



**Children
First** Academy
Trust

CHILDREN FIRST ACADEMY TRUST CODE OF CONDUCT FOR ALL STAFF

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CODE OF CONDUCT

FOR EMPLOYEES AND WORKERS IN MAINTAINED SCHOOLS, PRUs, ACADEMIES AND OTHERS

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[Note for Governors and Headteachers – In this model, text in square brackets [] and/or italics is intended as additional commentary to assist you when adapting it for use within your School].

CODE OF CONDUCT

FOR EMPLOYEES AND WORKERS IN MAINTAINED SCHOOLS, PRUs, ACADEMIES AND OTHERS

1. INTRODUCTION

The Trustees expectations are that all pupils receive the highest possible quality of teaching and learning within a positive and respectful environment. It is important, therefore, that employees and workers understand that their own behaviour and the manner in which they conduct themselves with their colleagues, pupils, parents and other stakeholders sets an example and affects the school environment.

The Trustees recognise that the majority of employees and workers always act in an appropriate, professional manner and treat others with dignity and respect. However, we consider it important to make clear the standards we expect so that breaches, misunderstandings and/or misinterpretation of rules are kept to a minimum. This Code is intended to set out our expected standards of conduct, our rules and values. It applies to all employees and workers, regardless of status. It is not an exhaustive compilation of what employees and workers can and cannot do but it is hoped that it will ensure everyone is clear about what is acceptable and what is not.

The Code is binding on all Trust employees. It is expected also that other workers deployed within the Trust who are employed by external Agencies or the London Borough of Enfield will adhere to its principles. Similarly, volunteers are also expected to adhere to the principles set out in the Code and should consider themselves to fall into the category of 'worker' whilst with the Trust for that purpose. Breaches of the Code and the standards expressed within it may result in disciplinary action against employees, including dismissal for serious offences. We hope, of course, that such action won't be necessary and that all employees and workers will ensure that they read the Code and act in accordance with its requirements, standards and expectations at all times.

It should be noted that it is the normal practice of this Trust to require all employees and workers to sign, on a regular basis, a declaration to confirm that their criminal record is unchanged, that there are no investigations or charges pending and, in relevant circumstances, that they are not disqualified from working in certain roles and/or provision under the Childcare Act 2006. The declaration also includes a requirement to confirm acceptance of the Code of Conduct and the rules contained within it.

If there is anything in this Code that you do not understand, you should speak to your Line Manager or the Headteacher.

2. GENERAL REQUIREMENTS AND EXPECTATIONS

The Trust has high standards and expectations of all employees/workers and the health, safety and welfare of the pupils is the priority. Therefore, it is a requirement that you:

- provide a high standard of service in your dealings with governors, colleagues, pupils, parents and other stakeholders whether this is in person, by telephone, letter or e-mail. Always be polite, responsive and treat people with respect and consideration. Be as clear as possible about any decisions and actions you take and the reasons for them. Act in a professional manner at all times.
- always use appropriate language and never demean, distress or offend the decency of others. This may happen, for example, by displaying material or

pictures that could be seen as offensive, or by making degrading, suggestive or insensitive comments or remarks.

- do not make derogatory comments or seek to undermine the Trustees, Local Governing Board Members, Governors, the Headteacher or other employees/workers.
- respect the rights of others and treat them with dignity. Never threaten, bully, fight with or assault anyone.
- never steal, take without permission or deliberately damage items that belong to others or to the Trust/School (see also 5. 'Safeguarding and Dealings with Pupils' in relation to confiscation of items from pupils). Hand lost property in to the school office.
- do not discriminate against, harass or victimise anyone you meet in the course of your work, on any grounds (see also 3. 'Equality of Opportunity').
- raise any concerns about inappropriate behaviour by pupils, parents or colleagues, or about the internal workings of the school or Trust, by following the appropriate procedure. (Members of a Professional Association/Trade Union should also observe any Code, or rules, it has in place in relation to dealings with colleagues). See also Section 14. below, 'Whistleblowing' (The Reporting of Malpractice and Improper Conduct).
- positively promote the Trust's and school's vision, ethos and values.
- comply with all Trust and school policies and any other rules, regulations, codes and protocols that apply to your work and the workplace. You should note that this also includes complying fully with any policies and protocols relating to remote learning. These are in place to aid the continuity of learning and development in a safe and secure manner for both yourself and the pupils.
- use electronic media communications appropriately, responsibly and legally at all times, whether within or outside the workplace/working hours.
- do not make public statements to any person(s), Agencies, Bodies or organisations, nor on social media, about the Trust or individual school or connected to the Trust or school, either directly or indirectly, without first obtaining authorisation from the CEO and/or the Headteacher. If you are unsure if something you may say could be connected with the Trust and/or school then you must not make any statement without first checking with the CEO/Headteacher.
- avoid actions that may discredit the Trust and/or School or bring it into disrepute.
- ensure that you are not under the influence of alcohol during working hours (the *Headteacher* will decide if it is appropriate for alcohol to be made available at staff parties/social events) and do not abuse drugs.
- do not disclose or misuse confidential information.
- do not engage in, or encourage, gossip, rumour or innuendo.

3. EQUALITY OF OPPORTUNITY

This Trust is committed to providing equal opportunities in recruitment, employment and the workplace and to avoiding unlawful discrimination in all related practices.

Under the Equality Act 2010, there are certain '**protected characteristics**' that qualify for protection against discrimination. These are **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation**.

Unlawful discrimination can take a number of forms:

Direct discrimination occurs where a person is treated less favourably than another because of a protected characteristic they have, or are thought to have, or because they associate with someone who has a protected characteristic (also see below).

Indirect discrimination applies to age, disability, race, religion or belief, sex, sexual orientation, gender reassignment and marriage and civil partnership. It occurs where a rule, provision, criterion or practice is applied to everyone but has the effect of particularly disadvantaging people who share a protected characteristic. However, such indirect discrimination may be justified if it can be shown that the employer acted reasonably in managing the business, i.e. that it is 'a proportionate means of achieving a legitimate aim'.

Perceptive Discrimination, applying to age, disability, race, religion or belief, sex, sexual orientation and gender reassignment, is direct discrimination against an individual due to the fact that others think, or perceive, that they possess a particular protected characteristic.

Associative Discrimination applies to age, disability, race, religion or belief, sex, sexual orientation and gender reassignment. It is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual." Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees/workers can complain about behaviour they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic him/herself. Employees and workers are also protected from harassment because of perception and association (see above).

Victimisation occurs when an employee/worker is badly treated because s/he has made or supported a complaint, or raised a grievance, or is suspected of doing so. However, s/he is not protected from victimisation if the complaint has been made or supported maliciously.

Pregnancy and maternity provisions afford protection against discrimination to women during the period of the pregnancy and any statutory maternity leave. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.

Everyone is required to assist in meeting the commitment to providing equal opportunities and avoiding unlawful discrimination. Employees and workers can be held personally liable as well as, or instead of, the employer for acts of unlawful discrimination. Anyone who commits a serious act of harassment may be guilty of a criminal offence. Acts of discrimination, harassment or victimisation against employees or customers are disciplinary matters and will be dealt with accordingly. Such acts may constitute gross misconduct and could lead to dismissal without notice.

4. MANAGEMENT AND EMPLOYEE RELATIONS

An atmosphere of mutual confidence, trust and respect between managers and employees/workers is essential to achieving the Trust's aims and targets and providing a high quality of teaching and learning.

As an employee/worker you should:

- promote the Trust and its schools in a positive manner

- work reliably and in accordance with the Trust and school policies and practices as well as any other rules and regulations that apply to your work and/or the workplace
- carry out any reasonable instructions given to you by your manager and/or Headteacher/CEO
- recognise that you are part of a team and that everyone should be working together to achieve similar aims for the overall benefit of the pupils.

As a manager you should, in addition to the above:

- support and assist employees/workers to carry out their work properly
- in your dealings with employees, act in accordance with their relevant local and national conditions of employment/service
- in consultation with employees/workers, set standards of work and objectives, as appropriate to their role
- give feedback and advice on areas for further development to assist employees in meeting objectives
- aim to continually develop employees to meet current and future needs of the Trust and its schools
- ensure compliance with the Working Time Regulations 1998, as amended, and recognise the need for employees/workers to pursue interests outside work therefore enabling them to enjoy a reasonable work/life balance
- consider constructive suggestions for improvements to working practices and standards
- treat all employees/workers fairly, consistently and with dignity
- provide a working environment free from discrimination and harassment
- provide a safe and healthy working environment.

5. SAFEGUARDING AND DEALINGS WITH PUPILS

All Schools within the Trust are committed to safeguarding and promoting the welfare of children and young people. Therefore, all employees and workers within this Trust are expected to share this commitment.

This Trust aims to create a safe and positive environment for pupils in order to protect and promote their health and general well-being, as well as to provide an atmosphere that encourages and enhances learning and all-round development.

