



**ORMISTON SANDWELL  
COMMUNITY ACADEMY**

# **Professional Code for Staff**

**January 2021**

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Date for review: June 2022

The Ormiston Sandwell Community Academy is a unique organisation which will deliver exceptional learning experiences for students and the local community. In doing so, we have outlined the framework for our vision and how we will achieve the high standards we have set ourselves.

All staff within the academy are central to achieving the vision, transmitting the philosophy and values which underpin it and binding us in achieving outstanding outcomes. Responsibility and accountability for all aspects of our work and what we achieve is shared by every member of staff within the academy.

Our vision statement is:

- Transforming lives, shaping dreams, inspiring our community to transcend all expectations – in learning, in life, in all that we do

This is summarised in our key values of:

- Opportunity
- Scholarship
- Compassion
- Aspiration

The standards expected of all staff within the Academy, therefore, will be exemplary and reflect this vision and its underpinning values – this will be the norm, not the exception. Our mission is to achieve outstanding learning and, in doing so, improve the future for all of our students.

The Ormiston Sandwell Community Academy will:

- ✓ Be a beacon of excellence in all areas of our work
- ✓ Achieve a genuine desire for learning within the academy and promote the value of lifelong learning within our community
- ✓ Embrace innovation as the norm
- ✓ Be at the cutting edge of educational development and research
- ✓ Regenerate and inspire new life and confidence into our local community
- ✓ Continually raise aspirations, attainment and transform the life chances of those we serve

All staff at the academy will ensure that we achieve our mission by promoting the vision and adopting the following high personal and professional expectations:

- ✓ Creating a genuine learning environment in which the contributions of all individuals are recognised, valued and celebrated
- ✓ Observing the academy professional dress code and adopting a professional manner in all types of communication with others – staff, students and stakeholders

- ✓ Support each other in achieving outstanding practice
- ✓ Consistency in operating all policies, procedures and practices
- ✓ Challenging anyone who brings the reputation of the academy into question
- ✓ Value students and parents as the most important people within the academy and treat them with respect at all times
- ✓ Be responsible for developing global citizens who embrace change and developments
- ✓ By engaging parents, employers and the local community in curriculum activities
- ✓ Ensure that students learn from staff by being a positive role model in approaches to learning, dress, morals, attitude and optimism
- ✓ By communicating effectively (in person, in writing and/or in other forms of contact) with courtesy, professionalism and positivity
- ✓ By meeting all deadlines and producing the highest quality work at all times
- ✓ By promoting a consistent and positive approach to behaviour and academy ethos
- ✓ Ensuring that their personal contribution to the academy will be inspiring for others
- ✓ Support each other through exemplary attendance, punctuality, meeting deadlines and by being positive

## **1. Introduction**

*All* employees have personal and legal responsibilities, including; treating others with dignity and respect; acting honestly, using public funds and academy equipment appropriately, adhering to health and safety guidelines and practising equal opportunities at all times. These expectations are set out below and should be fully observed by all staff, including the Principal and Senior Leadership Team.

This document is not a prescriptive guide to what employees should and should not do. It highlights the principal areas where employees need to be aware of their responsibilities when working in the academy and is a framework for behaviour. Employees should ensure they are familiar with the specific policies that underpin these behaviours through reference to the documents highlighted in the “Required Reading” throughout the code. If these documents are not supplied at induction, the employee should ask the academy for copies.

## **2. Compliance with the Professional Code**

The Professional Code forms part of an employee’s contract. Failure to comply with it and with the associated academy policies (“Required Reading”) may result in disciplinary action being taken and the academy reserves the right to take legal action against employees where breaches of the Code warrant such action. The professional code of conduct applies to work inside the academy and when a member of staff is representing the academy, whether this be during online teaching, at a meeting or on an academy trip/event. It is also important for staff to understand the expectation placed on them working within a ‘position of trust’. Further guidance on this can be found in the documents listed in required reading.

### **3. Professional behaviour and conduct**

#### **3.1 Treating other people with dignity and respect**

All employees are expected to treat other colleagues, students and external contacts, such as parents, with dignity and respect. Staff are required to comply with the academy's equality policies in respect of colleagues, students and other contacts such as parents. Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated in the academy. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, students and parents.

