

Code of Conduct for Employees and Volunteers in Community and Voluntary Controlled Schools

1 Scope

This procedure is recommended for adoption by the governing bodies of community and voluntary controlled schools where the County Council is the employer of staff. It applies to all employees and volunteers at the school who are under the direction of the governing body. It extends to cover additional or dual employment that the employee has secured as a result of working for the school.

The separate Guidance on Safer Working Practice for Adults who work with Children and Young People in Education Settings should be regarded as being incorporated into this Code of Conduct. It sets out the wider context in which staff are expected to conduct themselves to ensure children and young people are safeguarded.

2 Purpose

The purpose of the Code of Conduct is to set out the standards and expectations that apply to employees and volunteers (referred to as “staff” throughout the remainder of this document). It provides guidance so that they are clear about how they should conduct themselves in a manner that will bring credit to the school and the County Council as the provider of maintained education in Northumberland.

The Code has been developed and should be applied from the perspective that the public is entitled to expect the highest standards of conduct from all employees who work for local government. To depart from this principle would damage the trust and confidence that is of vital importance to the school and the County Council. The reputation of both depends not only upon the organisation’s conduct as a whole as a provider of education but also upon the behaviour of staff.

3 Roles and responsibilities

Employees and volunteers: All employees and volunteers are expected to follow this Code of Conduct. In some cases failure to do so may put their employment or volunteering at risk. By following this Code, staff can be sure that no reasonable person can question their integrity and motives in connection with their role.

Headteachers/Governors: At certain points in this Code staff are required to make declarations to, or seek permissions from the headteacher (or in the case of the headteacher from the Chair of Governors). Such declarations or permissions should be considered fairly and consistently in accordance with this Code.

4 Preamble - the Seven Principles of Public Life

The Code of Conduct embraces the seven principles of public life which were drawn up by the Nolan Committee and endorsed by Parliament.

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, and in the health, education, social and care services.

All public office-holders are both servants of the public and stewards of public resources.

You are expected to consider carefully where and how to apply the principles in your daily duties.

The Seven Principles are:

Selflessness – Acting solely in terms of the public interest.

Integrity - Avoiding placing yourself under any obligation to people or organisations that might try inappropriately to influence you in your work. You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships as detailed in the Code of Conduct.

Objectivity - Act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability - Be accountable to the public for your decisions and actions and submit yourself to the scrutiny necessary to ensure this.

Openness - Act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty - Act with honesty, and be truthful.

Leadership - Exhibit these principles in your own behaviour. Actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

These principles apply to all aspects of public life. They are set out here for the benefit of all who serve the public in any way.

5 General Standards

You are expected to give the highest possible standard of service to the public, and where it is part of your duties, to provide appropriate advice to governors and fellow employees with impartiality. You should also bring to the attention of your line manager any deficiency in the provision of service.

You must report to your line manager, in writing, any impropriety or breach of the policies or procedures of your school or the County Council. If there is any difficulty with this you should report the matter to a higher level of management (including the governing body), or to the County Council's Monitoring Officer, as appropriate. If you discover or suspect that a fraud or other financial irregularity has taken place you are required to report this to a senior manager (including the governing body). The school will ensure that all employees making such reports in good faith are protected from victimisation.

The governing body encourages employees to report any activities which may be illegal, improper, unethical or inconsistent with the Code of Conduct, rather than overlooking the problem. Employees can find further information on how to do this by viewing the school's Whistleblowing Policy which is available from the school office.

You should regard yourself as an ambassador for your school and the County Council and act in all situations in a way that will bring credit to yourself and your employer.

6 Safer Working Practice

All staff in schools will have direct contact to a greater or lesser degree with pupils. Staff must conduct themselves in accordance with the Guidance on Safer Working Practice for Adults who work with Children and Young People. Failure to do so may result in action under the School's Disciplinary Procedure, which may put continued employment at risk.

7 Honesty

Implicit in your contract of employment is the requirement to act with honesty and integrity. If you behave in such a manner that you can no longer be trusted you risk losing your employment. For example, you must not falsify timesheets, expenses claims, work progress logs or any other work records.

