



# Chiltern Way Academy Trust

Turning Futures Around

## **Staff Code of Conduct Policy**

**Responsibility for this policy (job title): CEO**

**Responsibility for its review: FGB**

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## 1. Introduction

- This policy sets out clear guidance on the standards of behaviour expected from all staff at Chiltern Way Academy (CWA). The principles underlying the guidance aim to encourage staff to achieve the highest possible standards of conduct and minimise the risk of inappropriate conduct occurring.
- Academy staff are in a unique position of trust and influence as role models for students. Therefore, staff must adhere to behaviour that sets a good example to all students within the Academy.
- Staff also have an individual responsibility to maintain their reputation and the reputation of the Academy, both inside and outside working hours and work setting.
- This policy applies to all staff and volunteers in the Academy regardless of their position, role or responsibility. References to 'staff' throughout the policy relate to all of the following groups:
  - All members of staff including teaching and support staff
  - Volunteers, including trustees
  
  - Casual workers
  - Temporary and supply staff, either from agencies or engaged directly
  
  - Student placements, including those undertaking initial teacher training and apprentices.
- The Academy requires that all staff have read and agree to comply with this policy.
- Breach or failure to observe this policy will result in action being taken under the Academy disciplinary procedures including, but not limited to, dismissal.
- This code of conduct is not an exhaustive list of acceptable and unacceptable standards of behaviour. In situations where guidance does not exist in this policy staff are expected to exercise their professional judgement and act in the best interests of the students and the Academy.

## 2. Professional Behaviour and Conduct

- Staff are expected to demonstrate the highest possible standards of personal and professional conduct and behaviour and consistently act with honesty and integrity.
- Chiltern Way Academy expects staff to treat each other with dignity and respect; it is important that we recognise the positives. While a degree of challenge is inevitable where groups of people work together, and can be healthy; unresolved conflict, cliques, gossip

and negative behaviours impact on the work environment, the health and wellbeing of the employees concerned and ultimately the outcomes for the young people in our care.

- Chiltern Way Academy expects staff to treat each other, students, parents / carers and the wider community with dignity and respect at all times.
- Staff must act in accordance with their duty of care to students and ensure that the safety and welfare of students are accorded the highest priority.
- Staff should show fairness in their treatment of children and avoid behaviours such as embarrassing or humiliating students, making jokes at the expense of students, discriminating against or favouring students and sarcasm.
- Staff must have regard for the values of the Academy and must not do or say anything which may bring the Academy or Trust Board into disrepute. Care should be taken by staff to avoid any conflict of interest between activities undertaken outside Academy and responsibilities within Academy. Staff should act in accordance with the Academy's policies and procedures at all times.
- From time to time, personal relationships may exist or develop between work colleagues. They may arise at any time during the course of an individual's employment, as well as exist prior to the employee joining. Whilst most social and personal relationships need not present a difficulty, it is recognised, that there will be particular circumstances where the staff member(s) concerned will need to withdraw from certain decisions or from undertaking certain roles, in order to protect themselves and the Academy from any possible criticism of unfair bias. We must constantly treat – and be being seen to treat - everyone fairly, it is the responsibility of all individuals involved to avoid any actual or potential conflicts of interest.
- The golden rule is that each of us should ensure that our conduct is not called into question in performing our professional duties.

### **3. Dress and Appearance**

- Chiltern Way Academy recognise that dress and appearance are matters of personal choice and self-expression. However, all staff must dress in a manner that is appropriate to a professional role and that promotes a professional image.
- Staff should dress in a manner that is not offensive, revealing or sexually provocative and in a manner that is absent from political or contentious slogans.
- Staff should dress safely and appropriately for the tasks they undertake.
- Discreet earrings are acceptable. Staff should be aware of their personal safety when it comes to piercings and managing young people with challenging behaviour.

#### 4. Smoking, alcohol and other substances

- Chiltern Way Academy is a non-smoking site. Staff must not smoke or vape on Academy premises. Any member of staff wishing to smoke or vape must leave the Academy grounds at agreed times and go to the designated smoking area (out of the public view).
- Staff must not smoke or vape whilst working with or supervising students offsite.
- Staff must not consume or be under the influence of alcohol, illicit drugs or other illegal substances on or near Academy premises.
- Staff must refrain from the consumption of alcohol and other substances at Academy/student events (i.e. Leaving Proms, residential visits) both within the Academy premises and outside the Academy setting.

