



Code of Conduct

This policy should be read alongside the 'Common Principles' that apply to all academy HR policies. These 'Common Principles' outline the need for confidentiality, the procedures for and management of formal meetings (including the right to representation by a companion such as a Trade Union representative), the power to issue warnings and make dismissal decisions, and the procedures for appeals against warning and dismissal decisions.

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1. Key points and summary

High quality staff are essential to the success of every school. The Harrow academies intend to be outstanding employers, recruiting and developing the best staff for the benefit of students.

As outstanding employers the academies require HR policies that are:

- Compliant with latest law / regulations and case-law
- Fit for purpose for an academy
- Fair to the employer and employee
- Clear and easily understood

These policies will be reviewed annually.

Detailed support documentation, including procedures and template forms / letters accompany these policies.

The Academy Trust is the employer of staff at an academy, with the Governing Body having the responsibility for the leadership and management of the academy. Ensuring appropriate policies are in place and are part of that responsibility.

2. Definitions

Throughout the following policies, these terms have the following meanings:

Child Protection Officer	The Senior Leader who is designated to take lead responsibility for dealing with child protection issues
Head of Operations	The member of staff with responsibility for support services, including HR
Employee / Member of staff	Any individual employed by the Academy Trust
Headteacher	The Headteacher of the academy (referred to as the Principal in the Articles of Association of the Academy Trust)
HR Advisor	The individual or organisation providing support to the Manager, Senior Leader, Headteacher or Governing Body
Manager	The Manager of an employee
Senior Leader	Any member of the Leadership Group, as defined by the School Teachers' Pay and Conditions Document, or the Head of Operations in cases involving support staff. Senior Leaders will only be permitted to issue formal warnings if they have been appropriately trained for that task and have been given delegated authority from the Headteacher specifically to issue such warnings.

Support staff/ Associate Staff Those staff employed by the Academy whose terms and conditions are covered by the National Joint Council for Local Government Services condition of service. (the "Green Book")

3. Roles and Accountabilities

The Governing Body is accountable for all policies of the Academy Trust. It will annually:

1. Approve the staffing establishment for the academy
2. Approve the HR policies for the academy
3. Approve the delegations for HR functions

The Headteacher is responsible for the implementation of all policies of the Academy Trust.

All employees of the Academy Trust are subject to the HR policies.

All employees, governors, contractors, volunteers and supply staff are subject to the expectations set out in the Code of Conduct.

The Headteacher will ensure that:

- these policies are available to staff electronically
- new staff are made aware of the policies as part of their induction
- any individual who is subject to the formal stages of any policy will receive a copy of that policy within the papers for the first formal meeting under the procedures of the relevant policy

4. Common Principles

All employment policies within this document are non-contractual.

The following principles apply to all policies:

- **Trade Union Officials:** All staff are equally subject to the policies. Where an employee is an elected traded union representative, wherever possible the circumstances of the case will be discussed with the relevant professional trade union officer before any formal action is taken, such discussion to take place without undue delay. For the avoidance of doubt, suspension is not a formal action.
- **Confidentiality:** All employees must treat as confidential any information relating to a case being conducted under any of these policies. The employee and anyone accompanying the employee (including witnesses) must not make electronic recordings of any meetings or

hearings conducted under any of these policies. Failure to observe confidentiality could be a reason for disciplinary action.

- **Probation:** All employees who are within their probationary period shall be managed in accordance with the conditions of their contract and in accordance with the Probation policy.
- **Equalities:** The Academy Trust is an equal opportunity employer and will not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. We will take appropriate steps to accommodate the requirements of different religions, cultures and domestic responsibilities and ensure that our policies are operated and monitored in accordance with Equalities legislation.
- **Investigative role of the Headteacher:** The Headteacher may delegate their investigate role under any policy to another Senior Leader where this is considered appropriate and is in accordance with the Scheme of Delegation of the Academy Trust. An external investigating officer may be appointed if deemed appropriate in the circumstances.
- **Formal meetings:** The following procedural expectations apply to all formal meetings between an employee and Senior Leader / Headteacher / Governing Body panel under the Disciplinary and Sickness Absence policies:
 - The employee will be given at least ten working days notice of the meeting; the meeting may be postponed for up to five working days in certain situations (see 'Right to Postpone' in this section)
 - The employee will be provided with written information relating to the reason for and purpose of the meeting, a copy of the relevant HR policy that the meeting is being held within, copies of any documentation that will be considered, and names of any witnesses being called by the Academy
 - At least two working days before the meeting, the employee will provide copies of any papers that they will refer to and the names of any witnesses that they will call
 - The employee will be able to be accompanied by a Trade Union representative or a workplace colleague
 - The meeting will be chaired by someone who has not had previous involvement in the specific case (a Senior Leader, Headteacher, or Governor as appropriate), and they may be supported by the HR Advisor. If the Headteacher is the employee who is subject to the hearing, the Academy's case will be brought by the Chair of the Governing Body who may remain throughout the meeting if someone other than the Chair of the Governing Body presents the case.
 - The meeting will proceed in the following order:
 - The Academy representative (Investigating Officer, Senior Leader, or Headteacher) may make an opening address outlining the case. If the Academy's case is presented by someone other than the Investigating Officer, the Investigating Officer may remain in the hearing throughout with the Academy's representative.
 - The Academy representative will call each witness in turn so that
 - The witness is asked questions