In particular, you are expected to:

- **Work towards and encourage the highest possible level of achievement** for all pupils
- **Value and respect all pupils equally**, treating them in a polite, positive, responsive and considerate manner
- **Apply the school's Behaviour Policy** as situations demand in order to encourage and develop appropriate behaviours

- **Ensure that items confiscated from pupils are left in a safe place, ideally labelled and locked away.** Parents/guardians should be informed about when items will be returned.
- **Ensure that you do not breach professional boundaries and do not act in a way that could be misinterpreted** or otherwise leave you vulnerable to allegations of inappropriate behaviour. In this respect you are advised to familiarise yourself with the non-statutory guidance document called '**Guidance for Safer Working Practice for those Working with Children and Young People in Education Settings**'. This document was updated in February 2022 by the Safer Recruitment Consortium, a Partnership between the NSPCC, the Lucy Faithfull Foundation, NASS and CAPE. It provides simple but detailed and practical advice to schools, colleges and the three safeguarding partners* in order to support them and their staff in their safeguarding responsibilities. The document can be located at the following link:
<https://c-cluster-110/uploads/documents.cimpress.io/v1/uploads/d71d6fd8-b99e-4327-b8fd-1ac968b768a4~110/original?tenant=vbu-digital>

**The Children and Social Work Act 2017 replaced Local Safeguarding Children Boards with new safeguarding arrangements led by three safeguarding partners – local authorities, chief officers of police and clinical commissioning groups.*

In particular, in relation to contact with pupils, **you must NOT:**

- **establish, or seek to establish, social contact with pupils (inc. former pupils under the age of 18) or aim to secure a friendship or strengthen a relationship,** for any reason. This includes 'electronic' contact, such as by e-mail, social media or social networking sites
- **buy or give gifts to children (inc. former pupils under the age of 18)** other than as part of a school/Trust rewards system
- **give to, or exchange with, pupils (inc. former pupils under the age of 18)** any personal details such as home/mobile telephone number or home or personal e-mail address for any reason, nor must you exchange any private texts, information or photos of a personal nature, unless a specific need to do so is agreed with their Headteacher.
- **offer or give lifts to pupils (inc. former pupils under the age of 18)** in your own personal vehicle.
- **Ensure that you understand and comply with the school's procedures and arrangements for the transportation of pupils offsite,** where this is necessary, for example to out-of-school activities.
- **Be aware that one-to-one meetings with individual pupils may leave you vulnerable to allegations.** In circumstances where a confidential interview or one-to-one meeting is necessary, wherever possible this should be conducted in a room with visual access, or with the door open, or in a room or area frequented by other people and another pupil or adult should be nearby. Where such conditions cannot apply, you should ensure that another adult knows that the meeting is taking place.
- **Ensure that you take particular care when supervising pupils in the less formal atmosphere of an educational visit,** particularly in a residential setting, or after-school activity. You remain in a position of trust and, even though a more informal approach may be appropriate, the same

standards of conduct apply. You are expected to familiarise yourself with, and adhere to, school procedures and rules relating to school trips.

- **Exercise your professional judgment in making an appropriate response if a pupil (inc. a former pupil under the age of 18) seeks to establish social contact with you**, either by electronic or other means, or if contact should occur accidentally.
- **Be aware that, under no circumstances, will you be expected, or allowed, to use your personal equipment to take images of pupils at or on behalf of the school. This means that you must:**
 - adhere to the school's policy in this respect
 - only publish images of pupils where they and their parent/carer have given explicit written consent to do so
 - only take images where the pupil is happy for you do so
 - only retain images when there is a clear and agreed purpose for doing so
 - store images in an appropriate secure place in the school or setting
 - ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
 - be able to justify images of pupils in your possession
 - avoid making images in one to one situations.

This means that, in relation to pupils (inc. former pupils under the age of 18) you must not:

- take images of pupils for your personal use
- display or distribute images of pupils unless you are sure that you have parental consent to do so (and, where appropriate, consent from the child)
- take images of children using personal equipment
- take images of children in a state of undress or semi-undress
- take images of a child's injury, bruising or similar (e.g. following a disclosure of abuse) even if requested by children's social care
- make audio recordings of a child's disclosure
- take images of children which could be considered as indecent or sexual.
- **Be aware and understand that all employees and workers, whatever their role, have a responsibility for safeguarding and promoting the welfare of children.** If you are unclear about your responsibilities in this area or if you do not know where to find the relevant policy(ies) or the information you need in this respect, you should speak to your Line Manager or to the *Headteacher*.
- **Ensure that you are aware of the process for making referrals** to children's social care and for statutory assessments under the Children Act 1989 that may follow a referral, along with the role you might be expected to play in such assessments. If you are unsure of this process, you should speak to your Line Manager or to the *Headteacher*.
- **Be aware and understand that you have a duty to report any suspicion of child abuse.** Ensure that you act in accordance with the DfE statutory guidance on 'Working Together to Safeguard Children' and that you have read and fully understand the school's Child Protection Policy and act in accordance with the principles and procedures set out within it at all times.
- **Ensure that, where you work directly with children, you have read, understand and act in accordance with the Department for Education's statutory guidance document 'Keeping Children Safe in Education' (KCSIE), 'Part One: Safeguarding Information for All Staff'.**

School leaders and those employees/workers who work directly with children must also read Annex B of KCSIE. This contains important additional information about specific forms of abuse and safeguarding issues.

If you do not work directly with children, you must read either Part One or Annex A (a condensed version of Part One) of KCSIE, as directed by the Headteacher, or otherwise your Line Manager.

- **Ensure that you understand what you should do if you have concerns about another staff member, as referred to in Part One and Annex A of KCSIE.** (For this purpose, 'staff member' should also to be taken to include any other trainees, workers, volunteers, governors or others providing services to the School). If you have any such concerns, you should refer to **the school's Whistleblowing Policy** which sets out the action that you must take. (See also 14. below).

It is important that you are aware and understand that **all** concerns about adults, including also low level concerns, feelings of unease, discomfort and/or nagging doubts, that do not meet the 'harm threshold' (See below for further information), are shared responsibly and with the right person, recorded and dealt with appropriately. This is critical to ensuring an open and transparent culture within the school, in order to minimise the risk of abuse.

- **Ensure that you attend and actively participate in safeguarding and child protection training provided**, as required, as well as ensuring that you read and take appropriate action in relation to any updates provided, for example, via email, e-bulletins, staff meetings and other communications.
- **Be aware of, and understand, your specific responsibilities under the Sexual Offences Act 2003.** The Act sets out the law on sexual offences committed by those in **a position of trust**.

It is an offence for a person aged 18 or over in a position of trust (e.g. teacher or any other category of employee/worker in a school) 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. This could also relate to a former pupil who is still under the age of 18 and now at another educational establishment.

Note for information: If an allegation of abuse is made against an employee or worker, the relevant national and local safeguarding guidelines and procedures will then be followed. **These are designed to ensure the safeguarding and welfare of the child/children and to protect the best interests of the individual employee/worker.**

The Department for Education's (DfE's) statutory guidance '**Keeping Children Safe in Education**' (KCSIE) includes information and guidance on managing allegations and is set out in **Part Four 'Dealing with Allegations against Teachers and Other Staff'**. Accordingly, this will be used, along with relevant local procedures, where it is alleged that an individual has:

- behaved in a way that has harmed a child, or may have harmed a child; and/or
- possibly committed a criminal offence against or related to a child; and/or

- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

This alleged behaviour meets the 'harm threshold'.

Part Four of KCSIE 'Dealing with Allegations against Teachers and Other Staff' also makes clear that ALL concerns about an adult should be shared responsibly and with the right person. Some concerns or allegations may meet the 'harm threshold' (as described above) while others may be regarded as 'low-level' concerns.

Where concerns or allegations meet the 'harm threshold' above, it is essential that the relevant procedures and protocols are followed. In accordance with this requirement, the local 'Safeguarding Enfield Partnership's'** own Protocol for dealing with 'Allegations Against Staff and Volunteers who Work with Children' and other relevant information can be located its website at:

<https://www.enfield.gov.uk/safeguardingenfield/making-a-safeguarding-referral/allegations-against-adults-working-with-children-lado>

***The Safeguarding Enfield Partnership brings together the work of the Safeguarding Adults Board and the Safeguarding Children's Partnership. Enfield's safeguarding partnership includes the Metropolitan Police Service, Enfield Council, the NHS, including hospitals and Clinical Commissioning Group, schools, social care providers, 3rd sector organisations and probation services, amongst others.*

There may be circumstances in which the 'harm threshold' is not met but there is, nevertheless, a concern about an adult's behaviour. This may be no more than a sense of unease or a 'nagging doubt' about someone's actions of behaviour. **This is known as a 'low-level' concern.**

'Low-level' does not mean that it is insignificant but an adult may have acted in a way that is inconsistent with the Trust's Code of Conduct (inc. inappropriate conduct outside of work) and that does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO. Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

Low-level concerns may arise in several ways and from a number of sources. For example, suspicion, complaint, disclosure made by a child, parent or other adult within or outside the organisation, as a result of vetting checks undertaken or by observation.