All staff should refer to Chiltern Way Academy's Anti-Drug Policy

#### 5. Relationships with Students

- Staff must maintain professional boundaries with students appropriate to their position and must always consider whether their actions are warranted, proportionate, safe and applied equitably. Staff should act in an open and transparent way that would not lead any reasonable person to question their actions or intent. Staff should think carefully about their conduct so that misinterpretations are minimised.
- Staff must not establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship. If a young person seeks to establish social contact you should exercise your professional judgement in making a response and be aware that such social contact could be misconstrued.
- Staff must not develop personal or sexual relationships with students and should not engage in any sexual activity with a student. Sexual activity does not just involve physical contact including penetrative and non-penetrative acts.
- Working Together to Safeguard Children<sup>1</sup> defines sexual abuse as ... 'forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

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<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/592101/Working\\_Together\\_to\\_Safeguard\\_Children\\_20170213.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/592101/Working_Together_to_Safeguard_Children_20170213.pdf)

- Staff should be mindful of section 16 of The Sexual Offences Act 2003<sup>2</sup>.
- Staff must not make sexual remarks to a student, discuss their own sexual relationships with, or in the presence of, students or discuss a student's sexual relationships in an inappropriate setting or context.
- Personal phone numbers, email addresses or communication routes via all social media platforms should not be used and staff should not share their home address with students. If contacted via an inappropriate route the member of staff must inform the Headteacher immediately.
- Chiltern Way Academy staff must not accept friend invitations or become friends with any student of Chiltern Way Academy on any social media platform. Staff should also refrain from following the Twitter or other similar social media accounts of students or their parents / carers. Staff must read the Academy's e-safety policy carefully and follow all advice and guidance contained within it.

## **6. Infatuations**

- It is not unusual for students or, sometimes, their parents / carers to develop infatuations towards members of staff. All such situations must be responded to sensitively to maintain the dignity of those concerned.
- Staff should also be aware that such circumstances carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. Any indications of an infatuation towards yourself or another member of staff must be reported to your line manager.

## **7. Gifts/Hospitality**

- Staff need to take care that they do not accept any gift/offer of hospitality that might be construed as a bribe by others, or lead the giver to expect preferential treatment. However, there may be occasions where students or parents / carers wish to give a small token of appreciation to staff, for example at religious festivities or at the end of the year.
- It is unacceptable to receive gifts on a regular basis or to suggest to students that gifts are appropriate or desired. Money must not be accepted as a gift. If you are unsure whether to accept a gift you should consult your line manager.
- Staff must not accept significant gifts or hospitality from students, parents, carers, actual or potential contractors or outside suppliers. Items of nominal value, (i.e. approximately

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<sup>2</sup> Section 16 of The Sexual Offences Act 2003 provides that it is an offence for a person aged 18 or over (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. A situation where a person is in a position of trust could arise where the child is in full-time education and the person looks after children under 18 in the same establishment as the child, even if s/he does not teach the child.

£25.00 or below) may be accepted. All such gifts/offers of hospitality should be reported to your line manager and recorded. Please refer to the Gifts, Anti-Bribery and Hospitality Policy.

- Personal gifts must not be given by staff to students and any reward to students should be in accordance with Chiltern Way Academy's behaviour policy, recorded and not based on favouritism.

## **8. Physical Contact with Students**

- There are occasions when it is entirely appropriate and proper for staff to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role. A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with students it should be in response to their needs at that time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background.
- Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and, so far as is possible, use a level of contact which is acceptable to the child for the minimum time necessary.
- It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should therefore, use their professional judgement at all times.
- Staff should be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described. Staff should never touch a child in a way which may be considered indecent. Always be prepared to explain actions and accept that all physical contact be open to scrutiny. Staff must not engage in rough play, tickling or fun fights with students.
- Extra caution should be exercised where a child is known to have suffered previous abuse or neglect. Such experiences may sometimes make a child exceptionally needy and demanding of physical contact and staff should respond sensitively by deterring the child through helping them to understand the importance of personal boundaries.
- Staff supervising PE and games or providing musical tuition should demonstrate the use of a particular piece of equipment/instrument on another member of staff if possible. However, they may be required to initiate physical contact with students to support a child to perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or to assist them with an exercise. Contact under these circumstances should be done with the student's agreement, for the minimum time necessary and in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non- verbally by the student.