- The employee and their representative has the opportunity to question the witness
 - The Academy's representative may ask the witness questions of clarification
 - The Senior Leader / Headteacher / Governor Panel conducting the hearing has the opportunity to question the witness
 - Each witness withdraws after giving evidence, except the Academy representative who is a witness and presents the outcome of the investigation.
 - The employee's representative may make an opening address outlining the employee's case
 - The employee's representative will call each witness in turn so that
 - The witness is asked questions
 - The Academy representative has the opportunity to question the witness
 - The employee's representative may ask the witness questions of clarification
 - The Senior Leader / Headteacher / Governor Panel conducting the hearing has the opportunity to question the witness
 - Each witness withdraws after giving evidence, except that the employee who has been a witness to their own case has the right to remain throughout the hearing procedure.
 - The Academy representative and employee's representative shall have the opportunity to sum up their case if they so wish
 - Both parties then withdraw
 - The Senior Leader / Headteacher / Governor Panel conducting the hearing, together with the HR advisor, is to deliberate in private, only recalling the parties to clarify points of uncertainty on evidence already given. If recall is necessary both parties are to return, notwithstanding that only one may be concerned with the point under clarification. The HR advisor shall provide technical and procedural advice and shall not vote on the matter.
 - The Senior Leader / Headteacher / Governor Panel conducting the hearing is to announce the decision to both parties at the close of the proceedings whenever possible. The decision will be confirmed in writing soon afterwards.
 - Where the decision is to dismiss or to give a formal written warning the employee will be advised of their right of appeal against the decision.
- **Representation at formal meetings:** The [Employment Relations Act 1999](#) gives workers and employees a statutory right to a "companion" at a formal hearing who can be a trade union representative or a fellow worker. Although there is no legal right to be accompanied

at informal meetings there are times when this will be considered and such requests will not be unreasonably refused. An employee may choose to represent themselves, and in this situation the employee may be questioned as a witness.

- **Right to postpone formal meetings:** An employee may seek to postpone a formal meeting in order to have more time to consider his/her position, because of ill health or because of non-availability of his/her chosen companion. If an employee's representative cannot attend on the intended date, the employee must suggest another date within 5 working days of the original date.
- **Formal warning and dismissal decisions:** The Scheme of Delegation of the Academy Trust delegates the power to dismiss to the Headteacher, and these policies enable Senior Leaders to issue formal warnings up to and including final warnings. There may be occasions, however, where the Headteacher considers that it would be more appropriate for either of the following:
 - For formal warnings to be issued by the Headteacher rather than a Senior Leader. If this is the case, any meeting that may result in dismissal would be heard by a Governors Panel rather than the Headteacher, and any appeal would be heard by Governors who had not been involved in the initial dismissal hearing.
 - If the formal warnings were issued by a Senior Leader, the Headteacher may still decide that a meeting that may result in dismissal should be heard by a Governors Panel rather than the Headteacher. If this is the case, any appeal would be heard by Governors who had not been involved in the initial dismissal hearing.

If either of these situations is the case, the Headteacher shall confirm this to the employee. If the meeting that may result in dismissal is heard by a Governors Panel, the Headteacher may be the investigating officer and / or may present the case to the Governors Panel. The Governors Panel would consist of three Governors in normal circumstances (this may be reduced with consent from the employee), and these Governors could not then be involved in any subsequent Appeal Panel.

Appeals against formal warning decisions: The employee has a right of appeal against a written warning. The procedure is as follows:

- Appeals against formal warnings should be made in writing to the Clerk to the Governing Body within 10 working days of the receipt of the written decision, and must include the grounds for appeal.
- The appeal hearing will be held as soon as possible after receipt of the appeal. The purpose of the appeal hearing is to review the decision that was originally made and to decide if this decision was reasonable in all the circumstances, to review any procedural irregularities and to consider specifically the stated grounds of appeal.
- The appeal will be heard by:
 - The Headteacher, for a First Written Warning issued by a Senior Leader
 - An Appeals Panel of the Governing Body for a First Written Warning issued by the Headteacher, and for any Final Written Warnings. The number of governors on the Appeals Panel of Governors will usually be three, none of whom shall have had any previous involvement in the specific case.
- The Panel shall be advised by a HR Advisor.

- The Panel can either confirm the warning, reduce a final warning to a warning or cancel the warning.