It is crucial that all low-level concerns are shared responsibly with the right person and dealt with appropriately. **The school has a 'Low-Level Concerns Protocol' which all employees and workers are expected to read and adhere to.** This protocol will:

- enable the school/Trust to address any inappropriate, unprofessional and/or concerning behaviour promptly and proportionately;
- protect those working in or on behalf of the school from becoming the subject of potential false accusations and/or misunderstandings by ensuring that low-level concerns are understood by all and dealt with effectively when the need arises;
- help identify any weaknesses in the school's safeguarding system; and, therefore,
- minimise the risk of abuse.

The school's Low-Level Concerns Protocol is attached as Appendix 3 to this Code of Conduct .

Any employee or worker who is unsure whether a concern meets the harm threshold or is a low-level concern must, in any event, share their concern with the *DSL/Headteacher/other nominated person (or a named Deputy [state name and title])* if none of these are available) who will decide on the appropriate next steps.

6. HEALTH AND SAFETY

All establishments are responsible for producing a Health and Safety statement and policy relevant to its own premises, practices and people. It is important, therefore, that you read and familiarise yourself with the content of the relevant documents in place within the school and, in particular, any specific duties assigned to you as part of the policy.

You are required to comply with Safety Regulations and to use any safety equipment and protective clothing which is supplied to you by the Trust, as well as any hygiene and accident reporting requirements.

You must never act in a way which might cause risk or damage to any other members of the school community, or visitors. In general, all employees/workers are required to take due care for their own safety and the safety of their fellow employees at all times.

7. SECONDARY EMPLOYMENT

The Working Time Regulations 1998, as amended, are a Health and Safety initiative and cover all work undertaken. To enable the Trustees, as appropriate, to comply with the Regulations and maintain the health and safety of all employees, you must inform your Line Manager of ALL work undertaken, or applied for, elsewhere (should you be engaged in, or intending to be engaged in, other paid or unpaid work). In addition, it is important you are aware that there should be no conflict of interest, nor any contractual conflict*, between your work for the Trust and your work elsewhere. Approval to undertake, or continue with, secondary employment can only be granted in circumstances where there is no conflict with the provisions of the Working Time Regulations nor any other conflict of interest or contractual conflict. (*Note that a 'contractual conflict' may arise where any employment contract or arrangement for carrying out work elsewhere interferes with, or could potentially interfere with, your contract with this Trust).

Note in particular that support staff on Scale 6 and below will not unreasonably be refused permission to undertake secondary employment unless there is a clear conflict of interest, contractual conflict or a potential breach of the working time regulations.

Any employee asked to undertake private tutoring of pupils within this *school* must first discuss the situation with the Headteacher/CEO.

8. GENERAL WORKING STANDARDS

a) Hours of Work and Attendance

It is important that all employees and workers are in the workplace at their agreed starting time and do not leave before their agreed finishing time. Bad timekeeping and poor attendance increases costs, causes disruption for others and has an adverse effect on pupils' education.

The Trustees recognise that the majority of employees are punctual and do not take time off without good cause or obtaining prior permission.

Our expectations are that, as an employee:

- you attend work in accordance with your contract of employment and associated terms and conditions in relation to hours, days of work and holidays
- wherever possible, you make routine medical and dental appointments outside of your working hours or during holidays. The only exceptions to this requirement will normally be in the event of an emergency, particular difficulty in relation to hospital appointments (which are rarely negotiable) or to attend for ante-natal care if you are pregnant. Pregnant employees are entitled to paid time off for ante-natal appointments. In any circumstances, however, you should agree time off with your manager at the earliest opportunity to ensure that adequate cover arrangements can be made
- prior to making any request, you refer to the Trust's policy on special leave if you need time off for any reason other than personal illness. It is important to note that, except in cases of serious urgency no employee may, without prior permission, be absent from duty for any cause other than personal illness.

b) Sickness Absence

All staff are expected to follow the school's Absence Reporting Procedure when they are absent from work due to illness or injury.

This procedure includes notification as early as possible on the first day of absence, keeping the school informed where absence continues, requirements for the provision of 'Statements of Fitness for Work' and procedures on return to work.

c) Appearance and Dress

It is expected that:

- when at work, or representing the Trust, you ensure that your appearance is neat and clean
- you always dress in a manner which is appropriate to your role and the circumstances or setting in which you work
- you remember that you are a role model for pupils and your appearance and dress should reflect this important and unique position
- you do not dress in a way that may cause embarrassment to pupils, parents, colleagues, governors, other stakeholders or visitors.

Ultimately, it will be for the Headteacher/CEO to decide whether an employee's/worker's appearance and/or dress is appropriate or not.

The Trustees and Headteacher must ensure that the rights of employees to dress as they please, and in accordance with their principles and beliefs, is balanced with the need for the Trust to promote a suitable image to its stakeholders. At all times, care will be taken not to discriminate in relation to appearance and dress requirements.

d) No Smoking

Exposure to secondhand smoke increases the risk of lung cancer, heart disease and other serious illnesses. Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.

In these circumstances, you should note, in particular, the following in relation to the Smoke Free Regulations introduced in 2007 under the Health Act of 2006 and act accordingly at all times.

- It is an offence, punishable by a fine and possible criminal prosecution, to smoke (or allow smoking) in 'enclosed' or 'substantially enclosed' public places and workplaces.
- Public transport and work vehicles used by more than one person must be smoke free at all times, regardless of whether others are in the vehicle at the same time.

Note that, in any event, it has been illegal, since October 2015, to smoke in a vehicle where anyone under 18 is present.

- Employee smoking rooms and/or indoor smoking areas are not allowed.
- **All employees, workers and others must respect the law on smoking at all times. You must understand and be clear that smoking is strictly prohibited in all areas within the Trust premises and school vehicles.** Areas of the premises include classrooms, sports areas, dinner halls/restaurants, staff rooms, meeting rooms/Committee rooms, workshops, rest areas, stairs, corridors, lifts, toilets, reception and storage areas whether they are permanent, moveable or temporary (including, for example, tents and marquees).
- The Smoke Free Regulations do not affect private homes. However, common courtesy requires that employees and workers do not smoke while carrying out home visits. (Similarly, employees and workers carrying out duties relating to their employment can request that parents, other family members or persons within the household do not smoke while they are visiting otherwise the visit may be terminated and alternative arrangements made).

Employees and workers should also be aware and understand that the school's no smoking policy and arrangements apply similarly to the use of electronic cigarettes (e-cigarettes, also known as 'vaping').

Employees/workers are responsible for informing a member of the Senior Leadership Team of any breaches of the school's smoking arrangements.

9. HONESTY AND INTEGRITY

a) General

The Trustees expect and trust all employees and workers to be scrupulously honest in their work. Colleagues, pupils, parents and the public in general are entitled to have absolute confidence in the trustworthiness and honesty of everyone working at the Trust.

b) Conflicts of Interest and Pecuniary Interests

The business of the Trust should be conducted, and be seen to be conducted, in an objective and unbiased manner. There may be occasions when there is scope for conflict between an employee or worker's own interests and those of the Trust. It is important that such interests are clearly documented. Therefore, to avoid any difficulties arising from a potential clash of interests you must:

- notify your Manager or the Headteacher if you have links, of any sort, with an outside organisation which may carry out work for the *school*, or supply it with goods or services (or is tendering or preparing to do so);
- not participate in any recruitment process to the Trust's service, where you are related to, or have a close personal relationship with an applicant;
- not participate as part of any recruitment process or other panel (e.g. as a staff governor on a Pay Panel) if you may be in a position to benefit from the outcome;
- avoid acting as a professional representative on behalf of a friend, partner or relative in any business or commercial dealings they have with the Trust and its schools;
- report **any** possible conflict of interest to your manager or the Headteacher/CEO.

c) Bribery

There are four possible offences under the **Bribery Act 2010**:

- offering, promising or giving a bribe;
- requesting, agreeing to receive or accepting a bribe;
- bribing a foreign official to obtain or retain business; and
- failure by an organisation to prevent bribery by those acting on its behalf.

There are some people who believe they will receive better service or more favourable treatment if they offer payment, goods, services or favours. It is, therefore, important that all employees are alert to such behaviour and be aware that it is a criminal offence to request or receive a bribe, as well as to give or offer one.

d) Gifts and Hospitality

In relation to bribery, as referred to in c) above, the general principle is that employees/workers should not receive or ask for any gift, reward or advantage for duties carried out as part of their work or role.

It is well-established practice within the education environment that employees/workers may be presented with small tokens of appreciation, for example at festivals or at the end of a school year and this is acceptable. However, it is unacceptable to receive gifts on a regular basis from the same person or family, or to receive gifts that are of a significant value. There may be other occasions when it's appropriate to accept gifts (e.g. where refusal may offend) or where it may be difficult to return (e.g. if it is from an anonymous source). Therefore, it can sometimes be difficult to decide which offers can be accepted and which cannot.

In these circumstances, any employee or worker must only accept occasional, token gifts that are clearly a small gesture of appreciation. If gifts from the same source become frequent (monthly or more) and/or are significant in value over £25) this must be reported to your Headteacher and recorded within the school's Register of Gifts and Hospitality.

The same principles apply to offers of hospitality as well as to gifts.