8 Loyalty

It is a fundamental implied term of your contract of employment that you are loyal to your employer.

Generally speaking, you must not actively criticise or challenge the policies or decisions of your school or the County Council or their managers in public. However, it is perfectly legitimate for you to use the methods of protest and persuasion that any other citizen can use such as letters of complaint, approaches to your local councillor, attendance at protest meetings or writing to the press. What you must not do is to use "inside information" which is not available to the public at large or to capitalise on your position in the school if you make statements intended to be published to the public at large.

It is also perfectly legitimate for you raise a matter of concern informally with your manager, and, if the matter affects your employment, to use the Grievance Procedure.

Employees agree to serve the school loyally and in good faith and not to act against its interests. This duty subsists throughout your employment up to your termination date and consists of:

- not misusing the school's property;
- not soliciting any commercial customers of the school or Council in order to transfer their custom to yourself once you have left employment;
- not setting up in direct competition with any commercial activities of the school or the Council (although the code does not extend to prevent you from seeking alternative employment whilst still employed); and
- not disrupting the school's or Council's business.

9 Personal behaviour

Your personal behaviour will influence the public's opinion of your school and the Council in any situation where you can be identified as an employee. Examples might include use of bad language, horse-play at work, or situations that might affect work, or any conduct that is not of the standard expected of local government employees. Whilst on school business you should be mindful that you are representing the school at all times.

The consumption of alcohol during the working day (including lunch breaks and directed time) or before commencing work is discouraged as even small quantities have an adverse effect on work performance and the reputation of your employer. Exceptions to this general rule at times such as a specific celebration are understood but those who have dealings with pupils, parents or the public after the event should not consume alcohol. There may be special circumstances, such as foreign visits, where this rule may be relaxed, following any necessary consultations, to further the social education of pupils.

If you are suspected of being incapable of properly performing your official duties by reason of alcohol or drugs, which would include the use of school machinery or vehicles, you are liable to be suspended from duty pending a decision on disciplinary action being taken against you.

You must observe the statutory smoking ban and adhere with the school's Smokefree Workplace Policy. The policy should clearly state where smoking is banned and those who breach the rules may be liable to disciplinary action. You are expected to report incidents where the policy is being breached.

10 Courtesy and co-operation

You have the right to be treated with courtesy and understanding by your colleagues, managers, the governors of the school, the County Council and its elected members and you should treat others in the same way.

You should help and support your colleagues in all their legitimate endeavours at work. You have the right to support from your manager in any difficulties you might have with work colleagues, the public or pupils provided that you have acted in accordance with your contract of employment and this Code.

11 Personal appearance

In your appearance as well as in your behaviour, you should regard yourself as an ambassador for your school and the County Council and dress in clothing that is appropriate for your duties. You should follow any dress code in place in your school. All staff are expected to be neat and tidy in appearance.

If you are required to wear specific items of clothing, hairstyles or jewellery in accordance with your ethnic background or faith, your needs will be accommodated where possible and practicable, however this must not pose a hazard to the health and safety of any person or contravene any legitimate or reasonable requirement of the school or County Council. The school reserves the right to insist that you do not wear particular items of clothing or jewellery which it believes may cause offence to customers, suppliers, or other employees or which may pose a risk to the health and safety of any person.

The school will enforce these rules having regard to the differences for male, female and transgender staff.

12 Internet and Social Networking

Personal access to the internet is considered acceptable provided that the use is reasonable, properly sanctioned by managers and is in the user's own time. Similarly, this kind of use is acceptable for officers who operate school equipment in their

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homes. The school monitors the use of the internet for legitimate business reasons, including compliance with this policy. By using the internet, users are deemed to have consented to the monitoring, recording and auditing of internet use. Employees should familiarise themselves with any Internet Usage Policy in place in the school.

The school and the Council recognises and accepts that staff may keep personal web logs (blogs) on the internet and that internet social networking sites are a useful way of interacting socially with colleagues and friends. While neither the school nor the Council wishes to discourage employees from accessing such sites on the internet, nonetheless, it expects certain standards of conduct to be observed to protect both its legitimate business interests, its pupils and its employees from the dangers of inappropriate use. This applies both inside and, in certain circumstances, outside the workplace.