Appeals against dismissal decisions: The employee has a right of appeal against a decision to dismiss. Appeals against dismissal should be made in writing to the Clerk to the Governing Body within 10 working days of the receipt of the written decision, and must include the grounds for appeal. The appeal hearing will be held as soon as possible after receipt of the appeal. The purpose of the appeal hearing is to review the decision that was originally made, to review any procedural irregularities and to decide if this decision was reasonable in all the circumstances, and to consider specifically the stated grounds of appeal. The appeal will be heard by an Appeals Panel of the Governing Body. The number of governors on the Appeals Panel of Governors will not usually be less than three, none of whom shall have had any previous involvement in the specific case. The Panel shall be advised by an HR Advisor. The Appeal Panel may decide to issue a warning or a final warning rather than dismiss, and may decide that any warning may last for a specified period longer than the original twelve months of any previous final warning, if appropriate. There is no right of appeal against such a decision of the Appeal Panel of the Governors. In the event that the Appeal Panel decides not to uphold decision to dismiss, the notice of dismissal shall be immediately withdrawn or the employee will be reinstated, on terms agreed by the panel, if the dismissal has already taken effect.

- **Monitoring of operation of Policies/ procedures:** The Academy Trust will work towards developing an equality profile of staff to help it understand key equality issues in the workforce, including any evidence of pay gaps or 'occupational segregation' i.e. staff with certain protected characteristics being over-represented in particular roles. In addition, the Trust notes that it is likely to be useful to collect and consider information, appropriately disaggregated, in relation to:
 - recruitment and promotion
 - numbers of part-time and full-time staff
 - pay and remuneration
 - training
 - return to work of women on maternity leave
 - return to work of disabled employees following sick leave relating to their disability
 - appraisals
 - grievances (including about harassment)
 - disciplinary action (including for harassment)
 - dismissals and other reasons for leaving.

5. Code of Conduct

All employees, governors, contractors, volunteers and supply staff as appropriate to the role and/or job description of the individual are subject to DBS checks and must:

- place the well-being, safety, and learning of pupils at the centre of their professional practice.
- have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances.
- treat pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality.
- model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people.
- respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education.
- seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of school.
- reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues.
- apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.

This Code is split into two sections:

- Part A: Relationships with students
- Part B: Expectations of staff

5.1 Part A: Relationships with students

Part A applies to all employees, governors, contractors, volunteers and supply staff.

Introduction

This Safer Care Code of Conduct ('the Code') sets out the professional standards expected and the duty upon staff, governors and volunteers to abide by it. All staff, governors and volunteers have a duty to keep pupils safe, promote their welfare and to protect them from sexual, physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrate integrity, maturity and good judgment. Following this Code will help to safeguard staff, governors and volunteers from being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to pupils.

Staff, governors and volunteers must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection or safeguarding. Adults have a duty to report any child protection or welfare concerns to a designated member of staff in school. Anyone who has concerns should raise them with a Senior Leader without delay. A member of staff who, where they have a genuine concern, “whistleblows” or makes a public interest disclosure through appropriate channels will have the protection of the relevant legislation.

This Code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for staff, governors or volunteers. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to pupils. Adults are expected to make decisions or take action in the best interests of the pupil where no specific guidance has been given.

Any employee who is found to have committed a breach of this Code may be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The governing body will take a strict approach to serious breaches of this Code. Volunteers/ Contractors found to be in breach of this code will be dealt with appropriately. The Academy may prohibit access to the site and make referrals to the necessary organisations/ authorities where a serious breach of this code is considered to have occurred.

Where an allegation of abuse is made against a member of staff the governing body will take into account the guidance set out in the recent version of [Keeping Children Safe in Education](#), where it is alleged that a member of staff, a governor or volunteer has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or,
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

This Code takes account of the most recent version of the following guidance (statutory and non-statutory) set out in ‘Keeping Children Safe in Education’ Department of Education (‘DfE’) (statutory), Working together to safeguard children’ HM Government statutory) and ‘Guidance for safer working practice for those working with children and young people in education settings’ (non-statutory).

5.2 Sexual Contact with Children and Young People and Abuse of Trust

A relationship between an adult and a child or young person is not a relationship between equals; the Adult has a position of trust, power or influence. There is potential for exploitation and harm of vulnerable young people and all Adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Adults must not use their position to gain access to information for their own advantage and/or a pupil's or family's detriment or use their power to intimidate, threaten, coerce or undermine pupils. Adults must not use their status or position to form or promote relationships with children (whether current pupils or not), that are of a sexual nature, or which may become so. Adults should maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report any incident with this potential to a senior manager. This is as relevant in the online world as it is in the classroom; staff engaging with pupils and/or parents online have a responsibility to model safe practice at all times.

Any sexual behaviour or activity by a member of staff, governor or volunteer with or towards a child or young person (including Sixth Form students known to the adult as a result of the adult's employment) is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. Where a person aged 18 or over is in a specified position of trust with a child or young person under 18 years, the Sexual Offences Act 2003 makes it an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity.

Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children', defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening".