**10. USE OF SCHOOL AND OTHER RESOURCES, INC.
SENSITIVE INFORMATION AND CONFIDENTIALITY – INSIDE
AND OUTSIDE WORK**

[This section will need to be amended to reflect the school's policies and arrangements in relation to use and security of its telephones, photocopiers, printers, scanners,

stationery, taking school equipment and other resources away from the workplace, etc. making clear the specific requirements and expectations].

a) Trust Resources and Equipment - General

All Trust equipment and communications systems, including (for example) photocopiers, scanners, printers, as well as electronic systems such as Email and Internet access and any associated hardware and software and any other resources belonging to the school or Trust are for official and authorised purposes only.

Many employees and workers within the Trust have access to a wide range of electronic communication and information exchange systems. When using the resources available to them, they are in a position of trust and are, therefore, expected to act responsibly and appropriately at all times.

At any time and without prior notice, the Trust maintains the right and ability to examine any systems and inspect and review any and all data recorded in those systems. Any information stored on a computer, whether the information is contained on a hard drive, computer disk or in any other manner, may be subject to scrutiny. Such examination helps ensure compliance with internal policies and the law. It supports the performance of internal investigations and assists the management of information systems. Monitoring software may be used to check on the content and use of the Trust and individual school's information systems, Internet access or email use. Monitoring may result in intercepting and deleting inappropriate materials. Any monitoring carried out will be for legitimate purposes only.

Electronic media must not be used for knowingly transmitting, retrieving, copying, sharing or storing any communication or information that is:

- discriminatory or harassing
- derogatory to any individual or group
- obscene or pornographic
- defamatory or threatening
- engaged in any purpose that is illegal or contrary to the *school's or the London Borough of Enfield's* rules, regulations, policies or interests.

Managers may authorise personal use of Trust resources, including electronic systems which:

- do not interfere with the performance of professional duties
- are of reasonable duration and frequency
- serve a legitimate school interest, such as enhancing professional interests or education
- do not compromise security or safety requirements, or adversely affect the performance or work of the school, the pupils or the individual employee/worker
- do not overburden Trust/school systems, create difficulties for others and/or result in additional expenditure for the Trust.

As a general rule, any approved personal use of resources should be carried out outside of working hours. Managers must, therefore, consider carefully allowing discretionary use for other purposes not directly related to the work of the Trust.

Employees and workers are expected to act in an honest and appropriate manner in relation to the use of Trust resources.

Responsibility for the safe-keeping and proper use of any equipment issued lies with the individual employee/worker. Reasonable steps should be taken to prevent theft or damage to equipment, e.g. not leaving equipment visible in an unattended vehicle. Employees/workers should not remove equipment or

resources belonging to the Trust/school without the express permission of their Line manager or the Headteacher.

Employees and workers should not bring personal laptops, iPads, tablets or other electronic devices into the workplace without the specific permission of their Line Manager or the Headteacher. In specific circumstances, where permission may have been granted, the equipment must be held securely at all times and not left unattended where it may be accessed by pupils or other persons.

Personal mobile phones may be brought onto the premises for practical purposes but must similarly be used responsibly and appropriately and not left unattended where they may be accessed by pupils or other persons.

Please note that the Trust does not accept any responsibility for personal belongings brought onto the premises, or elsewhere in relation to work or during working time.

b) Sensitive Information, Confidentiality, Data Protection and the GDPR

Information held relating to the work of the Trust is a resource belonging to the school. This applies whether information is held manually or electronically.

In the course of your employment, or work for the Trust, you may have access to confidential information. You must, therefore, agree to accept the restrictions this imposes.

You must not (except in the proper course of your duties) either during your employment/work for the Trust or at any time after its termination (however arising), use or disclose to any person, company or other organisation whatsoever (and shall use your best endeavours to prevent the publication or disclosure of) any confidential information. This shall not apply to:

- (a) Any use or disclosure authorised by the Trust or required by law;
- (b) Any information which is already in, or comes into, the public domain other than your unauthorised disclosure; or
- (c) Any protected disclosure within the meaning of section 43A of the Employment Rights Act 1996. (See also Section 14. below).

Confidential information is information (whether or not recorded in documentary form, or stored on a magnetic or optical disc or memory or electronic device) relating to the business, services, affairs, pupils, employees and finances of the *school* for the time being confidential to the *school* and trade secrets including, without limitation, technical data and know-how relating to the business of the *school* or any of its business contacts.

It is expected that all employees and workers will use sensitive information properly and have due respect for confidentiality at all times. Where you have access to such information, you must ensure that you:

- are aware of and adhere to the use of personal data/information in line with the **General Data Protection Regulation (GDPR)** (EU) 2016/679 and the **Data Protection Act 2018 (DPA 2018)**. The DPA 2018 is the UK's implementation of the GDPR. Anyone responsible for using personal data must follow strict rules called 'data protection principles'. This means that the data/information must be:
 - used fairly, lawfully and transparently
 - used for specified, explicit purposes
 - used in a way that is adequate, relevant and limited to only what is necessary
 - accurate and, where necessary, kept up to date
 - kept for no longer than is necessary

- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

You should note that **personal data** is any information that can directly or indirectly identify a natural person, and can be in any format and applies to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. Personal data will include:

- name
- address
- email address
- photo
- IP address
- location data
- online behaviour (cookies)
- profiling and analytics data.

Data that has been 'pseudonymised' – e.g. key-coded - may fall within scope depending on how difficult it is to attribute the pseudonym to a particular individual.

You should also be aware that there is **stronger legal protection for more sensitive information**, such as:

- race
- ethnic background
- political opinions
- religious beliefs
- trade union membership
- genetic data
- biometric data (where used for identification)
- health
- sex life or orientation.

In general, you must ensure that you:

- know what information the Trust treats as confidential (check with your manager if you are unsure)
- know who is entitled to have access to what information (check with your manager if you are unsure)
- are responsible and professional in using and allowing access to personal information on pupils, parents, staff, governors and any others.

Notwithstanding confidentiality requirements, as set out above, employees and workers have an obligation to share with the school's Designated Safeguarding Lead any information which gives rise to concern about the safety or welfare of a pupil. Employees/workers must NEVER promise a pupil that they will not act on information that they are told by him or her.

In addition. The statutory guidance 'Keeping Children Safe in Education' (KCSIE) makes clear that the obligations on organisations to process information fairly and lawfully and to keep the information they hold safe and secure, this is **not** a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm. Fears about sharing information **cannot** be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

With regard to the above:

School leaders will:

- Ensure that all staff who need to share 'special category personal data' are aware that the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent, if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent or if to gain consent would place a child at risk.

As a member of staff you must:

- Ensure that you are aware of the name of the Designated Safeguarding Lead and be familiar with MAP child protection procedures and guidance:
- Treat information you receive about pupils and families in a discreet and confidential manner
- Seek advice from a senior member of staff (designated safeguarding lead) if you are in any doubt about sharing information you hold or which has been requested of you
- Ensure that you are clear about when information can/must be shared and in what circumstances
- Be clear about the procedures for responding to allegations against staff and to whom any concerns or allegations should be reported
- Ensure that where personal information is recorded electronically that systems and devices are kept secure.

If you are unsure about the sharing or use of any information which is, or may be, deemed to be sensitive and/or confidential, you should consult your Line Manager or the Headteacher for clarity.

c) E-mail and Internet Usage

The use of e-mail and the Internet within the Trust and within individual schools is encouraged as it facilitates communication, enhances our work and improves efficiency. However, inappropriate use may lead to problems ranging from issues relating to productivity to legal claims against the employer. Therefore, all employees/workers are expected to:

- adhere to any requirements in place within the Trust relating to use of the systems for work-related and any permitted private use (if applicable)
- assist in reducing email overload and aid productivity wherever possible by (for example) sending email messages only to those for whom they are relevant, send blind (bcc) copies wherever possible, not automatically reply to all names on a "cc" list (it may be inappropriate in some cases or irrelevant for some recipients). Only send attached files where necessary
- be aware that although email encourages rapid communication, the contents of email messages should be written with care. Messages sent without proper consideration can cause unnecessary misunderstandings. Email should not be used as a substitute for face-to-face communication
- be aware that offers or contracts transmitted via email are as legally binding as those sent on paper
- be aware that emails and email contact lists contained on the *school's* system are the property of the school, even though created by an individual employee/worker
- use the Web as and when appropriate for work purposes. Even when being used for work-related activities, browsing can be highly time-consuming
- use the Web and the email systems responsibly. Use of the Internet for illegal or inappropriate activities will not be tolerated. Such activities include (but are not limited to) online gambling, accessing offensive, obscene or indecent material, including pornography, or downloading or distributing copyright information, sending or posting abusive, rude or defamatory messages about people or organisations. The systems may not be used for sending or forwarding any message that could constitute

- bullying or harassment, unauthorised non-business used, including personal messages, jokes, cartoons or chain letters or posting confidential information about other employees/workers, LGB, parents, pupils, the school, the Trust or anyone associated with them
- respect the copyrights, software licensing rules and property rights, and in general the privacy and prerogatives of others
- use social networking sites responsibly and appropriately (see below).

d) Computer Security and Misuse

In addition to any requirements set out elsewhere in this Code, all employees and workers must ensure that they adhere to any instructions and/or procedures provided to them in relation to computer security. This applies on first joining the *school* and/or first being issued with computer equipment, during employment and on leaving.