As a staff member you must:

- not access social networking sites during working hours, unless you are authorised to do so for school or Council business;
- make it clear when posting information or comments on social networking sites that any personal views which are expressed do not represent those of the school or the County Council;
- not post information on a social networking site which is confidential to the school, its pupils or parents, its suppliers, customers or contractors or the Council;
- refrain from making reference on a social networking site to the school, its staff or governors, its pupils or parents, its clients, its suppliers and contractors or the Council;
- not post entries on a social networking site which are derogatory, defamatory, discriminatory or offensive in any way, or which could bring the school or the Council into disrepute;
- be aware that blogs may create documents which the courts can order to be disclosed for use in litigation. Consequently, staff will be assumed to have written any contentious items unless they can prove definitively that they have not done so; and
- not make discriminatory or offensive comments about work colleagues on social networking sites.

Offensive, defamatory or inappropriate comments about the school, its customers, suppliers or any of its staff or governors that are written on social networking sites will not be tolerated, nor will any comments of any kind about pupils or parents.

Where conduct is in breach of this Code disciplinary action may be taken in accordance with the school's Disciplinary Procedure up to, and including, dismissal.

Any blog entries made inside or outside the workplace that are defamatory, derogatory, or discriminatory about the school, its customers, suppliers, staff or governors, or the Council, will be investigated as potential gross misconduct. If substantiated, such conduct may lead to summary dismissal after the due process of the school's Disciplinary Procedure has been followed.

Before using social networking you should read and understand any Social Networking Policy in place in the school.

13 Relationships with governors

You are responsible to the school through its senior managers. If your role is to give advice to governors and senior managers, you should remember that all are there to carry out the school's work. Mutual respect between staff and governors is essential to effective local governance. Close personal familiarity between staff and individual governors can damage the relationship and prove embarrassing to other employees and governors and such situations should be avoided.

14 Relationships with the local community

You should always remember your responsibilities to the community you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community.

15 Relationships with contractors

All relationships of a business or private nature with external contractors, or potential contractors (with the exception of the public utilities), should be made known to your headteacher. Orders and contracts must be awarded on merit, by fair competition against other tenders where applicable, and no special favour should be shown to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.

If your job entails engaging or supervising internal or external contractors or having any other official relationship with contractors and you have previously had or currently have a business or personal relationship in a private or domestic capacity with any contractors (except the public utilities), you should declare that relationship to your headteacher.

You must not use, in a private or domestic capacity, any contractor with whom you have had or are having an official relationship (with the exception of the public utilities), without first obtaining the permission of your headteacher.

16 Making staff appointments and other employment matters

If you are involved in appointments you should ensure that these are made on the basis of merit. It would be unlawful to make an appointment that was based on anything other than the ability of the candidate to undertake the duties of the post.

In order to avoid any possible accusation of bias, you should not be involved in or attempt to influence an appointment where the applicant is related to you, is your partner or is a close personal friend outside work. In this context related means if you are the parent, grandparent, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of the applicant.

You must follow the school's Recruitment and Selection Code of Practice at all times if you are engaged in the recruitment of staff.

You must not be involved in or attempt to influence decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, or close personal friend or in any situation where you could benefit from that situation.

The information contained in an applicant's self-disclosure of criminal convictions or

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their criminal records certificate from the Disclosure and Barring Service is considered highly confidential and the school will restrict access to those who are entitled to see it as part of their duties. The school's Criminal Records Code of Practice clearly defines the use of such information. If you are involved in handling information about criminal records you must read and understand the policy which is available from the school office.

17 Relationships with spouses, partners and close personal friends in the workplace

Good working relationships within the work group and the formation of social links within and between work groups are signs of a healthy organisation and should be encouraged. It is accepted that this section of the Code might restrict an individual's freedom to be employed where they like but we must all be seen to operate at the highest standards of openness, fairness and integrity.

If a social relationship develops into a close personal relationship, this can often interfere with the normal working relationships within the work group and can cause others to doubt that they will be treated fairly.

