

Staff Propriety Policy



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Ratified by the Management Committee:

Date of next Review: November 2019

This is a WSCC Model Policy

1 STANDARDS

The public expect conduct of the highest standard from those employed in public service. Accordingly, Palatine Primary School's expectation on propriety and accountability is that staff at all levels will observe the highest standards in ensuring adherence to legal requirements, rules, procedures, and practices. All staff are expected to act honestly and fairly and abide by the appropriate policies and procedures. The School also expects that employees and organisations e.g. contractors, that it comes into contact with, will act with integrity and without intent to commit fraud and corruption against them.

The key elements of staff propriety and conduct are set out below:

2 EQUALITY

All members of the School community have a right to be treated with fairness and equity. All policies relating to equality issues must be complied with. Discrimination on any grounds, e.g. age, race, sexual orientation, or religion is completely unacceptable.

3 CONFIDENTIALITY

Staff should not use the information obtained in the course of their employment for personal gain or benefit nor should they pass it to others who might use it in such a way. Staff must not abuse their right of access to information for other than legitimate employment-related purposes, e.g. personal curiosity. Confidential information gained through employment must not be disclosed to any other person unauthorised to receive it (unless they are required to do so by law or by court order). Furthermore, any information obtained through work should not be used for personal gain. Personal information, in particular, must be treated in compliance with the provisions of the Data Protection Act 1998. Staff should observe all security arrangements (e.g. IT security procedures, safety of files) designed to protect confidentiality of information, particularly personal or commercially sensitive information. Confidential papers, files and valuables should not be left unattended on desks, in offices etc. and should be securely locked away when no longer required for immediate use. Responsibilities as set out above will apply to treatment of information obtained while at work even after a member of staff has retired or otherwise left the employment of the authority.

4 CONDUCT WITH PUPILS

School staff, and teachers in particular, are vulnerable to the possible consequences of their professional relationships with pupils, and to malicious or misplaced allegations by pupils, which may be made deliberately or innocently. Additionally although abuse of children by staff in schools is, fortunately, very rare, all staff are advised to have an attitude of 'it could happen to a child we know' where safeguarding is concerned. All staff, therefore, need to be vigilant about the conduct of others and prudent about their own conduct so that their relationships with pupils remain, and are seen to remain, entirely proper.

To reduce the risk of allegations, all staff will be made aware during their induction of safer working practice including the guidance contained in the staff handbook, and government document '*Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings*'.

<http://webarchive.nationalarchives.gov.uk/20100202100434/dcsf.gov.uk/everychildmatters/resources-and-practice/ig00311/>

Staff should also refer to the school's Child Protection Policy for further guidance.

5 INPROPRIETY BY OTHER STAFF

If a member of staff is aware, or suspicious of, impropriety by another employee towards a pupil, he/she should report it promptly and in confidence to the Designated Safeguarding Lead or Head teacher. Where required the DSL will liaise with the Local Authority Designated Officer (LADO), Police and Social Care. If a member of staff is aware, or suspicious of, impropriety by another employee not involving a pupil he/she should report it promptly and in confidence to the Head teacher or their Line Manager. Advice on any investigation or action to be taken where a pupil is not involved can be sought from People Management Support -Schools Team.

All staff should be aware of their duty to raise concerns where they exist about the actions or attitudes of colleagues. If necessary the member of staff can speak with the Head teacher or Chair of the Governing body. The School has a Confidential Reporting Policy (whistle blowing). This enables any member of staff or volunteers to make complaints about conduct within the school to a person outside the school on a confidential basis and without fear that their confidentiality will be breached.

6 OFFENCES (including DBS and Teacher prohibited)

All applicants are asked to declare on their job application form any history of offences (including spent offences for posts involving contact with children). Any member of staff who is charged with a criminal offence other than a traffic violation, which does not carry an endorsement, whilst employed in the school, should notify the Head teacher immediately. This notification may lead to precautionary steps being taken e.g. suspension. Failure to disclose such a charge may be considered as a disciplinary offence.

The offence itself will affect the employee's employment only if it affects their ability or suitability to undertake their work. Even if they are not convicted, however, the circumstances that gave rise to the charge could result in disciplinary action being taken.

All staff in regulated activity will be required to complete an enhanced DBS certificate. In summary, a person will be considered to be engaging in regulated activity if, as a result of their work, they:

- are responsible, on a regular basis in a school, for teaching, training, instructing, caring for or supervising children; or
- are carrying out paid, or unsupervised unpaid, work regularly in a school where that work provides an opportunity for contact with children; or
- engage in intimate or personal care, even if this happens only once.

For all other staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate. This would include contractors who would have the opportunity for contact with children and who work under a temporary or occasional contract. It would also include in school, a **supervised** volunteer who regularly teaches or looks after children.

In addition to obtaining the DBS certificate described, anyone who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching.

7 CONFLICTS OF INTERESTS

Conflicts of interest refer to any situation where the financial or personal interests of individuals could affect, or be thought to affect, their professional or other working involvement. If an employee has a financial or close personal interest in a contract or other matter where that interest could be seen to influence the contract or other matter and/or provide some form of gain to the employee, he/she should be open about any interests and should declare them.

8 SECONDARY EMPLOYMENT

Permission should, normally, be sought from the Head teacher/line manager, if an employee wishes to take on secondary employment. This will usually be granted – provided the secondary work will not prejudice the employee's position at the school. Particular attention will be paid to the impact of the Working Time Directive (maximum of 48 hours per week) and other statutory protection of staff (NB this is not an explicit requirement under a teacher's contract of employment although it is for support staff).