- Physical contact must never be secretive, for the gratification of the adult or represent a misuse of authority.
- If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be reported to Head of Campus, Academy Safeguarding, Welfare & Attendance Manager or Executive Principal, recorded and, if appropriate, a copy placed on the child's file.
- Staff should refer to Chiltern Way Academy's Positive Handling Policy.

## **9. Child in distress**

- There may be occasions when a student is in distress and in need of comfort as a 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.
- Such incidents should always be recorded and shared with your line manager. If you have a particular concern about the need to provide this type of care and reassurance you should seek further advice from your line manager.

## **10. Showers and changing**

- Students are entitled to respect and privacy whilst they are changing or showering after PE/games or swimming. However, there needs to be an appropriate level of supervision in order to safeguard young people, meet health and safety requirements and to ensure that bullying does not take place. The supervision should be appropriate to the needs and age of the students and sensitive to the potential for embarrassment.
- Staff should be vigilant about their own behaviour and announce their intention of entering a changing room. Staff must not change or shower in the same place as children.

## **11. One to one situations**

- Staff working individually with students should be aware of the potential vulnerability of students and staff in such situations. Staff should manage these situations with regard to the safety of the student and to themselves.
- Individual work with students should not be undertaken in isolated areas or rooms where there is no external viewing panel. Where it is necessary to close doors for reasons of confidentiality a colleague should be made aware of this and asked to remain vigilant.

## **12. Transporting students**



- In certain circumstances it may be appropriate for staff to transport students offsite, for example sports fixtures, swimming lessons or other out of Academy activities. A designated member of staff should be appointed to plan and provide oversight of all transport arrangements and to respond to any difficulties that may arise.
- Staff should ensure that the transport arrangements and the vehicle meet all legal requirements. Staff should ensure that the driver has the appropriate license for the vehicle, that the vehicle is roadworthy, has a valid MOT certificate and is appropriately insured and that the maximum capacity is not exceeded.
- Staff should ensure that the driver is not distracted while the vehicle is in motion for any reason other than an emergency and should also ensure all passengers are wearing correctly fastened seatbelts. Staff should never transport students while under the influence of alcohol or drugs.
- Prior to transporting students offsite consent must be obtained from students' parent/carer and staff should be aware that the safety and welfare of the students is their responsibility until this is safely passed back to their parent/carer.
- Staff should refer to Chiltern Way Academy's Lone Working Policy, ensure they have read the guidance around transporting students and complete the risk assessment accordingly.

### **13. E-Safety**

- Staff should follow Chiltern Way Academy's Information Technology & Acceptable Use Policy at all times and have regard for Chiltern Way Academy's E-Safety policy for students.
- Staff must not engage in inappropriate use of social network sites which may bring themselves, the Academy or the Academy community into disrepute. Staff should adopt the highest security settings on any personal profiles they have.
- Staff should remain mindful of their digital footprint and exercise caution in all their use of social media or any other web based presence they have. This includes written content, videos or photographs and views expressed either directly or by 'liking' certain pages or posts or following certain individuals or groups. Staff should exercise care when using dating websites where staff could encounter students.
- Staff must not make contact with students, must not accept or initiate friend requests nor follow students accounts on any social media platform. Staff must not communicate with students via social media, websites, instant messenger accounts or text message. The only acceptable method of contact is via the use of Academy email accounts or telephone equipment.
- Staff should not make contact with students' family members, accept or initiate friend requests or follow students' family member's account on any social media platform.

- However, Chiltern Way Academy acknowledges that staff who are also parents / carers may wish to make contact with other parents / carers, who are friends, over social media. Staff must exercise caution and professional judgement in these circumstances and should not have any contact with students' family members via social media if that contact is likely to constitute a conflict of interest or call into question their objectivity.
- Mobile phones and personally-owned devices may not be used during lessons or formal Academy time. They should be switched off (or silent) at all times. The Bluetooth functionality of a mobile phone should be switched off at all times and may not be used to send images or files to other mobile phones. Mobile phones and personal devices are not permitted to be used in certain areas within the Academy site such as changing rooms and toilets.
- Smart watches may only be used as time keeping devices during lessons or formal Academy time.
- Mobile phones and personally-owned mobile devices brought in to Academy are the responsibility of the device owner. Chiltern Way Academy accepts no responsibility for the loss, theft or damage of personally-owned mobile phones or mobile devices.
- Staff should contact families using Academy communication systems to ensure personal contact details are not given out.