In general, all employees/workers should note that:

- Those with access to personal data are in a particularly sensitive position and must be aware of the provisions of the **General Data Protection Regulation (GDPR)** (EU) 2016/679 and the **Data Protection Act 2018 (DPA 2018)**. (See b) above).
- All Internet sites accessed, as well as other applications, should be closed when finished with and computers switched off. Computers should never be left open and unattended.
- All log-ins/passwords must be kept confidential. They must not be given to any other person inside or outside the *school*. Neither should any employee/worker use someone else's log-in or password.
- No external software may be used without the prior permission of your Line Manager, the *Headteacher* or person within the *school* responsible for computer security.
- All electronic data must be held in an encrypted manner.

Misuse of computers is a serious disciplinary offence. The following are examples of misuse:

- fraud and theft
- system sabotage
- introduction of viruses
- obtaining unauthorised access
- using the system for private work or unauthorised game playing
- breaches of the General Data Protection Regulation (GDPR) (EU) 2016/679 and/or the Data Protection Act 2018 (DPA 2018).
- sending abusive or defamatory messages or statements about people or organisations, or posting such messages or statements on any websites or via e-mail
- attempting to access prohibited sites on the internet
- hacking
- breach of the *school's* or *London Borough of Enfield's* security procedures.

The above list is not exhaustive. Depending on the circumstances, misuse of the computer system may be considered to be gross misconduct. Misuse amounting to criminal conduct may be reported to the police.

e) Internet Social Networking Sites

Use of work-related social networking sites is restricted to any arrangements, rules and/or protocol established by the school/Trust. You should first refer to your Line Manager or to the Headteacher if you are unclear about the use of these sites.

Work-related social networking sites must not at any time be used for personal communications.

When using a social networking site, either for work-related purposes or outside of working time for personal use, you must:

- make sure that you understand your online privacy settings and use them responsibly and appropriately
- not divulge any confidential information about, or belonging to, the school, Trust, LGB members, employees/workers or pupils associated with them and/or personal data/information which could be in breach of the Data Protection Act and/or General Data Protection Regulation
- not disclose any information which is not yet in the public arena
- not post any illegal material, e.g. images of child abuse or material which incites racial hatred
- not make any offensive, defamatory, discriminatory or other inappropriate comments about the school, Trust, LGB members, employees/workers or pupils
- not claim to be representing the school *or the* Trust when using social networking sites in a personal capacity (note that stating you are employed by the *school or Trust*, does infer 'representation'). You must make it clear when posting information or comments that any personal views expressed do not represent the views of the *school or the* Trust. (Use a disclaimer such as "The views expressed here are my own and do not represent the views of the school [state name of school] or Children First Academy Trust."
- not misrepresent the school or Trust by posting false or inaccurate statements about their work
- not link your own blogs/personal web pages to the school's or Trust's website
- not use the *school's or the* Trust logo on any personal page, or without the specific consent of your Line Manager or the Headteacher for work-related purposes
- not publish any material or comment that could undermine public confidence in you as an employee/worker in a position of trust.

The above list is not exhaustive.

11. SCHOOL POLICIES AND PROCEDURES

All employees and workers, as appropriate, must comply with the Trust's policies and procedures in the areas set out below, as appropriate.

It should be noted that those policies and procedures below marked** are required by education legislation, other legislation which particularly impacts on schools, other statutory documents or documents referenced in statutory guidance and apply to maintained schools/PRUs, Academies, Free Schools, Colleges and/or other Independent Schools as indicated at the following link on the gov.uk website:

<https://www.gov.uk/government/publications/statutory-policies-for-schools-and-academy-trusts/statutory-policies-for-schools-and-academy-trusts>

[This list is not exhaustive and will need to be added to and/or amended to reflect the actual policies in place at the school and their titles].

- Accessibility Plan**
- Admissions Arrangements**
- Dealing with Alcohol and Substance Misuse by Employees
- Anti-Bullying
- Register of Pupils' Admission to School and Attendance**
- Statement of Procedures for Dealing with Allegations of Abuse against Teachers and Other Staff**
- Teacher Appraisal**
- Behaviour in Schools**
- Behaviour Principles Written Statement** (**Applies specifically to Local Authority Maintained Schools, Academies and Free Schools

should refer to their own relevant legislation and/or funding agreements which may vary between individual schools. In some cases, Academies and Free schools may also have adopted a local authority policy in this area)

- Protection of Biometric Information of Children in schools and colleges**
- Dealing with Bullying and Harassment in the Workplace
- Register of Business Interests of Headteachers and Governors**
- Staff Capability**
- Careers guidance: Details of careers programme and provider access statement**
- Charging and Remissions**
- Child Protection Policy and Procedures**
- Code of Conduct for Employees and Workers
- Collective Worship
- School Complaints **
- Contact and Conduct with Pupils
- Close Relationships at Work
- Curriculum
- Data Protection**
- Staff Discipline**
- Early Careers Teachers (ECTs)**
- Early Years Foundation Stage (EYFS)**
- Equality Information and Objectives (public sector equality duty) statement for publication**
- Equal Opportunities
- School Exclusion**
- First Aid in schools**
- Flexible Working
- Freedom of Information
- Governors' Allowances (schemes for paying)** (***Applies specifically to Local Authority Maintained Schools. Academies and Free Schools should refer to their own relevant legislation and/or funding agreements which may vary between individual schools. In some cases, Academies and Free schools may also have adopted a local authority policy in this area)*
- Staff Grievances**
- Health and Safety**
- Children with Health Needs who cannot attend school**
- Home School Agreement Document
- Staff Induction/Probationary Periods
- School Information Published on a website**
- Instrument of Government** (***Applies specifically to Local Authority Maintained Schools. Academies and Free Schools should refer to their own relevant legislation and/or funding agreements which may vary between individual schools. In some cases, Academies and Free schools may also have adopted a local authority policy in this area)*
- Designated teacher for Looked-After and previously Looked-After Children**
- Supporting Pupils with Medical Conditions**
- No Smoking
- Teachers' Pay** (***Applies specifically to Local Authority Maintained Schools. Academies and Free Schools should refer to their own relevant legislation and/or funding agreements which may vary between individual schools. In some cases, Academies and Free schools may also have adopted a local authority policy in this area)*
- Performance Management Policy for Support Staff in Schools
- Premises Management Documents**
- Race Equality
- Remote Learning
- Use of school/PRU Resources and Equipment/Use of Internet Social Networking Sites [etc., as appropriate]

- Sex and Relationships Education** (***Applies specifically to Local Authority Maintained Schools. Academies and Free Schools should refer to their own relevant legislation and/or funding agreements which may vary between individual schools. In some cases, Academies and Free schools may also have adopted a local authority policy in this area*)
- Single Central Record of Recruitment and Vetting Checks**
- Sickness Absence Reporting
- Special Educational Needs and Disability**
- Special Leave
- Whistleblowing [etc., etc]

If you do not know where to locate the relevant policies and procedures, or if you are unclear about them and how they relate to you, you should consult your Line Manager or the Headteacher.

In addition, **teachers** are expected to uphold and adhere to the standards of 'Personal and Professional Conduct' as set out in part Two of the 'Teachers' Standards' as published by the Department for Education.

Full details of the 'Teachers' Standards' are available from the Department for Education's website:

<https://www.gov.uk/government/publications/teachers-standards>

Support staff are similarly expected to uphold and adhere to any Standards for Support Staff that the school may have adopted. For further information or clarification, you should speak to your Line Manager or to the Headteacher.

12. KEEPING WITHIN THE LAW

Employees and workers are expected to operate within the law. Unlawful or criminal behaviour, at work, or outside work, may lead to disciplinary action, including dismissal, being taken against employees.

You must ensure that you:

- uphold the law at work
- never commit a crime away from work which could damage public confidence in you or the Trust, or which makes you unsuitable for the work you do. This includes, for example:
 - submitting false or fraudulent claims to the Trust, the Council's or public bodies (for example, income support, housing or other benefit claims)
 - breaching copyright on computer software or published documents
 - sexual offences, violence or any other form of abuse which will render you unfit to work with children or vulnerable adults
 - crimes of dishonesty which render you unfit to hold a position of trust.
- write and tell the Headteacher (CEO and Chair of Local Governing Board if you are the Headteacher) immediately if you are being investigated for, are charged with, convicted of, or cautioned for, any crime whilst you are employed at the Trust. This includes outside of your working hours. (You do not need to inform the Headteacher/CEO/Chair of Local Governing Board of offences that do not involve the police such as a parking or speeding fine). The Headteacher/CEO/Chair of Local Governing Board would then need to consider whether any investigations, charges or convictions damage public confidence in the school or makes you unsuitable to carry out your duties.

13. DISQUALIFICATION UNDER THE CHILDCARE ACT 2006

The Childcare Act 2006 and The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 place particular requirements on schools/PRUs for carrying out checks on those working with children under eight to ensure that they are not disqualified from:

- **Working in Early Years Provision** – This includes those who provide any care for a child up to and including reception age (from birth to 1st Sept. following the child's 5th birthday). Such care includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years' age range;
- **Working in Later Years Provision (for children under 8)** – This includes those who are employed and/or work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision;
- **Management** - This includes those involved in the management of such early or later years provision detailed above.

