

## **Every Child Matters Academy Trust Code of Conduct for Employees**

*The terms Trust and School (and levels within e.g. governors and trustees) are interchangeable and apply to all schools within the Trust.*

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### **1.0 INTRODUCTION**

- 1.1 This Code of Conduct is aimed at ensuring that employees are aware of the standards of behaviour expected of them by Every Child Matters Academy Trust. It applies to all employees of the Trust.
- 1.2 This Code of Conduct should be read in conjunction with the detailed policies and procedures referred to herein. Guidance and advice on the Code of Conduct and other related policies and procedures is available from the Trust's shared drive or the school office.
- 1.3 The public is entitled to expect the highest standards of conduct from all employees who work for Every Child Matters Academy Trust.
- 1.4 Individuals are responsible for ensuring that they are aware of the Code and that they comply with its requirements. Management are responsible for ensuring that all employees have been made aware of the provisions of this Code of Conduct.
- 1.5 Failure to observe the standards set out in this Code may render an employee liable to disciplinary action, which may include dismissal (See Every Child Matters Academy Trust's Disciplinary Procedure for rules).
- 1.6 All employees have a Common Law duty of loyalty to their employers and any failure to fulfil this duty will be treated as a breach of this Code of Conduct. This means that whilst the Code will not specifically cover every eventuality, employees should be aware that conduct which most people would consider as unreasonable or disloyal will be treated as a breach of the Code. Such actions that would normally be obviously disloyal to most people will be considered as breaches of the Code; e.g. an employee, who is shown to have publicly made derogatory or defamatory remarks about other employees, would be in breach of the Code even though such activities are not specifically listed.
- 1.7 Employees may well have legitimate roles to carry out: as Trade Union representatives; community action group representatives; tenant committee members etc. These roles may involve such staff in taking part in public meetings, making statements to the press or acting on behalf of their particular group. Employees should make clear the capacity in which they are speaking or making statements etc. In this capacity, the employee should exercise great care in presenting the facts in order to avoid personal opinions which may be damaging to Every Child Matters Academy Trust or derogatory or defamatory remarks about other employees. Paragraph 16 of this Code specifically refers to contact with the press and media.
- 1.8 **Impropriety/Breach of Conduct**

It is the duty of each employee as laid down in the Trust's Financial Procedures Manual to report to the Trust whenever a matter arises which involves, or is thought to involve, irregularities concerning cash, stores or other property of the Trust or any suspected irregularity, including the unofficial use of funds. This can be done either via a member of the School Leadership or by contacting the Chair of Governors.

1.9 The Trust has a Whistleblowing Policy which seeks to encourage and enable employees to raise concerns so that the Trust can take prompt action. The policy makes it clear that employees who raise legitimate concerns can do so with no fear of reprisals. A copy of the Whistleblowing Policy can be obtained on the Trust's shared drive or the school office.

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## 2.0 GENERAL CONDUCT/BEHAVIOUR

### 2.1 Gifts & Hospitality

The Trust has a Gifts and Hospitality policy which details responsibilities and requirements that must be adhered to, a copy of which is available on the Trust's shared drive or the school office.

### 2.2 Meals or Refreshments May Only be Accepted in the Following Circumstances

- Only such meals or refreshments as are a necessary part of the business in hand and which are immediately and directly connected with and wholly incidental to Trust's business can be accepted. Even then, they must be of a modest kind and wherever possible the employee should pay for himself/herself, or if practical, should be paid for by the Trust.
- Such meals or refreshments as are connected with a public or semi public occasion, such as an opening ceremony associated with new premises in which the Trust has an interest such as owners or partners in the scheme and where the employee attends in an official capacity as representative of the Trust and obtains prior authorisation from the appropriate officer\*.

### 2.3 Offers of Accommodation or Travel Which May be Accepted

Only where practically unavoidable, of a modest kind and wholly incidental to the business in hand, such as a lift for a short distance to a site where the employee concerned has no other means of transport.

Visits to inspect land, buildings, machinery, goods or services where the Trust bear the expense and the appropriate officer\* has given prior approval.

***\*NOTE: This person will normally be a member of the Trust Board or School Leadership . In the case of Trust Board Members and School Leadership, they are expected to exercise their own judgement in such matters but may be answerable to the Chair of Trustees.***

### 2.4 Conferences and Seminars etc.

If the Trust pays the fee for a conference, seminar or the like, then there is no requirement to make an entry in the Register of Hospitality and Gifts.

If no fee is paid, offers of seminars and the like that include some form of refreshment and/or another event, function or overnight stay approval must be received and must be recorded in the Register, whether it has been accepted or not. All offers of a significant nature must be recorded including those arising during the course of a conference or seminar – a degree of judgement is required in determining significance.