If a person with whom you have a close personal relationship is employed in the school or is one of its governors, you should take special care to conduct yourself in such a manner that the relationship does not interfere with normal working relationships and does not cause others to doubt that they will be treated fairly. If it does, then you may not be able to do the job for which you are employed. Appropriate action will be taken in such circumstances.

For similar reasons, people who already have a close personal relationship should not seek employment in the same school. Governors and senior employees have a particular responsibility to ensure that there can be no question of favouritism or bias in the appointment or treatment of any person with whom they have a close personal relationship outside their school. The higher the person is in the management structure, the greater the likelihood of there being an adverse effect on normal working relationships if people with close personal relationships are employed in the organisation.

Those involved in a close personal relationship with a work colleague which has broken down must ensure that they do not involve others in their private affairs within the workplace. Relations and/or their breakdown must not interfere with working arrangements and employees must ensure that work is not affected. Neither will the school allow parties in a domestic dispute to use its employment policies and procedures as a means of pursuing a campaign of victimisation, unless there is a genuine employment issue.

18 Interests of spouses, partners and close personal friends

You must avoid situations arising where your spouse, partner or close friends work in occupations or have businesses or other interests that could reasonably be seen by the public or clients to conflict with or benefit from your employment with the school or with the County Council. All interests of this description must be declared to your headteacher. Such situations often interfere with the normal working relationship and can cause members of the public, actual or prospective contractors and clients to doubt that they will be treated fairly. If such a situation develops then you may not be able to do the job for which you are employed.

19 Use of financial resources

You must ensure that you use public funds entrusted to you in a responsible and lawful manner. You should strive to ensure value for money to the local community and to avoid legal challenge to the school or County Council.

You must abide by the school's and County Council's financial and procurement procedures and follow any instructions given by your managers and Internal Audit.

20 Equality issues

The school is committed to tackling discrimination in how it treats its employees and how it delivers services, and also to actively promoting and championing equality in the community. You are entitled to expect fair and reasonable treatment by your colleagues, managers and governors. If you feel that you have been unfairly treated, discriminated against or harassed, you are entitled to make use of the school's Dignity at Work Policy or Grievance Procedure. You are also entitled to be treated with respect by clients, service users and members of the public, and be supported with this by the school.

In the same way, you are required to treat your colleagues, pupils, parents and members of the public fairly and with respect. Not only is it a criminal offence to harass another person on any ground, it is also a disciplinary offence.

It is your responsibility to read and abide by the school's Equality Policies and to be familiar with your legal duties under the Equality Act 2010.

21 Health and safety issues

In line with legal and contractual obligations, all employees are required to cooperate and ensure compliance with school and relevant County Council health and safety policies and objectives. This includes adherence to all identified safe working procedures and risk assessments. All employees are actively encouraged to familiarise themselves with health and safety documentation, especially risk assessments, attend any training identified as part of their role and raise any health and safety concerns with, in the first instance, their line manager.

If you use a car on school business you are responsible for ensuring that you are properly licensed to drive and that the vehicle in question is properly maintained, taxed, insured and has a current MOT certificate. The insurance policy must cover you for the use of the vehicle in connection with your employment. On a regular basis you will have to produce satisfactory evidence that you and any vehicle that you use complies with prevailing statutory requirements in relation to driving and vehicle licensing, taxation and certification. If you or the vehicle are unable to meet the statutory requirements you must notify your line manager immediately and you must not use the vehicle on school business. Failure to comply with these provisions is a serious disciplinary matter.

22 Disclosure of information

It is generally accepted that open government is best. The law requires that certain types of information must be available to elected members, school governors, auditors, government departments, parents, pupils and the public. The school has procedures to ensure that it complies with its duties and responsibilities under the

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Freedom of Information Act 2000 which you should read and follow if you receive a request under this legislation. If in doubt, you should assume that information is confidential and seek permission before releasing it.

Separate policies are also in place regarding sharing information for safeguarding and welfare purposes where there can be consequences in not sharing relevant information. These can be accessed from the school office.