The criteria for disqualification under the 2006 Act and 2018 Regulations, as applicable to non-domestic settings such as schools, include:

- inclusion on the Disclosure and Barring Service (DBS) Children's Barred List;
- being found to have committed certain violent and sexual criminal offences against children and adults which are referred to in Regulation 4 and Schedules 2 and 3 of the 2018 Regulations (note that regulation 4 also refers to offences that are listed in other pieces of legislation);
- certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2018 Regulations;
- refusal or cancellation of registration relating to childcare(*), or children's homes, or being prohibited from private fostering(#) as specified in Schedule 1 of the 2018 Regulations;
- being found to have committed an offence overseas which would constitute an offence regarding disqualification under the 2018 Regulations if it had been done in any part of the United Kingdom.

(*) *Except if the refusal or cancellation of registration is in respect of registration with a child minder agency or the sole reason for refusal or cancellation is failure to pay a prescribed fee under the 2006 Act (Regulation 4(1) of the 2018 Regulations).*

(#) *Pursuant to legislation references in paragraph 17 of Schedule 1 to the 2018 Regulations.*

In these circumstances, if you are, or think you may be, in a relevant role, and any of the above criteria apply to you, you must tell the Headteacher (CEO/Chair of Governors if you are the Headteacher) immediately.

14. 'WHISTLEBLOWING' (THE REPORTING OF MALPRACTICE AND IMPROPER CONDUCT)

Most problems and concerns within the workplace can be fairly easily resolved, often informally. Sometimes it is necessary to use a more formal route, such as the Trust's Grievance Procedure.

Very occasionally, however, more serious issues may arise involving, for example, unlawful conduct, financial malpractice, corruption, serious health and safety issues, damage to the environment, safeguarding or child protection matters or other actions, which are not in the best interests of the Trust, its pupils or the public.

Employees or workers bringing information about wrongdoing to the attention of their employers or a relevant organisation are protected in certain circumstances under the Public Interest Disclosure Act 1998 (PIDA). This is commonly known as 'blowing the whistle'. The law that protects whistleblowers is for the public interest – so people can speak out if they find malpractice in an organisation. Blowing the whistle is more formally known as 'making a disclosure in the public interest'. For a Disclosure to be protected by the provisions of the PIDA 1998, as amended, and including also provisions implemented under the Enterprise and Regulatory Reform Act 2013, it must relate to matters that 'qualify' for protection.

The Trustees are committed to developing and maintaining the highest possible standards of behaviour and a culture encouraging openness, probity and accountability of all employees and workers. The Trust's 'Whistleblowing Policy' is a framework that is in place to enable and encourage any employee or worker to raise and report, or 'disclose', genuine concerns regarding any relevant aspect of the school's work. The Policy aims to reassure you that you will be protected from possible reprisals or detriment if you have a reasonable belief that any disclosure you make is true.

'Qualifying Disclosures', or the reporting of serious concerns that afford an employee/worker protection in law, are disclosures of information where the employee/worker reasonably believes that one or more of the following is either happening, has taken place, or is likely to happen in the future and that disclosure is in the public interest:

- The unauthorised use, or misuse, of public funds
- A failure to comply with a legal obligation
- Conduct which is an offence or breach of the law
- Possible fraud and corruption (e.g. financial fraud or mismanagement, public examination fraud)
- Possible acts of bribery
- Serious Health and Safety risks, including risks to pupils and the public, as well as other employees/workers
- Damage to the environment
- Safeguarding or Child Protection matters
- Any conduct which may damage the *School's* reputation
- Miscarriages of justice
- Other unethical conduct
- Deliberate concealment of information relating to any of the above.

This list is not necessarily exhaustive. (See also below).

The wrong doing, or malpractice, being disclosed **must be 'in the public interest'**. There is no specific definition of what is meant by 'in the public interest'. However, the matter cannot relate solely to the individual who is raising it. It must adversely affect, or threaten, others. This could mean pupils, parents or the public in general, for example. It could also be interpreted as including other employees/workers depending on all the factors involved. This may be the case only if a significant number are affected and will depend also upon the nature of the interests affected, the nature of the wrongdoing disclosed, even the identity of the alleged wrongdoer may be relevant - the more prominent s/he is, the more likely it is that the disclosure will be in the public interest. All the circumstances of the case would need to be considered to decide if the matter is in the public interest generally.

However, a **Disclosure may not be made for purely private matters, such as a problem with the individual's own employment terms or contract**, or the general behaviour of another employee (i.e. behaviour that does not fall within the types of malpractice listed above). An employee making a complaint of this nature should normally refer the matter to his/her Line Manager or a more senior Manager, as appropriate. Otherwise, if necessary, the matter can be pursued through the Grievance Procedure, or any other relevant Procedure in place for the particular purpose.

The Whistleblowing Policy sets out how you should raise a relevant concern at an early stage and in the right way. Provided that you are raising what you reasonably

believe to be a genuine concern under the Policy, in the public interest, you will be protected from possible reprisal or victimisation. In these circumstances, it does not matter if you are mistaken, no action will be taken against you. Of course, we do not extend this assurance to someone who maliciously raises a matter they know is untrue. If you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you. However, by reporting or raising a genuine concern you will be doing your duty to your employer and those for whom you are providing a service.

The Whistleblowing Policy is available on the Trust website.

PRIOR to raising a concern under the Whistleblowing Policy, please note:

1. The Trust's Whistleblowing Policy, to which you should refer if you have a relevant concern, sets out separately:
 - The action you should take **if you have a concern about the behaviour of another employee/worker in relation to a child protection matter**

OR OTHERWISE

- The action you should take **if you have a concern that is NOT about the behaviour of another employee/worker in relation to a child protection matter.**

2. **If you are a member of a Professional Association or Trade Union**, it may have in place a Code, or rules, which set out how members should behave in relation to raising concerns involving colleagues and/or in relation to dealings with colleagues in general. You are advised, in these circumstances, to familiarise yourself with any such Code or rules, or contact your Professional Association or Trade Union for further advice. In any event, you may wish to consult your Professional Association/Trade Union for advice and support prior to raising a concern.

15. DISCIPLINARY ACTION

Failure to meet the standards and requirements set out in this Code of Conduct and any other related policies and procedures may result in disciplinary action being taken against you. Misconduct may result in dismissal, including summary dismissal (or immediate termination of engagement for volunteers and others not employed by the Trust) for any act constituting gross misconduct. Acts that may constitute 'misconduct' and 'gross misconduct' are attached as Appendices to this Code at Appendix 1 and Appendix 2 respectively.

If there is anything in this Code that you do not understand, you should speak to your Line Manager or the Headteacher.

MISCONDUCT

Misconduct includes, but is not limited to, the following:

- failure to conform to agreed working practices, where these are reasonably and properly required
- refusal or failure to carry out a reasonable instruction
- failure to complete contractual hours
- failure to observe policies and procedures, including, for example:
 - the correct recording of working time and attendance,
 - the reporting of sickness, and
 - requirements relating to time off work or release from duties (e.g. annual leave or domestic emergency)
 - the Trust's Code of Conduct.
- persistent lateness
- unaccountable absences from the workplace or area
- failure to comply with appearance and dress codes or requirements
- failing to take reasonable care of Trust or school property
- using Trust or school property, equipment, transport or other resources for private purposes without authorisation, or misuse of such property whether inside or outside of the workplace or working hours
- disclosing confidential information without authorisation
- failure to comply with the Trust's 'No Smoking' policy or requirements
- failure to participate in or follow instructions during fire drills/practices
- any actions or inactions leading to a loss of trust and confidence, or which bring the Children First Academy Trust or an individual school into disrepute

Note:

- (1) The above list is neither exclusive nor exhaustive.
- (2) If sufficiently serious, or if repeated, the above may, in some cases, constitute gross misconduct.

APPENDIX 2

GROSS MISCONDUCT

Gross Misconduct includes, but is not limited to, the following:

- serious abuse
- corrupt practices
- where an employee is charged with a criminal offence inconsistent with his/her position
- serious breaches of regulations, policies or procedures (e.g. the school's Child Protection Policy)
- theft, fraud and deliberate falsification of records (e.g. expenses claims)
- physical violence, threats, fighting, assault on another person
- serious bullying, harassment or discrimination
- deliberate damage to Trust or school property or another person's property
- removal or disposal of any Trust or school property without permission
- serious insubordination
- interference with safety devices or equipment putting other employees/workers, pupils, governors or any visitors at risk at the workplace
- serious infringement of health and safety regulations, rules or practices
- serious misuse of the Trust's or the school's property or name
- misuse of a disabled person's blue badge
- incapability whilst on duty brought on by alcohol or illegal drugs, the misuse of drugs or the possession of illegal drugs whilst at work
- the supply and trafficking of drugs, money laundering activities, or the use, sale or distribution of illegal substances
- negligence which causes or might cause unacceptable loss, damage or injury
- serious breach of duty of confidence (subject to the Public Interest Disclosure Act 1998 and any amendments)
- deliberate or reckless damage, misuse or interference with or unauthorised use of the Trust or school's computers and/or software or unauthorised entry to computer records
- serious misuse of electronic systems

APPENDIX 2

- conviction of a criminal offence that is relevant to the employee's employment
- failure to adhere to Regulations and/or internal procedures or protocols governing public or other examinations, coursework and/or other assessment methods. This includes in relation to planning, preparation, invigilation, marking and storing of examination papers and coursework.
- deliberate falsification of a qualification that is a stated requirement of the employee's employment or results in financial gain to the employee
- undertaking private work in working hours without express prior permission
- bringing Children First Academy Trust or an individual school into serious disrepute, and/or any actions/inactions leading to a serious breach of trust or confidence.