Staff, governors and volunteers must not have sexual relationships or any form of communication which could be interpreted as sexually suggestive or provocative i.e verbal comments, letters, notes, texts, electronic mail, phone calls, social networking contact or physical contact with a person with whom they are in position of trust. The adult must not make sexual remarks to, or about, a child or young person or discuss their own sexual relationships with or in the presence of pupils. Staff, governors and volunteers must take care that their language or conduct does not give rise to comment or speculations. Attitudes, demeanour and language all require care and thought.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person, and manipulate that relationship so that sexual abuse can take place. Staff, governors and volunteers must be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

Behaving in an unsuitable way towards children may result in disqualification from childcare under the Childcare Act 2006, prohibition from teaching by the Teaching Regulation Agency (TRA) , a bar from engaging in regulated activity, or action by another relevant regulatory

5.3 Infatuations and Crushes

A child or young person may develop an infatuation with an adult who works with them. A member of staff or volunteer, who becomes aware that a pupil may be infatuated with him/herself or a colleague, must report this without delay to a senior colleague so that appropriate action can be taken to avoid any hurt, distress or embarrassment. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations.

Examples of situations which must be reported are given below:

- Where a member of staff or volunteer is concerned that he or she might be developing a relationship with a pupil which could have the potential to represent an abuse of trust,
- Where a member of staff or volunteer is concerned that a pupil is becoming attracted to him or her or that there is a developing attachment or dependency.
- Where a member of staff or volunteer is concerned that actions or words have been misunderstood or misconstrued by a pupil such that an abuse of trust might be wrongly suspected by others.
- Where a member of staff or volunteer is concerned about the apparent development of a relationship by another member of staff or volunteer, or receives information about such a relationship.

5.4 Gifts

All individuals covered by this Code must not give personal gifts to individual pupils. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the school's behaviour policy, recorded, and not based on favouritism. Small value gifts that are given equally to a group of pupils (such as to a form group at the end of a year) are permitted.

5.5 Internet, Social Contact and Social Networking

Social networking sites and blogging are popular. Staff, governors and volunteers must not post material which damages the reputation of the school or which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct which may be dealt with under the school's disciplinary procedure.

Under no circumstances should adults access inappropriate images in school or on school equipment outside school. Deliberately accessing pornography on school equipment will be treated as gross misconduct and may be a criminal offence. Accessing indecent images of children on the internet, and making, storing or disseminating such material, is illegal and is likely lead to criminal prosecution and may result in barring from work with children and young people.

Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones text messaging, emails, digital cameras, videos, web-cams and other hand held devices, websites social media such as Facebook, Twitter, Instagram, chat-rooms, forums, blogs, apps such as Whatsapp, gaming sites and blogs. Adults should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. They should ensure that all communications are transparent and avoid any communication that could be interpreted as 'grooming behaviour'. If a pupil seeks to establish social contact, or if this occurs coincidentally, the adult should report the contact to a Senior Leader and not engage in ongoing communication.

Staff and volunteers must not give their personal contact details such as home/mobile phone number; home or personal e-mail address or social networking details to pupils.

It is recommended that staff ensure that all possible privacy settings are activated to prevent students from making contact on personal profiles and to prevent students from accessing photo albums or other personal information which may appear on social networking sites.

If staff encounter pupils through common membership of off-site organisations they are reminded to consider their professional obligations and also to familiarise themselves with the Safeguarding and Child Protection Policy of the other organisation.

Adults are personally responsible for what they communicate in social media and must bear in mind that what is published might be read by us, pupils, parents and carers, the general public, future employers and friends and family for a long time. Adults must ensure that their on-line profiles are consistent with the professional image expected by us and must not post material which damages the reputation of the Academy or which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could render themselves vulnerable to criticism or, in the case of an employee, allegations of misconduct which may be dealt with under the Disciplinary Procedure. Even where it is made clear that the writer's views on such topics do not represent those of the Academy, such comments are inappropriate.

Adults are advised not to have any online friendships with any young people under the age of 18, unless they are family members or close family friends. Adults are advised not to have online friendships with parents or carers of pupils, or members of the governing body/trustees. Where such on line friendships exist, Adults must ensure that appropriate professional boundaries are maintained.

It is acknowledged that Adults may have genuine friendships and social contact with parents or carers of pupils, independent of the professional relationship. Adults should, however, inform senior management of any relationship with a parent/carer where this extends beyond the usual parent/carer/professional relationship; advise senior management of any regular social contact they have with a pupil or parent/carer, which could give rise to concern; inform senior management of any requests or arrangements where parents/carers wish to use their services outside of the workplace e.g. babysitting, tutoring; and Adults should always approve any planned social contact with pupils or parents/carers with senior colleagues, for example when it is part of a reward scheme. If a parent/carer seeks to establish social contact, or if this occurs coincidentally, the Adult should exercise his or her professional judgment and should ensure that all communications are transparent and open to scrutiny.

Some employees may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the employee or seeks support outside of their professional role this should be discussed with senior management and where necessary referrals made to the appropriate support agency.

5.6 Physical Contact and Personal Privacy

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, culture and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.

Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If a member of staff or volunteer believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible in the school's incident book, and, if appropriate, a copy placed on the child/young person's file.

Physical contact, which occurs regularly with a pupil or pupils, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the pupil's permission before initiating contact. Staff should listen, observe and take note of the pupil's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the pupil for the minimum time necessary.