Against this background the school must also safeguard privacy and confidentiality and comply with its duties and responsibilities under the Data Protection Act 1998. During the course of their duties many staff regularly deal with private and confidential information relating to individual pupils, parents, members of the public or work colleagues and about groups, companies and other organisations. You must not supply confidential information to anyone who is not entitled to see it. You must also take appropriate action to protect against accidental disclosure or discovery of information and to ensure that unauthorised people do not gain access to school or County Council information systems. You should read and follow any school policies on Data Protection and Information Security and any specific procedures that are available. ICT and information security may be managed and coordinated by a specific individual, however in general security is the responsibility of all members of staff. Deliberate or negligent breaches of confidentiality and the terms of these policies are deemed a serious disciplinary matter. If you are unsure about anything, you should seek advice from your line manager in the first instance.

You must not use any information obtained in the course of your employment for personal gain or benefit, nor should you pass it on to others who might use it in such a way.

Any particular information received by you from a governor which is personal to that governor and does not belong to the school must not be divulged by you without the prior approval of that governor, except where such disclosure is required or sanctioned by the law.

23 Outside commitments

An employee's off-duty hours are their own personal concern but they should not subordinate their duty to their private interests or put themselves in a position where their duty and their private interests conflict. As a general rule, the school will not attempt to preclude employees from undertaking additional employment, but any such employment must not, in the view of the school, conflict with or react detrimentally to the school's interests, or in any way weaken public confidence in the conduct of the school's business. No secondary employment will be allowed if it results in a breach of the Working Time Regulations. If you are in any doubt about this you should seek advice from your line manager. If you wish to pursue an application you should complete the Application to Undertake Secondary Employment or Engage in Another Business Form, which is available from the school office.

If you are a teacher or a member of support staff graded above Band 7 (SCP34) you are required to devote your service to the work of the school and not engage in any other business or take up any other additional appointment (paid or unpaid) without the express consent of the school. Employees graded up to and including Band 7 (SCP34) should, however, check with their manager to ensure that any other employment they propose to undertake does not conflict with their employment with

and/or with the provisions of the Working Time Regulations. This provision applies to part-time and full-time employees.

If you engage in any paid or unpaid secondary employment or business you must not use or mention your employment with the school or the County Council in order to gain business or trade for that secondary employment.

24 Intellectual property

All creative designs, writings and drawings produced by employees in the course of their duties are the property of the school.

All inventions made by employees remain the property of the school if made during the course of normal duties. Normal duties are those described in an employee's terms of employment, job description and those arising from an instruction from a manager or other authorised representative of the school.

This means that you are not free to disclose, publish or otherwise use the work you produce for the school for personal gain or benefit unless you have express, prior approval from your headteacher.

Fees for giving lectures or writing articles may only be retained by staff where these activities are not integral to their employment or position with the school and they are conducted in the employee's own time.

25 Personal interests

You must declare any non-financial interests which could conflict with your school's or the County Council's interests to your headteacher using the Declaration of Interests and Memberships Form, which is available from the school office.

You must declare any financial interests which could conflict with your school's or the County Council's interests to your headteacher using the Declaration of Interests and Memberships Form, which is available from the school office.

You must declare membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct (for example, the freemasons) to your headteacher using the Declaration of Interests and Memberships Form, which is available from the school office.

The information supplied under the paragraphs above will not affect your position in the school. The information will normally be made available only to your headteacher and any employee nominated to be responsible for its secure storage. However, where a relevant complaint or query is made, the Council's Monitoring Officer and its auditors will also have access to the information so that a proper response can be made to the complaint or query.

26 Improper use of position, title or authority

General

Good working relationships within the work group and the formation of social links within and between work groups are signs of a healthy organisation and should be actively encouraged by managers. The paragraphs which follow, however,

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emphasise the point that, during working hours, you are paid to work for the school and not to represent or promote your private interests.

Influencing colleagues to purchase goods or services

Inside or outside working hours, you must never use your position to attempt to persuade any member of your staff to purchase any goods or services. You should also note that you may require the formal permission of the Staffing (or equivalent) Committee of the governing body before you can engage in any other business or profession.

Managers should not seek sponsorship from or attempt to sell raffle tickets etc., to their staff no matter how good or charitable the cause. However, this paragraph does not prevent colleagues undertaking these activities amongst themselves. The intention here is to remove any real or imagined pressure from management.