The above list is neither exclusive nor exhaustive

APPENDIX 3

**LOW-LEVEL CONCERNS
MODEL PROTOCOL**

**(FORMS AN APPENDIX TO
THE MODEL CODE OF CONDUCT)**

**FOR EMPLOYEES AND WORKERS IN
MAINTAINED SCHOOLS, PRUs, ACADEMIES AND OTHERS**

1st Edition March 2023

LOW-LEVEL CONCERNS PROTOCOL

(FORMS AN APPENDIX TO THE CODE OF CONDUCT)

FOR EMPLOYEES AND WORKERS IN MAINTAINED SCHOOLS, PRUs, ACADEMIES AND OTHERS

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LOW-LEVEL CONCERNS PROTOCOL (FORMS AN APPENDIX TO THE CODE OF CONDUCT)

**FOR EMPLOYEES AND WORKERS IN MAINTAINED SCHOOLS, PRUs,
ACADEMIES AND OTHERS**

IMPORTANT NOTE RELATING TO TERMINOLOGY USED IN THIS DOCUMENT

This model Low Level Concerns Protocol may be adopted by maintained schools, PRUs, Academies, Free schools and/or other independent schools as part of the model Code of Conduct. Therefore, where the words '**Headteacher**', '**Governing Body**', '**Governors**' or '**school**' are used in this document, this should also be interpreted (and can be adapted) to mean, or read, **Principal**, **Chief Executive**, **Head of School**, **Proprietor**, **PRU Management Committee**, **Members**, **Directors**, **Board of Trustees**, **Local Governing Body**, **Governing Board**, **PRU**, **Academy or Academy Trust** etc., as relevant to the type of school and structure in place.

1. INTRODUCTION

The Trust's expectations are that the behaviour of all employees and workers is consistent with the standards and values of the organisation which are encapsulated within the Code of Conduct. All those working within the school are required to read and act in accordance with the requirements of the Code of Conduct. The Trustees recognise that the majority of employees and workers always act in an appropriate, professional manner and treat others, including pupils, staff and other colleagues, *governors*, *trustees*, parents and visitors with dignity and respect at all times, as required by the Code of Conduct. However, any behaviour which does not meet these expectations needs to be addressed.

All employees and workers need to be aware of, and be able to identify, problematic or inappropriate behaviour and understand the importance of sharing concerns if they observe such behaviour which does not accord with the standards and expectations set out in the Code of Conduct. The Trustees' aim is to create a culture in which all concerns about adults working in or on behalf of the Trust/school/ (including direct employees and others inc. also supply workers, coaches, volunteers and contractors) can be shared responsibly, in the correct manner. This will enable the Trust/school to deal with any such concerns promptly, in the most appropriate way.

Occasionally, inappropriate behaviour may result in an allegation against an employee or worker that meets the 'harm threshold' and separate procedures are in place to address these (see section 3. below). On other occasions, observed behaviour may not meet the harm threshold but may still be of some concern. This Protocol, an Appendix to the Code of Conduct, relates to those behavioural concerns that do not meet the harm threshold but are, nevertheless, concerns that need to be addressed. Such concerns are referred to as 'low-level concerns'.

2. THE PURPOSE OF THE LOW-LEVEL CONCERNS PROTOCOL

The purpose of the Trustee's Low-Level Concerns Protocol is to:

- ensure that employees and workers are clear about appropriate behaviour and professional boundaries, as set out in the Code of Conduct, to enable them to be alert to, and be able to identify, any adult behaviour which may be a concern;

- enable employees and workers to understand what is meant by behaviour that constitutes a low-level concern;
- encourage an open and transparent culture in which employees and workers feel sufficiently confident to share any concerns they may have in relation to adult behaviour, however small, with the right person in the right way;
- enable the Trust/school to address any inappropriate, unprofessional and/or concerning behaviour promptly and proportionately;
- protect those working in or on behalf of the Trust/school from becoming the subject of potential false accusations and/or misunderstandings by ensuring that low-level concerns are understood by all and dealt with effectively when the need arises;
- help identify any weaknesses in the Trust's/school's safeguarding system; and, therefore, to
- minimise the risk of abuse.

3. 'ALLEGATIONS OF HARM' AND 'LOW-LEVEL CONCERNS'

(a) Allegations that may meet the Harm Threshold

An 'allegation of harm' means it is alleged that a person might pose a risk of harm if they were to continue to work in their present position, or in any capacity with children in a school or college. Such a person working in a school or college might meet the harm threshold if they have:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The last bullet point above includes behaviour that may have happened outside of school/college, that might make an individual unsuitable to work with children. This is known as transferable risk.

There is a procedure separate from this Protocol which must be followed for dealing with allegations that may meet the harm threshold described above. The local 'Safeguarding Enfield Partnership's' Protocol for dealing with 'Allegations Against Staff and Volunteers who Work with Children' and other relevant information, can be located its website at: <https://new.enfield.gov.uk/safeguardingenfield/allegations-against-adults-working-with-children-lado/>.

The website also includes information relating to the role of the Local Authority Designated Officer (LADO). The LADO is the person responsible for coordinating the response to concerns that an adult who works with children may have caused them, or could cause them, harm.

If an employee or worker has a safeguarding concern, or an allegation is made about another employee or worker (including supply workers, contractors, coaches, volunteers or visitors) posing a risk of harm to children, they should speak to the CEO/Headteacher or Designated Safeguarding Lead (DSL) in the first instance.

(b) Concerns that do not meet the Harm Threshold: 'Low-Level Concerns'

The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small and even if no more than causing a sense of

unease or a nagging doubt – that an adult working in or on behalf of the Trust/school may have acted in a way that:

- is inconsistent with the Trust's Code of Conduct applicable to all employees and workers and others, including inappropriate conduct outside of work; and
- does not meet the harm threshold (see (a) above) or is otherwise not serious enough to consider a referral to the Local Authority Designated Officer (LADO).

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to Trust/school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

Behaviour of this nature can exist on a wide spectrum, from the inadvertent or thoughtless, behaviour that may look to be inappropriate, but might not be in specific circumstances, through to behaviour which is ultimately intended to enable abuse.

Low-level concerns may arise in several ways and from a number of sources. These may include, for example, suspicion, complaint, a disclosure made by a child, parent or other adult within or outside the school, or as a result of vetting checks undertaken.

All low-level concerns must be shared responsibly with the right person and recorded and dealt with sensitively, appropriately and proportionately (see following sections). Ensuring that low-level concerns are dealt with effectively should also help to protect those working in or on behalf of the school from becoming the subject of potential false accusations and/or misunderstandings.

(c) Appropriate Behaviour

Appropriate behaviour is behaviour which is entirely consistent with the Trust's Code of Conduct applicable to all staff and workers, regardless of status.

NOTE:

A Table a 'Spectrum of Behaviours', including Allegations, Low-Level Concerns and Appropriate Behaviour is attached as Appendix A to this Protocol.

4. SHARING AND RECORDING LOW-LEVEL CONCERNs

- It is important that there is one recipient of low-level concerns to allow for any patterns of concerning, problematic or inappropriate behaviour to be identified and to ensure that no information is potentially lost.

Any employee or worker who has a concern should share it with the *Designated Safeguarding Lead (DSL)/Headteacher/CEO* as soon as reasonably possible and, in any event, within 24 hours of becoming aware of the concern where it relates to a specific incident.

- Whilst staff/workers should share information with the DSL/Headteacher/CEO as soon as reasonably possible, it is never too late to share a low-level concern

and a delay should never be seen as a view to sharing. Share as soon as possible.

