict.

The Council would not wish to preclude employees unreasonably from undertaking additional work unless that work:

- conflicts with or detrimentally affects the interests of the Council's or individual school's interests; or
- in any way weakens public confidence in the conduct of the Council's or individual school's business; or
- in any other way adversely affects their ability to undertake their work

Should this be the case, their conduct will be considered a breach of the Council's or school's disciplinary Code.

Employees must not, therefore, engage in any other business or take up any other additional appointment without first having carefully considered and ruled out the possibility of an adverse effect on their work or the interests of the Council or their school. Where there is any doubt as to the implications, the nature of the proposed employment must be discussed with their Headteacher or the Director of Education.

If an employee decides to take up additional employment or engage in any other business, no outside work of any sort should be undertaken in the workplace. Use of Council facilities for this, e.g. telephones, photocopying etc. is forbidden.

PERSONAL INTERESTS

Employees must declare to their Headteacher, or in the case of the Headteacher to the Chair of Governors, any non-financial interests that they consider could bring about conflict with the school's interests in the school's Register of Interests (and as appropriate at any Governing Body meeting that they attend). The Headteacher (or the Chair of Governors if the interest is that of the Headteacher) should determine and record appropriate action(s) to take to avoid a conflict of interests arising on the entry in the Register of Interests. Membership of a Trades Union is exempted from this requirement.

Employees must declare any financial interests which could conflict with the school's interests. It is most likely that a financial interest will arise from investments made in a company or from being a Director of a company which may contract with the school or an interest which arises from "outside" employment. Advice should be sought if the employee considers there is any element of doubt as to whether the interest should be declared or not.

Employees must declare to their Headteacher, or in the case of the Headteacher to the Chair of Governors, membership of any organisation which is not open to the public without formal membership and commitment of allegiance and which has secrecy about its' rules or membership or conduct e.g. freemasons.

Employees who have an interest, financial or non-financial, should not involve themselves in any decision on allocation of school services or resources from which they, their friends or family might benefit and should ensure that the matter is referred immediately to their Headteacher, or in the event of the Headteacher to the Chair of Governors. The test is whether the interest and the relationship is such that a member of the public might reasonably consider that the employee would be influenced by the interest and might not therefore always be acting impartially on behalf of the school. The likelihood of the employee being able to influence a decision or otherwise influence the delivery of a service would also be a relevant factor to take into consideration.

EQUALITY ISSUES

Employees have an obligation to ensure that policies relating to equality issues as agreed by the school are complied with, as well, of course, the requirements of the law. Everyone in the school and its wider community have a right to be treated with fairness and equity.

SEPARATION OF ROLES DURING TENDERING

Where employees are involved in letting contracts, or procuring goods or services, on behalf of the school, they must exercise fairness and impartiality when dealing with contractors, sub-contractors and suppliers.

Such employees who are privy to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.

Such employees must ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

CORRUPTION

It is a criminal offence for an employee to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity. It is for the employee to demonstrate that any such rewards have not been corruptly obtained.

Use of Financial Resources

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner, ensuring value for money to the school and its wider community and avoiding legal challenge to the school or the Council.

GIFTS & HOSPITALITY

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the school in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the school should be seen to be represented. They must be properly authorised and recorded.

When hospitality has to be declined the person offering it should be courteously but firmly informed of the procedures and standards operating within the school.

Employees must not accept significant personal gifts from pupils, parents, contractors and outside suppliers, other than insignificant tokens such as pens or diaries or small festive gifts.

When considering whether or not to accept hospitality, employees must be sensitive to the timing of decisions and the letting of contracts for which the provider may be bidding. Employees must never accept hospitality from a contractor during a tendering period.

Acceptance by employees of hospitality whilst in attendance at relevant conferences and courses is acceptable if it is clear that the hospitality is for the school rather than personal, if the school gives consent in advance and if the school is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment etc. are required, employees must ensure that the school meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

Employees must ensure that any hospitality or gift received is entered in the Gifts & Hospitality Register maintained by their school. (For further detail of the application of the procedure see the School's Gifts Policy and procedures).

SPONSORSHIP - GIVING AND RECEIVING

Where an outside organisation wishes to sponsor or is sought to sponsor a school activity, whether by invitation, tender, negotiation or voluntarily the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the school wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the Headteacher of any such interest. Similarly, where the school through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.

LINKS WITH OTHER POLICIES

This policy links with our policies on:

Staff disciplinary procedures, which will be used if staff breach this code of conduct. It also sets out examples of what we will deem as misconduct and gross misconduct

Staff grievance procedures

Child protection and safeguarding

Staff Gifts and hospitality

Online safety

Whistleblowing