Touting on behalf of secondary employment

Touting for or on behalf of any secondary employment in working hours is an improper use of the school's time and will be dealt with accordingly. You should also note that you may require the formal permission of the Staffing (or equivalent) Committee of the governing body before you can engage in any other business or profession.

27 Use of School or County Council Property

General

The general rule is that you must only use school or County Council property at the workplace for work purposes and the paragraphs below set out this requirement in more detail. However, there are exceptions. In the first place, teachers necessarily work at home and need to take books and records home to do that work. In addition, the headteacher may give staff permission to use school or County Council equipment away from the workplace. Examples of this might include:

- the short-term loan of equipment, textbooks or manuals so that you may study or practice in your own time and so be able to do your job more effectively;
- the loan of equipment to enable you to do official work at home and so increase productivity.

In these circumstances, the headteacher should keep a proper record of the identity of the equipment, the period of the loan, the reason for the loan and any restrictions imposed on the use of the equipment.

Premises

You must not engage in any secondary employment or business on school premises at any time. To do so could be interpreted as gaining a pecuniary advantage by way of your employment and that is illegal.

If you are engaged in secondary employment you must not park any vehicle within the school grounds if it can be identified as being a vehicle used for that employment or if it contains any visible materials relating to that secondary employment. If the vehicle otherwise satisfies the foregoing conditions it must also be suitable and available for use in your official capacity if you are required to use a vehicle in your employment with the school.

You must not store any items connected with any secondary employment or any personal items (except those which are used in connection with your official duties) on school premises.

Equipment and other property

Where equipment is made available to the public you may use it at the same charge (if any) as is made to the public. Otherwise, equipment and property belonging to the school or the County Council must only be used for official purposes. Some particular examples and exceptions are shown below.

Clothing and Personal Protective Equipment

Clothing and personal protective equipment supplied by the school or County Council may be worn between home and work if that is convenient for you but under no circumstances may it be worn for domestic use or during, in connection with, or when travelling to or from any secondary employment.

Tools-of-the-trade

No "tools of the trade" supplied by the school or the County Council may be used in connection with any secondary employment.

Telephones

Personal mobiles or pay phones should be used if there is a need to make personal calls during working hours. You are expected to be conscious of excessive use of mobile phones during work time and this must be kept to an acceptable level. School mobiles issued for use for work purposes must only be used for work calls.

You may also use the work telephone to receive a reasonable number of incoming calls, to phone home to say that you will unexpectedly be working late and for emergency reasons.

Under no circumstances should work telephones be used in connection with any secondary employment.

Photocopiers

Private use of such equipment in school must be paid for and it must not be used in connection with any secondary employment.

Fax machines

School fax machines which are not available for public use must only be used for school business.

Franking machines and stamps

Under no circumstances must any mail which is not official school mail be caused or permitted to be franked by a school franking machine. You should use your own postage stamps on any material posted through the school or County Council post system.

Computers

School or County Council computing equipment must only be used for school or County Council purposes.

Stationery

Documents issued under the banner of the County Council or any of its schools, organisations or establishments must only be used for their official purposes. It should be noted that the use of such documents for any other purpose might constitute a criminal offence.

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School headed paper must only be used where you are expressing the view of the school or acting on its behalf.

Leased cars

If you have a car leased to you by the school you may only use it for the purposes described in your lease agreement.

School vehicles

If you have a school vehicle which you use in your day-to-day work it is your responsibility that it is only used for school business and not for personal use.

28 Vouchers

Vouchers obtained through school or County Council purchases are the County Council's (or, in some cases, the school's) property and are to be used only for official purchases for the relevant body.

29 Cash and Carry cards

Cash and Carry cards obtained by the school or the County Council are to be used only for official purchases for the relevant body.

30 Business credit cards and account arrangements

Credit cards obtained by the school or County Council are to be used only for official purchases for the relevant body and to enable you to perform your official duties.

Account arrangements with fuel suppliers and fuel (agency) cards are to be used only for purchases for school or County Council vehicles when being used on official business. They must not be used for travel in any vehicle in a personal capacity or in connection with any secondary employment.

31 Situations of personal gain or advantage

General

The following paragraphs should be followed carefully as it is criminal offence to gain a pecuniary advantage by way of your employment with the school or County Council.