9 USE OF SCHOOL FACILITIES AND ASSETS

Staff should not use any school facilities and assets (e.g. accommodation or computing resources) for the purpose of secondary employment. Management approval may be given for the use of such assets outside normal working hours to support voluntary work on a case by case basis.

10 SPONSORSHIP

If an outside organisation wishes to sponsor a school activity, it must disclose whether it is, or could be, contracted to provide goods or services. Any staff involved in sponsorship arrangements should draw this duty to the attention of all proposed sponsors. Acceptance of sponsorship must avoid any actual or potential conflict of interest.

11 HOSPITALITY

Accepting hospitality is primarily a matter of judgment according to the circumstances. However, it is important to avoid any suggestion of improper influence, or giving others the opportunity reasonably to exert improper influence. The following guidelines are given below: - Acceptable:

- A modest working lunch to discuss business/school developments
- A professional association's annual dinner or similar function
- An invitation to represent the Authority/School at sponsored cultural, sporting or other public occasions in West Sussex or neighbouring counties

NB The above should not be accepted on a regular basis. If, for example, a series of working lunches is appropriate, the school should reciprocate/alternate.

Unacceptable:

- Paid holiday, leisure travel or accommodation
- Tickets for premium events offered on a personal basis
- Use of a company hotel or flat
- Discounted goods or services not equally available openly to others not having the same links with the suppliers

12 GIFTS

The simplest rule is for staff to refuse tactfully all offers of gifts from anyone who might provide goods or services or who seeks a decision from the school. However, it is usually appropriate to accept modest items of a promotional nature, e.g. calendars, diaries, inexpensive articles for office or classroom use. (Please see section entitled "Gifts and hospitality" in the Schools Financial Procedures Manual)

It is a disciplinary offence for an employee to accept corruptly any gift as an inducement or reward for: -

- doing, or refraining from doing, anything in his/her official capacity
- showing favour or disfavour to any person in his/her official capacity

13 FINANCIAL MATTERS

Any employee who is responsible for financial matters must follow the Authority's "Schools Financial Procedures Manual", on which further guidance is available from the Schools Financial Support Unit. Hotline tel. no. 01243 777978.

14 DONATIONS AND REQUESTS

Donations and bequests to individuals should be avoided. A donation or a bequest to a school is acceptable, provided there is no suspicion that the person making it received any undue gain. Any such donation or bequest should be properly recorded in documents open for inspection (e.g. minutes of a meeting of the Governing Body).

15 INTELLECTUAL PROPERTY

An invention by a member of staff, before 1 June 1978, is the property of the employer if it has been made in the course of that employee's employment. However, the Patents Act 1977 provides that inventions are only the property of the employer if they have been made in the course of the employee's normal duties, or they have been made in the course of duties assigned specifically where the invention might be reasonably expected.

16 FRAUD AND CORRUPTION

Fraud is the intentional distortion of the financial statements or other records by an employee which is carried out to conceal the misappropriation of assets or otherwise for gain. It may involve the falsification of documents or financial records to create false transactions or it may be a failure to record income to the school/Authority. It is prevented as far as is possible by both the Authority's systems and procedures which contain built-in safeguards, as in Schools Financial Procedures Manual, available from the Schools Financial Support Unit.

Corruption is the offering, giving, soliciting, or acceptance of an inducement or rewards which may influence the action of another person.

Any suspected irregularity must be reported to PMS –Schools Team, who will, in turn, contact Internal Audit.

Copies of the WSCC Anti Fraud and Corruption Strategy can be downloaded from the WSCC website – or through a link from this section of the Schools HR Manual

17 PERSONAL RELATIONSHIPS

There is no bar on staff in the same establishment having a close personal relationship. However, certain proprieties have to be observed. No member of staff must be involved in the selection, appointment, promotion, or disciplinary procedures of a person with whom they have a close relationship.

18 PERSONAL RELATIONSHIPS WITH CONTRACTORS

Any personal relationships with contractors or potential contractors should be made known in accordance with the legal requirements to declare financial interests.

19 DRESS AND APPEARANCE CODE

Staff are required to have a neat and conventional appearance at work, in order to promote a positive and professional image to the children. Staff should ensure they are dressed decently, safely and appropriately for the duties they perform. All staff will be given a 'Staff Handbook' upon their induction which will outline the school's dress and appearance code. This code may be enforced through the school's disciplinary procedures.

To avoid sex discrimination, a dress code must enforce a common principle of smartness or conventionality and apply an even-handed approach between men and women. A dress/appearance code is not required to make provisions which apply identically to men and to women, but when a particular item in a code is challenged on the grounds that it does or may treat one sex less favourably, the overall content of the code as a whole may be considered.

To avoid other acts of discrimination, we will not refuse items of dress that are dictated by race or ethnic origin and where employees have embarked on a course of action that will lead to gender reassignment surgery, they must be allowed to dress as their new gender.

Where an employee's appearance does not meet with expectations, the line manager should meet with them, explain why it is inappropriate, and invite them to explain why they are not complying with the school's requirements. This should be done in a non-confrontational manner. Where the line manager considers the employee does not have a good reason for not complying with the expected standard of dress, he/she should give them adequate time to improve their appearance before considering disciplinary action.