***In deciding the significance of an offer, the potential recipient should take into consideration various factors including; the financial value of the offer; the imminence of any relevant contractual matters/arrangements; any legal action/public enquiries; any Trust decisions (pending or otherwise). This list is not exhaustive.***

## 2.5 Disclosure of Gifts and Hospitality

All offers of gifts, hospitality and legacies, including the minor items outlined above, must be recorded in the Register of Hospitality and Gifts.

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## 3.0 DISCLOSURE OF INFORMATION

3.1 The Trust believes that open government is best. The law requires that certain types of information must be available to Auditors, Government departments e.g. Education Funding Agency (EFA), service users and the public. The Trust itself may decide to be open about other types of information. However, there are other categories of information that must be kept secure. Employees must be aware of which information they are authorised to release and to whom and that which they are not.

3.2 The Trust regards compliance with information security standards as a matter of the utmost importance and employees are required to familiarise themselves with and act in accordance with the requirements of the Information Security & Computer Usage Policy. This policy, together with Trust's policies on Freedom of Information and Data Protection can be accessed via the Trust's shared drive.

3.3 **'Insider Dealing' - Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.** For example, where an employee of the Trust who in the course of their employment becomes aware of information (which is not in the public arena i.e. is confidential), which could impact upon the performance of a business or other corporate identity, such information must not be passed on to any third party who does not have a legitimate right of access to that information.

Where an employee is in doubt as to the issue of a right of access to such information, then they should refer to the School Leadership or Trustee. All information will be treated in confidence by the officer(s) concerned. The information must not be disclosed unless the Trust has agreed that it is 'safe to do so'.

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## 4.0 RELATIONSHIPS

### 4.1 Relationships between employees

Where a personal relationship exists between employees, an employee should declare this to their line manager if the relationship could be deemed as a conflict of interest, trust or breach of confidentiality. Also where a personal relationship exists between employees who are in a line management or supervisory relationship at work, then they must not be involved in Recruitment and Selection, improving performance, pay and grading, disciplinary, grievance or any other management activity involving the other employee.

### 4.2 The Local Community and Service Users

Employees should be aware of their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community and as defined by the policies of the Trust.

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### **Potential Conflict of Interest in Case Working**

Where an individual staff member knows or has any kind of relationship with a client or a member of their family, it would be appropriate for that individual to consider, along with their line manager whether there is likely to be any potential conflict of interest or alleged conflict of interest which may affect the working of the case. This consideration should be documented along with the decision for the individual staff member to retain or to pass on the case and the reasons for the decision arrived at.

4.4

### **Contractors**

Employees must disclose to the Trust Board, all relationships of a business or private nature with external contractors or potential contractors. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. This information should be given to the Trust Board or nominated representative for the Register of Business Interests.

Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the Trust Board. This information should be given to the Trust Board or nominated representative for the Register of Business Interests.

In all cases, employees should declare any interests/relationships as soon as is practicable.

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## **5.0 APPOINTMENT AND OTHER EMPLOYMENT MATTERS**

5.1 Employees involved in appointments should ensure that these are made on the basis of merit, in accordance with the Recruitment and Selection Policy. An appointment which was based on anything other than the ability of the candidate to undertake the duties of the post may render the Trust open to a claim under the Equalities Legislation. 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 any personal relationship outside work with him or her.

5.2 Similarly, employees must not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or with whom they have a close personal relationship.

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## **6.0 OUTSIDE COMMITMENTS**

6.1 All employees have contractual obligations with the Trust and should not take outside employment which conflicts with the Trust's interest.

6.2 All employees are required to obtain consent of the Trust, by applying to the Trust Board, to take outside employment. No work, (i.e. other employment) other than for the Trust, whether

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paid or unpaid, should be undertaken in the workplace. ***This includes the use of workplace facilities.***

- 6.3 Employees should be aware that all literary, dramatic, musical or artistic work (including (as an example) but not limited to documents, computer programs, photographs, drawings, recordings or graphic work) which is produced by the employee in the course of their employment with the Trust is the copyright of the Trust in accordance with S11 (2) of the Copyright Design and Patents Act 1988. Accordingly, employees must not do anything which in any way would constitute an infringement of the Trust's copyright in any literary, dramatic musical or artistic work. Employees must ensure that they do not do anything which would constitute an infringement of the copyright of any third party whilst in the course of their employment with the Trust.
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## 7.0 PERSONAL INTERESTS

- 7.1 Employees must declare to the Trust Board any non-financial interests that they consider conflict with Every Child Matters Academy Trust's interests; for example, if they are involved in an official capacity with an outside organisation which has dealings with Every Child Matters Academy Trust, e.g. grant requests. Such a declaration must be made as soon as an employee becomes aware of the possibility of any such conflict arising or indeed that may be perceived/construed as arising. A good test is for the employee to ask himself/herself whether others would think that the interest is of a kind to make this possible. If the employee thinks this is so or is in doubt, then the information should be given to the Trust Board or nominated representative, for the Register of Business Interests.
- 7.2 Employees must declare to the Trust Board any financial interests which could conflict with Every Child Matters Academy Trust's interests, e.g. work for which a fee is received. This information should be given to the Trust Board or nominated representative for the Register of Business Interests.
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## 8.0 EQUALITY ISSUES