There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. Adults should always tell a colleague when and how they offered comfort to a distressed pupil. Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a Senior Leader.

Some staff, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil

All parties should clearly understand from the outset what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers informed of the extent and nature of any physical contact may also prevent allegations of misconduct arising. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the senior manager and parent/carer.

Pupils are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.

Staff with a job description which includes intimate care duties will have appropriate training and written guidance including a written care plan for any pupil who could be expected to require intimate care. Staff should adhere to the Academy's intimate and personal care policies. No other member of staff or volunteer should be involved in intimate care duties except in an emergency, and any changes to the intimate care plan should be made in writing and without delay, even if arrangements are temporary. A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, include times left and returned. Employees should not assist with personal or intimate care tasks which the pupil is able to undertake independently.

5.7 Behaviour Management and Physical Intervention

All pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Staff and volunteers must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils are not acceptable in any situation. Deliberately intimidating pupils by shouting aggressively, hectoring or overbearing physical presence is not acceptable in any situation. Any sanctions or rewards used should be part of the behaviour management policy.

Staff should understand the importance of challenging inappropriate behaviours between peers, including peer on peer sexual violence and sexual harassment. Downplaying certain behaviours (e.g., dismissing sexual harassment as "just banter") can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it. Where pupils display difficult or challenging behaviour, adults should follow the school's or setting's behaviour and discipline policy using strategies appropriate to the circumstance and situation.

Physical intervention can only be justified in exceptional circumstances. Non-statutory guidance is available from the Department of Education website. See 'Use of reasonable force - advice for Head Teachers, Staff and Governing Bodies'. Adults may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Adults should have regard to the health and safety of themselves and others. It is always unlawful to use force as a punishment. The use of unwarranted physical force is likely to constitute a criminal offence.

Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan, including a risk assessment, should be put in place and agreed by all parties. Where it is judged that a pupil's behaviour presents a serious risk to themselves or others, a robust risk assessment that is regularly reviewed and a physical intervention plan, where relevant, must be put in place. All incidents and subsequent actions should be recorded and reported to a manager and the pupil's parents/carers. Where it can be anticipated that physical intervention is likely to be required, a plan should be put in place that the pupil and parents/carers are aware of and have agreed to. Parental consent does not permit the use of unlawful physical intervention or deprive a pupil of their liberty. The Academy has separate policies on Behaviour Management and the Use of Physical Intervention, any use of physical intervention must be in accordance with the school policy.

5.8 First Aid and Medication

All schools must have trained first aiders/appointed persons. Staff must have had the appropriate training before administering first aid or medication except in an emergency.

The Academy has a separate policy on supporting pupils with a medical condition. Employees should have regard to the statutory guidance 'Supporting pupils at school with medical conditions' DfE December 2015, which includes advice on managing medicines. All settings must have an adequate number of qualified first aiders/appointed persons. Employees must have had the appropriate training and achieved the necessary level of competency before administering first aid or medication, or taking on responsibility to support pupils with medical conditions. If an Adult is concerned or uncertain about the amount or type of medication being given to a pupil this should be discussed with the Designated Safeguarding Lead.

Adults taking medication that may affect their ability to care for children should seek medical advice regarding their suitability to do so and should not work with pupils whilst taking medication unless medical advice confirms that they are able to do so. Adult medication on the premises must be securely stored out of the reach of children.

5.9 One to One Situations and Meetings with Pupils

One to one situations have the potential to make children/young persons more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. Staff must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas of the school and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Where staff are expected to work on one to one with a pupil on a virtual platform, clear expectations should be set out for all those involved that are reflective of the settings safeguarding policies and procedures. Any arrangements should be reviewed on a regular basis.

Pre-arranged meetings with pupils on the school site that are not part of official school activities are not permitted unless written approval is obtained from their parent/ guardian and the Headteacher or other senior colleague with delegated authority. Official school activities include revision or extension classes that may take place before / after a school day, at weekends, or during school holiday periods.

No pupil should be in or invited into, the home of an adult who works with them unless they are family members or close family friends, in which case adults are advised to notify their line manager. Pupils must not be asked to assist adults with jobs or tasks at or in their private accommodation or for their personal benefit.

There are occasions during exam periods when timetables clash and arrangements need to be made to preserve the integrity of the examination process. In these circumstances, exam boards may allow candidates to take an exam the following morning, including Saturdays. The examination board requires the centre to determine a method of supervision on journeys to and from the centre and overnight, which ensures the candidate's wellbeing. This supervision may be undertaken by a parent/carer or, employees may be asked to volunteer to supervise pupils, which may with prior approval be in their own home.

Other than in an emergency, an adult must not enter a pupil's home if the parent/carer is absent. Always make detailed records including times of arrival and departure and ensure any behaviour or situation that gives rise to concern is discussed with a senior manager/Headteacher. A risk assessment should be undertaken, and appropriate risk management measures put in place prior to any planned home visit taking place. In the unlikely event that little or no information is available, home visits should not be made alone.

No individual covered by this Code should hold any pre-arranged meeting with a student off-site without the written permission of the Headteacher.