Purchases from school or County Council stocks

You may purchase from stocks of property or goods owned by the school or County Council, for yourself or for others, only if those items are generally available for sale to the public or if the County Council or the school has specifically invited employees to make such a purchase.

Purchases from school or County Council contractors and clients

You may purchase property, goods or services for yourself or others from contractors engaged by the school or County Council but only at the prices and by the means adopted for the sale of such items to the public at large. Exceptions to this rule are, for example, where the school or County Council makes specific arrangements (such as the staff discount scheme) for all its employees.

Purchase of surplus property

You may purchase surplus property or goods owned by the school or County Council in accordance with the guidelines issued by the County Council's Internal Audit and

adopted by your school.

Bribery Act 2010

There are several offences under the Bribery Act 2010 which relate to schools including:

- Bribing - where a person offers, promises or gives a financial or other advantage to another person, with the intention of inducing them to perform improperly a relevant function or activity, or to reward a person for such improper performance.
- Receiving a bribe - Where a person requests, agrees to receive or accepts a financial or other advantage with the intention that, in consequence, a relevant function or activity should be performed improperly by themselves or another. It does not matter whether the advantage is direct or through a third party, or whether the benefit is for that person or another.
- Bribing a foreign official - Where a person with the intention of obtaining or retaining business, or an advantage in the conduct of business, bribes a foreign public official with the intention of influencing them in their capacity.

The offences under the Act carry a maximum of 10 years imprisonment and/or an unlimited fine for an individual. You should read and abide by any advice provided by the school in relation to its Anti-Fraud and Corruption Strategy.

32 Separation of roles during tendering

If you are involved in the tendering process or dealing with contractors, you should be clear on the separation of client and contractor roles within the County Council and the school. If you are a senior employee with both a client and contractor responsibility, you must be aware of the need for accountability and openness.

If you are privy to confidential information on tenders or costs for contractors, you should not disclose that information to any unauthorised party or organisation.

You should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

33 Corruption

You are warned that it is a serious criminal offence corruptly to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in your official capacity. If an allegation is made, the law is such that the onus is on you to demonstrate that any such rewards have not been corruptly obtained.

The public is entitled to demand of a local government employee, conduct of the highest standard and public confidence in their integrity would be shaken were the least suspicion to arise that they could be influenced by improper motives. Any offers of a bribe must be reported immediately to the headteacher or Chair of Governors.

34 Sponsorship giving and receiving

Where an outside organisation wishes to sponsor or is seeking to sponsor a school activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must

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be taken when dealing with contractors or potential contractors.

Where the school wishes to sponsor an event or service neither you, nor any partner, spouse or relative, must benefit from such sponsorship in a direct way, although there is no objection to you obtaining insignificant or token benefits up to a value of £25. Benefits of greater value should be dealt with in the same way as gifts from service users and pupils.

Where the school through sponsorship, grant aid, financial or other means, gives support in the community, you should ensure that impartial advice is given and that there is no conflict of interest involved.

35 Hospitality

You should only accept offers of hospitality if there is a genuine need to impart information or represent the school or County Council in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community and where the school or County Council should be seen to be represented. In such cases they should be properly authorised by your headteacher and recorded using the Declaration of Hospitality and Gifts Form available from the school office.

Headteachers should review and approve hospitality but also check at the same time that regular instances of hospitality with the same supplier are appropriate.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the fact that people working in local government must be seen to be acting impartially and with integrity.

When receiving authorised hospitality you should be particularly sensitive as to its timing in relation to decisions which the school or the County Council may be taking affecting those providing the hospitality.

It is acceptable for you to accept hospitality through attendance at relevant conferences and courses when it is clear the hospitality is corporate rather than personal, where the headteacher gives consent in advance and is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc., are required, you should ensure that the school meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

A checklist is provided at Appendix A which can you use to help you decide whether or not it is appropriate to accept hospitality.

36 Gifts

General principles

The high standards of integrity applying to people employed in local government and in education, in particular, require that all staff provide an equally high standard of service to all service users, pupils, clients and contractors without fear or favour.