- 8.1 The Trust is an equal opportunities employer and all employees are under an obligation to ensure that all policies relating to equality issues, are complied with and that they do not unlawfully discriminate on the grounds of race, gender, disability, age, religious belief and sexual orientation. The Trust's Equality and Diversity Policy is available on the Trust's shared drive or from the school office. Employees have a duty to ensure that these policies are adhered to in all aspects of their employment and service delivery.
- 8.2 All members of the local community, customers and other employees have a right to be treated with fairness and equity.
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## 9.0 SEPARATION OF ROLES DURING TENDERING

- 9.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within Every Child Matters Academy Trust. All such employees must ensure that their actions are in accordance with the Trust's Tendering Policy with respect to contracts. Those employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 9.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
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- 9.3 Employees who have access to confidential information regarding tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- 9.4 Employees should 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.
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## 10.0 **CORRUPTION/FRAUD AND THEFT/WHISTLEBLOWING**

- 10.1 It is a serious criminal offence for employees to corruptly receive or give any gift, loan fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person as a result of their official capacity. If an allegation is made against an employee of corruption, it is for the employee to demonstrate that any such rewards have not been corruptly obtained.
- 10.2 Where an employee has suspicions that an employee(s) or other individual(s) are involved in fraudulent or corrupt activities, or theft, then they must in the first instance report these suspicions to their Line Manager. If an employee feels unable to do this, then they should contact the appropriate person as per the Trust's Whistleblowing policy.
- 10.3 Notwithstanding the provisions of the Whistleblowing Policy, matters of fraud, theft or corruption must, where appropriate, be notified to the Trust Board.
- 10.4 The Trust's Whistleblowing Policy provides employees with a mechanism through which they can raise concerns regarding any matter of wrongdoing within the Trust. Where an employee has a concern they should in the first instance raise the matter with the relevant Line Manager. Where this is not appropriate, the provisions and arrangements of the Whistleblowing Policy should be used.
- 10.5 It should be noted that all employees have a duty to inform their Manager of any legitimate concerns they have over actual or potential wrongdoing within the Trust.
- 10.6 The Public Interest Disclosure Act 1998 provides employment protection for employees who make disclosures to their Manager concerning actual or potential wrongdoing. Any disclosure or allegation made maliciously or for personal gain will not be protected and disciplinary action may be taken.
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## 11.0 **USE OF FINANCIAL/OTHER RESOURCES**

- 11.1 Employees must ensure that they use the Trust's resources, financial and non-financial, that are entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Trust at all times.
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## 12.0 **USE OF I.T. EQUIPMENT/E-MAIL AND THE INTERNET**

- 12.1 Staff are required to familiarise themselves with and adhere to the requirements of the e-safety, Information Security and Computer Usage and Social Media policies and the procedures and guidance which support these policies. The policy is available on the Trust's shared drive or from the school office.
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### 13.0 **USE OF SOCIAL MEDIA**

- 13.1 Specific guidance on the use of Social Media can be found in the Social Media Policy available on the Trust's Shared Drive or from the school office.
- 13.2 It must be noted that the use of Phone/ Cameras whilst at work must be dealt with in a professional and responsible manner. Images of Children, Clients or Colleagues must not be taken without agreement. This is due to the fact that images can be modified and may then be used for other purposes that are inappropriate.
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### 14.0 **SPONSORSHIP - GIVING AND RECEIVING**

- 14.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Trust 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.
- 14.2 Where the Trust 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 Trust Board of any such interest. Similarly, where the Trust through sponsorship, grant aid, financial or other means, give support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.
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### 15.0 **CONTACT WITH THE PRESS AND MEDIA**

- 15.1 Unless specifically nominated and authorised by the relevant Trust Board or School Leadership member concerned, employees are not permitted to give reports or speak to the press (including the trade press) and media on matters relating to employment with the Trust, the Trust's business or decisions of the Trust. Enquiries from the media will require identifying as being Freedom of Information (and referred to the Press Officer, Chair of the Board of Trustees) or Data Protection (and referred to an appropriate DPA Contact Officer). See section 4. Employees with a responsibility for dealing with the press and media should guard themselves against declaring a view 'whilst acting in their official capacity' which is contrary to a position taken by the Trust or which may be deemed to be critical of that position.
- 15.2 In all circumstances, employees are under a general duty of care to avoid a situation arising where they are shown to be acting in conflict with the best interests of the Trust and should not criticise, damage or act in any way against the best interests of the Trust. Should this occur, and the employee is found to have acted unreasonably then they may be subject to disciplinary sanctions following agreed procedures.
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Approved by the Resources Committee 16 November 2016  
To be reviewed Autumn Term 2019

Chair \_\_\_\_\_ CEO \_\_\_\_\_