5.10 Transporting Pupils

In certain situations e.g. out of school activities, staff, governors or volunteers may agree to transport pupils. Transport arrangements should be made in advance by a designated member of staff. Transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort, unless there are exceptional circumstances.

Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded. It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so. The driver should be aware of the current legislation concerning the use of car seats for younger children where applicable. It is illegal to drive using hand-held phones or similar devices and the driver must ensure that they adhere to all driving regulations.

It is inappropriate for staff to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the Manager and has been agreed with parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to a Senior Leader and parents/carers.

5.11 Educational Visits and School Clubs

Staff and volunteers should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply. Please refer to the school's policy on educational visits.

5.12 Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff. Staff and volunteers must not enter into or encourage inappropriate discussion about sexual activity or behaviour or, discussions which may offend or harm others. Adults should take care to protect children from the risk of radicalisation and should act in accordance with advice given under Part 1 of Keeping Children Safe in Education DfE and accordingly must not express any prejudicial views or, attempt to influence or impose their personal values, attitudes or beliefs on pupils.

Please refer to the School's policy on sex and relationships education.

5.13 Photography, Videos and other Creative Arts

Any taking or recording of images must be in accordance with the school's safeguarding policy and procedures.

Many educational activities involve the taking or recording of images. This may be undertaken as part of the curriculum, extra school activities, for displays, publicity, to celebrate achievement or, to provide evidence of the activity. An image of a child is personal data, and it is, therefore, a requirement under Data Protection Legislation that explicit consent is obtained from the parent/carer of a child before any images are made such as those used for School websites, notice boards, productions or other purposes, unless an alternative legal justification for processing this data is applicable.

Adults need to be aware of the potential for such images to be taken and/or misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. There should be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Adults should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photographs taken.

Adults should only use equipment provided or authorised by the School to make/take images and should not use personal equipment, mobile telephones or any other similar devices to make/take images.

The following guidance should be followed:

- If a photograph is used, avoid naming the pupil
- If the pupil is named, avoid using the photograph
- Photographs/images must be securely stored and used only by those authorised to do so
- Be clear about the purpose of the activity and about what will happen to the photographs/images when the lesson/activity is concluded
- Only retain images when there is a clear and agreed purpose for doing so
- Ensure that a senior colleague is aware that the photography/image equipment is being used and for what purpose
- Ensure that all photographs/images are available for scrutiny in order to screen for acceptability – Be able to justify the photographs/images made
- Do not take images of pupils for personal use
- Only take images where the pupil consents to this
- Do not take photographs in one-to-one situations
- Do not display or distribute photographs/images of pupils unless there is consent to do so from the parent/carer

- Only publish images of pupils where they and their parent/carer have given explicit written consent to do so
- Do not take images of pupils in a state of undress or semi-undress
- Do not take images of pupils which could be considered indecent or sexual
- Do not take images of a child's injury, bruising or similar (e.g., following disclosure of abuse) even if requested by children's social care
- Do not make audio recordings of a child's disclosure

Use of technology for online / virtual teaching

Staff should use school devices and contact pupils only via the pupil school email address / log in. This ensures that the setting school's filtering and monitoring software is enabled.

In deciding whether to provide virtual or online learning for pupils, senior leaders should will take into account issues such as accessibility within the family home, the mental health and wellbeing of children, including screen time, the potential for inappropriate behaviour by staff or pupils, staff access to the technology required, etc. Virtual lessons should will be timetabled and senior staff, DSL and / or heads of department should will be able to drop in to any virtual lesson at any time – the online version of entering a classroom.

Staff engaging in online learning should display the same standards of dress and conduct that they would in the real world; they should also role model this to pupils and parents.

The following points should be considered:

- think about the background; photos, artwork, identifying features, mirrors
- ideally the backing should be nondescript staff and pupils should be in living / communal areas
- no bedrooms staff and pupils should be appropriately dressed filters at a child's home may be set at a threshold which is different to the school resources / videos must be age appropriate
- the child may not have support immediately to hand at home if they feel distressed or anxious about content

It is the responsibility of the staff member to act as a moderator; raise any issues of suitability (of dress, setting, behaviour) with the child and / or parent immediately and end the online interaction if necessary. Recording lessons does not prevent abuse. If staff wish to record the lesson they are teaching, consideration should be given to data protection issues; e.g., whether parental / pupil consent is needed and retention / storage. Staff will adhere to the school's policy on recording of online lessons. If a staff member believes that a child or parent is recording the interaction, the lesson should be brought to an end or that child should be logged out immediately. Staff, parent and pupil AUPs should clearly state the standards of conduct required.

If staff need to contact a pupil or parent by phone and do not have access to a work phone, they should discuss this with a senior member of staff and, if there is no alternative, always use 'caller withheld' to ensure the pupil / parent is not able to identify the staff member's personal contact details.