In other circumstances, in a climate where gifts are accepted, the general public and the givers of gifts can come to believe that the level of service provided could be influenced by gifts, whether or not this is true in practice. Therefore, neither you nor members of your family should accept significant personal gifts from service users, clients, pupils, contractors or outside suppliers, although the school has no objection

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to you keeping insignificant items of token value such as pens, diaries, etc., up to a value of £25. Gifts of greater value should be dealt with as set out below. Where a number of small gifts over a period of time amount to more than £24 collectively these should be declared.

A checklist is provided at Appendix A which can you use to help you decide whether or not it is appropriate to accept gifts.

Gifts from service users or clients

The aim must always be to refuse a gift politely and tactfully and to give a proper explanation of the reasons for the refusal. If it is clearly not going to be possible to do this without causing unnecessary distress or offence to the donor, try to make an opportunity to consult your manager before accepting. If this is not possible, and you are quite sure that refusal would cause significant distress or offence, accept the gift but make an immediate written note of the details of the gift and the circumstances in which the gift was made and give that note to your manager at the first available opportunity. The headteacher will complete the Declaration of Hospitality and Gifts Form available from the school office so the information can be formally recorded. It will be for senior management in the school or the Staffing (or equivalent) Committee of the governing body to decide what should happen to the gift.

Occasionally a gift may simply be delivered and there may be a problem over returning it, for example, a turkey at Christmas. Should that happen, consult a senior manager about what to do. It may, for example, be acceptable to the donor for the gift to be raffled and the proceeds donated to charity or it may be possible to ensure that needy members of the local community (and not any school employees) receive the benefit of the gift. Whatever is done should be agreed with the headteacher or the Staffing Committee of the governing body and the agreed course of action should be clearly documented using the Declaration of Hospitality and Gifts Form.

Gifts from pupils

It is recognised that pupils often give presents to members of staff, especially at Christmas, the end of trips or when a member of staff or class is leaving. The Code is not intended to prevent this happening. However, in the unlikely event of a member of staff receiving a substantial gift from an individual pupil (or their parent/carer) at an unexpected time, it would be advisable for the member of staff to register the gift with their headteacher in accordance with the above guidance.

Revision Record of Issued Versions			
Author	Creation Date	Version	Status
School Support	December 1998	1.0	Final version
Changed by	Revision Date		
School Support (SH)	18 October 2010	1.1	As above but updated with changes to department names, statutes etc.
Northumberland HR for Schools (SH)	19 July 2013	2.0	Revised version agreed with Joint Unions taking into account revisions to the NCC Corporate Code of Conduct.
Northumberland HR for Schools (SH)	30 September 2013	2.1	Title amended to include specific reference to volunteers.

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Appendix A - Checklist for considering whether to accept a gift or hospitality

The question in all cases is one of judgement, and the following checklist of queries should help you to decide whether a gift or an offer of hospitality should be accepted or tactfully declined:

- (a) Is the value of the gift/hospitality £25 or over?
- (b) If under £25 is it intended as an inducement?
- (c) Is the extent of the hospitality, or nature of the gift reasonable and appropriate?
- (d) Does the donor have any form of contractual relationship with the school or County Council, does it provide goods or services to the school or Council of any kind?
- (e) Is the invitation/gift directed to a large group of unrelated individuals or open to the public, or have you been targeted because of your employment with the school and nature of your role?
- (f) What do you think is the motivation behind the invitation/gift?
- (g) For hospitality do you want to go and if so, why? Is it because there will be genuine benefits to the school in terms of networking and contacts gained? Or is a desire to go centred around personal enjoyment?
- (h) Would acceptance of the invitation be, in any way, inappropriate or place you under pressure in relation to any current or future matter involving the school or Council?
- (i) For gifts is there a difficulty in returning the gift? If it would cause offence can the gift be given to charity or can you pay an equivalent price of the gift to charity?

If you decide to accept a gift over £25 you must register that in the register of interests, if you decline a gift over £25 this should also be registered with a statement that the gift was declined.

You should consider carefully whether to register gifts and offers of gifts below £25 having regard to issues highlighted above using the Declaration of Hospitality and Gifts Form available from the school office.