- If the DSL/Headteacher/CEO is absent or unavailable for any reason, low-level concerns should be shared with a 'deputy' (DHT/CFOO) The Deputy will inform the DSL/Headteacher/CEO at the earliest opportunity on their return/as soon as they are available.
- In the event of concerns about the DSL/Headteacher/CEO, these should be referred to the Chair of Board of Trustees.
- Employees and workers may share their concern(s) verbally in the first instance, or in writing. **The DSL/Headteacher/CEO will make an appropriate written record** of any conversation either at the time or immediately following the discussion. **The written record will include:**
 - The name of the individual sharing his/her concerns and a note to indicate whether or not the individual wishes to remain anonymous. It will be emphasised to the individual that **anonymity will be respected as far as possible but that this cannot be guaranteed** (see below 'Anonymity')
 - The name of the person the concern is being shared with, i.e. the DSL/Headteacher/CEO (or otherwise the nominated Deputy or Chair of Governors if appropriate. See above)
 - The name of the individual about whom the concern is being raised, together with their role within the Trust/school
 - The context in which the concern arose
 - Details of the concern (in chronological order and as precise and accurate as possible) together with any relevant incident(s)
 - Signature, role (of the person making the written record), time and date.
- Where concerns are shared with the DSL/Deputy, s/he will inform the Headteacher/CEO in a timely fashion according to the nature of the particular low-level concern.
- The Headteacher/CEO will be the ultimate decision-maker in respect of all low-level concerns. The Headteacher/CEO may choose to consult with the DSL and/or the LADO and take a more collaborative approach.
- Low-level concerns which are shared about Agency staff, contractors or others not directly employed by the school, will be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.
- Where the DSL/Headteacher/CEO is in any doubt as to whether information which has been shared about an employee or worker as a low-level concern in fact meets the harm threshold, they will consult with the LADO.

Anonymity

- Where an employee or worker raising a concern does not wish to be named, the DSL/Headteacher/CEO will respect their wishes **as far as possible**.
- However, there may be circumstances where the employee/worker will need to be named (e.g. if it becomes necessary to carry out a fair disciplinary process). For certain reasons, **anonymity cannot be guaranteed and will not, therefore, be promised** to those sharing a low-level concern.

- The Trustees encourage employees and workers to be named when raising a low-level concern to help to create and enhance a culture of openness and transparency.

Self-Reporting

- Occasionally, an employee or worker may find themselves in a situation which could be misinterpreted, or might appear compromising to others. Equally, an employee/worker may, for whatever reason, have behaved in manner which, on reflection, they realise falls below the standard and expectations set out in the Code of Conduct.
- Self-reporting in these circumstances can be positive for a number of reasons:
 - it is self-protective, i.e. it enables a potentially difficult matter to be addressed at the earliest opportunity;
 - it demonstrates self-awareness of the expected standards of behaviour;
 - it demonstrates self-awareness of the individual's own actions and/or how they may be perceived; and
 - it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

The Trustees encourage employees and workers to feel confident to self-refer for the above reasons.

5. RESPONDING TO LOW-LEVEL CONCERNs

Where a concern has initially been raised with the DSL/Deputy, the Headteacher/CEO will be informed in a timely fashion according to the nature of the particular low-level concern (see 4. above).

Once the Headteacher/CEO has received the low-level concern, s/he (or a nominated Deputy) will carry out the following (not necessarily in the order stated but in an appropriate sequence according to the nature and detail of the concern shared):

- Speak to the person who raised the concern - unless raised anonymously with someone other than the Headteacher or their nominated Deputy (regardless of whether a written summary has been provided)
- Speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted)
- Speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted, or there is a belief that the allegation will result in a disciplinary investigation, in which case that policy should be adopted with appropriate investigation procedures followed)
- Review the information collected with a view to determining whether the behaviour:
 - is entirely consistent with the Trust's Code of Conduct for employees and workers
 - constitutes a low-level concern
 - is not serious enough to consider referral to the LADO (but may merit consulting with and/or seeking advice from the LADO)

- when considered with any other low-level concerns that have previously been raised about the same individual, could now meet the harm threshold and should be referred to the LADO; or
- on its own meets the harm threshold and should be referred to the LADO.

- **While responding to any concern, the Headteacher/CEO (and/or nominated Deputy) will make appropriate written notes of:**
 - all internal conversations – including with the person who shared the concern (where this has been possible), the individual about whom the concern has been shared (subject to the above) and any relevant witnesses (subject to the above)
 - all external conversations, e.g. with the LADO or the Schools' Personnel Service (or other Human Resources adviser, if appropriate)
 - the action taken and rationale for the decision taken (see also 6. below 'Possible Outcomes from a Low-Level Concern and Action to be Taken').

6. POSSIBLE OUTCOMES FROM A LOW-LEVEL CONCERN AND ACTION TO BE TAKEN

As stated in Section 4. above, the Headteacher will be the ultimate decision maker in respect of all low-level concerns.

- If the Headteacher/CEO determines that the behaviour is entirely consistent with the Trust's Code of Conduct for Employees and Workers, s/he will:
 - speak to the individual concerned to update them about the situation and the conclusion reached;
 - speak to the person who shared the low-level concern to update them about the situation and provide an explanation of the conclusion reached (unless raised anonymously with someone other than the Headteacher);
 - consider if the situation may indicate that the Code of Conduct or Low-Level Concerns Policy are not clear enough, or if further training is required.
- If it is determined that the behaviour constitutes a low-level concern, it will be responded to in a sensitive and proportionate manner. Care will be taken to ensure to maintain confidence that concerns raised will be handled promptly and effectively whilst at the same time protecting employees/workers from any potential false allegations or misunderstandings. Appropriate action to be taken in response to a low-level concern may include the following:
 - the situation may simply require a conversation with the individual to clarify why their behaviour is concerning and what change is required. As appropriate, the Headteacher/CEO will ask what support, if any, they might need in order to achieve and maintain that. The consequences if they fail to reach the expected standard or repeat the behaviour in question will be made clear. Depending on all the circumstances, ongoing monitoring of their behaviour might be appropriate. An action plan or risk assessment, agreed with the individual and regularly reviewed with them may also be considered appropriate;
 - some low-level concerns may also raise issues of misconduct or poor performance. The Headteacher will consider if this is the case and whether the Trust's Disciplinary or Capability Procedures should be instigated in relation to an employee or worker;

- when considered alongside any other concerns that have previously been shared about the same individual, it may be apparent that the behaviour could now meet the harm threshold. In these circumstances, the matter will be referred to the LADO in accordance with Part 4 of KCSIE and the relevant local procedure, as referred to in Section 3. (a) above.
- where a low-level concern relates to a person employed by a supply agency or contractor, the concern will be raised with the employer for them to address the situation and to enable them to identify any patterns of potentially inappropriate behaviour.
- In circumstances where it is considered necessary to initiate the *school's* Disciplinary or Capability Procedures, or to refer the matter to the LADO if the harm threshold may have been met, the individual concerned will be advised to contact their Professional Association or Trade Union Representative.
- **The outcome and any action taken in response to a low-level concern being raised will be recorded in writing.**

7. RETAINING LOW-LEVEL CONCERNS

- Records of low-level concerns will be kept strictly confidential, held securely and retained in compliance with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). They will be held on the confidential personnel file containing the individual's personal record.
- Storing low-level concerns on confidential personnel files allows any potentially concerning patterns of behaviour to be easily identified.
- Where more than one concern has been shared about the same individual, these will be stored, on the confidential personnel file, in chronological order.
- Records of low-level concerns will be retained for the duration of an individual's employment and for seven years after their service at the *school* has ended.

8. REVIEWING LOW-LEVEL CONCERNS

- The Headteacher/CEO will review low-level concerns on file periodically to ensure that all such concerns are being dealt with promptly and appropriately and that any potential patterns of concerning behaviour are identified.
- As part of each review, consideration will also be given to whether there are wider cultural issues within the *school* that enabled the behaviour to occur, where relevant policies and procedures may need to be revised, or additional training delivered to minimise the risk of reoccurrence.
- A record of each review will be made and stored on the personnel file alongside the concerns detailed, along with any actions taken as a result of the review.

9. LOW-LEVEL CONCERNS AND EMPLOYMENT REFERENCES

- KCSIE prohibits unsubstantiated, malicious or false allegations from being referred to in references. Only safeguarding allegations that have been substantiated should be included. Similarly, **only where a low-level concern**

(or a group of concerns) has met the threshold for referral to the LADO and found to be substantiated will it be referred to in a reference.

- **Other** low-level concerns will not, therefore, be included in references unless they relate to issues that would normally be included in a reference, for example, misconduct or poor performance. A low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) will not be referred to in a reference.

APPENDIX A

SPECTRUM OF BEHAVIOUR

Behaviour or Allegations that may meet the ‘Harm Threshold’

An ‘allegation of harm’ means it is alleged that a person might pose a risk of harm if they were to continue to work in their present position, or in any capacity with children in a school or college. Such a person working in a school or college might meet the harm threshold if they have:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The last bullet point above includes behaviour that may have happened outside of school/college, that might make an individual unsuitable to work with children. This is known as transferable risk.

Low-Level Concerns

The term ‘low-level’ concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small and even if no more than causing a sense of unease or a nagging doubt – that an adult working in or on behalf of the *school* may have acted in a way that:

- is inconsistent with the *school’s* Code of Conduct applicable to all employees and workers and others, including inappropriate conduct outside of work; and
- does not meet the harm threshold (see above) or is otherwise not serious enough to consider a referral to the Local Authority Designated Officer (LADO).

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to *school* policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

Behaviour of this nature can exist on a wide spectrum, from the inadvertent or thoughtless, behaviour that may look to be inappropriate, but might not be in specific circumstances, through to behaviour which is ultimately intended to enable abuse.

Appropriate Behaviour

Behaviour which is entirely consistent with the *school’s* Code of Conduct for all employees and workers, and the law.