5.14 Sharing Concerns and Recording Incidents

All staff, governors and volunteers must share any concerns and report incidents in accordance with the guidance set out in Keeping Children Safe in Education (DfE). The following is a non-exhaustive list of behaviours which must be shared with a Senior Leader. An adult who:

- Allows a pupil/young person to be treated badly; pretends not to know it is happening
- Shares personal information inappropriately
- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way that could cause offense or embarrassment
- Does not treat pupils fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses his/her position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a pupil or pupils
- Appears to have special or different relationships with a pupil or pupils
- Seems to seek out unnecessary opportunities to be alone with a pupil

6. Part B: Expectations of staff

Teachers Standards

The following is taken from the Teachers Standards, however all employees and supply staff are expected to follow the guidance outlined below.

- A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career.
- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - Treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - Having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - Showing tolerance of and respect for the rights of others
 - Not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - Ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

6.1 Dress

All students are expected to dress to a high standard at all times and the same is expected of those individuals covered by this Code. All those covered by this Code must ensure that they present themselves in ways which are appropriate to their role and not likely to be viewed as offensive, revealing or sexually provocative and specifically should not distract, cause embarrassment or give rise to misunderstanding, should be culturally sensitive and free of any political or otherwise contentious slogans, must not be considered to be discriminatory, and must not pose a health and safety risk. Work wear for staff should be that which would be acceptable within a professional office environment or which is appropriate for the subject being taught or work being undertaken.

6.2 Equipment & Unacceptable use of ICT Facilities / monitoring

This section should be read in conjunction with the School's Acceptable Use Policy

Computers – Staff will be issued with a password to access the academy Intranet and the internet. Staff are responsible for the use of any laptop provided to them for the better performance of their duties and should therefore be careful about who has access to their password and machine.

Mobile Phones – Staff should not use their mobile phones during lessons and should not make or receive calls at any time that they supervising students, unless in an emergency situation.

All usage of electronic equipment must be in accordance with the school's Acceptable Use Policy.

Other equipment – Any items belonging to the Academy must remain available to be used by staff and students as necessary. Staff will be responsible for the safe keeping of equipment loaned to them by the Academy.

Personal property of a sexually explicit nature such as books, magazines, CDs, DVDs or such material on any electronic media must not be brought onto or stored on the school premises or on any school equipment.

Posting, creating, accessing, transmitting, downloading, uploading or storing any of the following material (unless it is part of an authorised investigation) is likely to amount to gross misconduct and result (where the adult is employed) in summary dismissal (this list is not exhaustive):

- Pseudo-images of children (child abuse images), pornographic or sexually suggestive material or images of children or adults which may be construed as such in the circumstances (that is, writing, texting, pictures, films and video clips of a sexually explicit or arousing nature)

- Any other type of offensive, obscene or discriminatory material, criminal material or material which is liable to cause distress or embarrassment to the School or others

- If indecent images of children are discovered at the premises or on the School's equipment/devices, an immediate referral should be made to the School's designated Safeguarding Lead and Headteacher (unless they are implicated) and the external Designated Officer (DO) and, if relevant, the police contacted. The images/equipment should be secured, should not be used by others and should be isolated from the network. There should be no attempt to view, tamper with or delete the images as this could jeopardise any necessary criminal investigation. If the images are of children are known to the School, a referral should also be made to children's social care in accordance with local arrangements.

The contents of our ICT resources and communications systems are our property. Therefore, adults should have no expectation of privacy in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on our electronic information and communications systems. We reserve the right to monitor, intercept and review, without prior notification or authorisation from adults. Usage of our IT resources and communications systems, including but not limited to telephone, e-mail, messaging, voicemail, CCTV, internet and social media postings and activities are monitored to ensure that our rules are being complied with and for the following purposes: – To monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this Code – To assist in the investigation of alleged wrongful acts – To comply with any legal obligation.

Personal data will be stored in accordance with the School's Privacy Notices. We may store copies of data or communications for a period of time after they are created and may delete such copies from time to time without notice. If necessary, information may be handed to the police in connection with a criminal investigation.

[A CCTV system monitors the School 24 hours a day. This data is recorded and may be used as evidence of any alleged wrongdoing.]

Cyberbullying can be experienced by adults as well as pupils. Adults should notify [insert job title] if they are subject to cyber-bullying. The School will endeavour to protect adults and stop any inappropriate conduct

6.3 Time Keeping and Attendance

Staff should be ready to receive students at the scheduled start time for sessions as well as making sure students are not dismissed before the appropriate end of session time. Support staff should be ready to commence work at the beginning of their contracted hours and not conclude work until the end of those hours.

6.4 Honesty and Integrity

Staff must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of school property and facilities.

6.5 Conduct Outside Work

Staff must not engage in conduct outside work which could damage the reputation and standing of the employee, the academy, or other members of the school community.

Staff are required to comply with our code of conduct and the National Teacher Standards (as amended from time to time and where applicable). Adults are required to notify the Academy immediately of any allegation/s of misconduct that are of a safeguarding nature made against them (or implicating them), by a child or adult in relation to any outside work or interest (whether paid or unpaid) and, of any arrest or criminal charge whether child related or not. Where employees fail to do so, this will be treated as a serious breach of this Code and dealt with under our Disciplinary Procedure.