#### **14. Photography, video and images of children**

- Many Academy activities involve recording images as part of the curriculum, extra Academy activities, publicity or to celebrate an achievement. In accordance with The General Data Protection Regulations the image of a student is personal data. Therefore, it is a requirement under the Act for consent to be obtained from the parent/carer of a student for any images made. It is also important to take into account the wishes of the student, remembering that some students do not wish to have their photograph taken or be filmed.
- Using images for publicity purposes will require the age-appropriate consent of the individual concerned and their parent/carer. Images should not be displayed on websites, in publications or in a public place without their consent. Staff should also be clear about the purpose of the activity and what will happen to the photographs/images/video footage when the lesson or activity is concluded.
- Photographs/stills or video footage of students should only be taken using Academy equipment for purposes authorised by the Academy and should be stored securely and only on Academy equipment.
- Staff should ensure that a member of the Senior Leadership Team is aware of the proposed use of photographic/video equipment and that this is recorded in lesson plans. All

photographs/stills and video footage should be available for scrutiny and staff should be able to justify all images/video footage made.

- Staff should remain aware of the potential for images of students to be misused to create indecent images of children and/or for grooming purposes. Therefore, careful consideration should be given to how activities which are being filmed or photographed are organised and undertaken. Particular care should be given when filming or photographing young or vulnerable students who may be unable to question how or why the activities are taking place. Staff should also be mindful that students who have been abused through the use of video or photography may feel threatened by its use in a teaching environment.

## 15. Confidentiality

- Members of staff may have access to confidential information about students, their parents/carers or their siblings. Staff must not reveal such information except to those colleagues who have a professional role in relation to the student on a need to know basis.
- Staff should never use confidential or personal information about a student or her/his family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the student.
- All staff are likely at some point to witness actions which need to be confidential. For example, where a student is bullied by another student, this needs to be reported and dealt with in accordance with the appropriate Academy procedure. It must not be discussed outside the Academy, including with the student's parent or carer, nor with colleagues in the Academy except by a senior member of staff with the appropriate authority to deal with the matter.
- Staff have a statutory obligation to share with Chiltern Way Academy's Designated Safeguarding Lead or Deputy Designated Safeguarding Lead any information which gives rise to concern about the welfare or safety of a student or that might suggest a student is in need or at risk of significant harm. Staff should pass on information without delay in accordance with Chiltern Way Academy's safeguarding policy and procedures and this should be recorded. Staff must never promise a student that they will not act on or pass on any information that they are told by the student.
- Staff should refer to the Department of Education's document Information sharing: advice for practitioners providing safeguarding services<sup>3</sup> for further guidance on information sharing. If you are in any doubt about whether to share you should seek guidance from a member of the senior leadership team.

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<sup>3</sup>  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419628/Information\\_sharing\\_advice\\_safeguarding\\_practitioners.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf)

- Any media or legal enquiries should be passed to the senior leadership team and only approved staff and trustees should communicate to the media about the Academy.
- Any meeting recorded without the consent of all those present (covert recordings) will be treated as a conduct matter. If employees have any misgivings about either the process or the managers leading it, they should tell us openly so that we can address your concerns.

## **16. Whistleblowing & Low-level concerns**

- Whistleblowing is the mechanism by which staff can voice their concerns, without fear of repercussion.
- All Academy staff have a duty to report any behaviour by a colleague which raises concern. Staff should refer to Chiltern Way Academy's whistleblowing policy for further guidance. This is particularly important where the welfare of students may be at risk.
- Low-level concerns should be reported to the Head of Campus, the Academy Safeguarding, Welfare & Attendance Manager or to the Executive Principal.

## **17. Other employment**

- You must notify the Head of Campus if you are undertaking work for another employer. The Head of Campus will discuss with you whether any action is required to meet the requirements of the Working Time Regulations (in respect of overall hours worked).
- Employees graded Range 6 and above must obtain prior written agreement from the Trust Board before undertaking work for other employers.