Staff should be careful to ensure that nothing they say or do brings the Academy's name into disrepute.

The Disciplinary policy outlines examples of actions or offences that may be regarded as misconduct / gross misconduct.

6.6 Confidentiality

Where staff have access to confidential information about students or their parents or carers, staff must not reveal such information except to those colleagues who have a professional role in relation to the student and advice should be sought prior to disclosure to ensure such disclosure is in accordance with the Data Protection Act 2018, The Education (Pupil Information) Regulations 2005 (maintained schools), The ICO 'Guide to Data Protection' and the ICO guide on 'How to Disclose Information Safely'. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously. The Disciplinary policy outlines examples of actions or offences that may be regarded as misconduct / gross misconduct.

Confidential information about pupils must be held securely. Confidential information about pupils must not be held off the Academy site other than on security protected Academy equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.

If a pupil or parent/carer makes a disclosure regarding abuse or neglect, the Adult must follow the Academy's procedures and the guidance as set out in Keeping Children Safe in Education DfE. Confidentiality must not be promised to the pupil or parent/carer however reassurance should be given that the information will be treated sensitively.

If an Adult is in any doubt about the storage or sharing of information s/he must seek guidance from the Designated Safeguarding Lead. Any media or legal enquiries must be passed to senior management.

6.7 Smoking/Alcohol

Alcohol may not be consumed during working hours when the school is in session; any consumption of alcohol on school trips must be in accordance with school policy. Staff are not permitted to smoke on the school premises or grounds. It is expected that staff will attend for work in a fit state to carry out their duties. The Disciplinary policy outlines examples of these and other actions or offences that may be regarded as misconduct/ gross misconduct.

6.8 Use of Cars

Staff registration numbers are held on the database and it is important that staff inform administration if their number changes. For their own protection, staff should never give lifts to students without approval from a Senior Leader, other than in the situations covered in 1.1.10.

All staff who are attending courses or meetings on behalf of the academy or as part of their professional development must ensure that they have the appropriate insurance in place.

6.9 Relationships with other staff

All staff are entitled to feel safe and secure at work and be free from intimidation or bullying behaviour. Staff are therefore expected to show professional courtesy and respect at all times to others working within the academy.

Should a member of staff feel that the above guideline has not been followed they should raise the matter with their Manager or in the case where this involves the Manager with the member of staff senior to them. If the matter is not resolved at this stage reference may be made to the grievance procedures.

6.10 Parental Contacts

The academy has an expectation that staff will act swiftly and professionally at all times. This is particularly important where parents have contacted the Academy with a concern or complaint relating to the education of their child. The aim at the Academy is to make a return call on the same day as the original contact was made, even if in the first instance this is just a holding call. Where an error has been made we should look to apologise and correct the mistake as soon as possible. Investigations should be carried out promptly and effectively with parents informed of the outcome as soon as is practical. Where an ongoing investigation may take some time, due to a student or member of staff being absent for example, parents should be informed and given a date by which the investigation will be completed.

6.11 Gifts and hospitality

Employees must not, either directly or indirectly, accept any gift, reward or benefit from any member of the public or any organisation with whom they are brought into contact by reason of their duties, other than:

1. Small gifts of a modest value or of a promotional or advertising nature, e.g. calendars, diaries, mugs, inexpensive pens or other similar items;
2. Small gifts offered during official authorised hospitality, e.g. gifts on the conclusion of any courtesy visit of a type normally given by that organisation;
3. Small gifts by students or parents. Where appropriate such gifts shall be shared between teams.

All other gifts must be declined or returned.

Employees should exercise discretion in offering and accepting hospitality and consider how it might be viewed by others. Hospitality should not be accepted from any organisation likely to or having a commercial relationship with the academy. In all instances where an employee wishes to accept hospitality they must seek written approval from a Senior Leader, except where the hospitality is either that of a minimum common courtesy, or where the hospitality is being offered to all the delegates and forms an integral part of a conference or seminar.

All gifts, and offers of gifts, or offers of hospitality (except where approval is not required), even those that have been declined, over the value of £50 must be declared to the Business Manager.

6.12 Conflicts of Interests and external employment

Staff must declare in writing to the Business Manager:

1. Any relationships of a business or private nature with any outside organisation that has a relationship with the Academy
2. If they become aware that the Academy is entering into a contract in which they have a direct interest
3. If they engage or supervise or work with contractors and have previously had or currently have some form of connection in a private, social, domestic or work / professional capacity

The Business Manager will be responsible for managing any conflicts of interests that arise.

You must receive the permission of the Headteacher prior to undertaking any paid work outside of the school. Staff must not provide private tuition to students from the school.

6.13 Promoting Equality of Opportunity and Diversity

All staff are expected to work to eliminate discrimination, promote equality of opportunity and promote good relations. All members of the Academy should be treated with respect and you should provide all with a high quality service appropriate to their needs.

6.14 Disciplinary Action

Failure to meet appropriate standards of behaviour and conduct may result in disciplinary action, including dismissal.