#### **3.2 Appropriate relationships with children**

Academy employees are expected to act in an open and transparent way that would not lead any reasonable person to suspect their actions or intent. Employees in the academy are in a position of trust and have a duty to protect young people from discrimination and harm and to maintain appropriate professional boundaries. It is equally important for staff to avoid behaviour that might be misinterpreted by others in order to protect both young people and themselves.

Staff are required to read and understand academy policies on child protection.

#### **3.3 Professional behaviour**

Employees must not misuse or misrepresent their position, qualifications or experience or bring the reputation of the academy into disrepute. Such behaviour may lead to disciplinary action.

#### **3.4 Criminal actions**

Academy employees must inform the Principal (Governing Body if the employee is the Principal) immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. The Principal or Governing Body will discuss this with the employee in the context of their role and responsibilities in order to help safeguard children and other employees at the academy.

#### **3.5 Required reading:**

- ✓ OSCA Child Protection policy and procedure
- ✓ OSCA Equality Policy
- ✓ Guidance for Safer Working Practice – DFE 2009

### **4. Declaration of Interests**

An employee is required to declare this where the group or organisation would be considered to be in conflict with the ethos of the academy. Membership of a trade union or staff representative group would not need to be declared.

Employees should also consider carefully whether they need to declare to the academy their relationship with any individual(s) where this might cause a conflict with the academy activities. For example, a relationship with a Governor, another staff member or a contractor who provides services to the academy.

Failure to make a relevant declaration of interests is a very serious breach of trust and therefore if employees are in doubt about a declaration, they are advised to take advice from their academy or union.

## **5. Probity of records and other documents**

The deliberate falsification of documents is not acceptable. Where an employee falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

Where an employee who has claimed any benefit, including housing benefit, either directly or indirectly and has failed to disclose their full earnings, this will be treated as gross misconduct and the employee may be dismissed and referred to the Police.

## **6. Financial inducements**

### **6.1 Financial Regulations for the Academy**

All academy employees must comply with the academy's Financial Regulations. Employees should familiarise themselves with the regulations but some of the principal employee requirements are summarised below.

### **6.2 Business Contacts**

In this section, "business contact" refers to any person, body or organisation with which the academy is involved on a financial or charitable basis (including contractors; developers; consultants; regional or national charities). This also includes business contacts who are potential suppliers (e.g. they are tendering for future business).

#### **6.2.1 Declaration of gifts**

Any gifts that are received should be declared in writing to the Governing Body on the Register of Gifts and Hospitality (Appendix 1) with the exception of those items specifically identified in sections 6.4 and 6.5 below. This document shall remain available for inspection by the Trust's Internal Audit department.

### **6.3 Gifts or hospitality to an employee**

Where a business contact offers a personal gift, personal payment or other incentive such as secondary employment to an employee, these should not be accepted and should be returned with a suitable official letter. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality.

If it is not possible to return gifts then the employee who deals with that supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to these are:

Low cost, functional items suitable for business use rather than personal use and displaying the supplier's logo e.g. diaries, calendars and pens. These items may be accepted and do not have to be included in the Register of Gifts and Hospitality.

Gifts offered by parents or students to academy staff to express their thanks, such as boxes of chocolates, however, only gifts with an individual value of £25 or less may be accepted. Such gifts do not have to be declared in writing to the Governing Body or be included in the Register of Gifts and Hospitality. For the avoidance of doubt employees must always refuse gifts of money.

Where hospitality in the form of meals and drinks is offered by a business contact, this is only acceptable where it forms part of a normal business meeting (for example, refreshments at training events or meals at evening meetings). Offers of hospitality to specific events such as a dinner or sporting event, should only be accepted after authorisation from the Governing Body.

These would normally only be approved where there is a clear and demonstrable benefit to the academy and the hospitality would not expose the academy to criticism that the business contact was exerting undue influence. These should be recorded in the Register of Gifts and Hospitality.

Visits by employees to exhibitions, demonstrations, conferences, business meals and social functions in connection with the academy's business and authorised by the academy, shall be at the academy's expense.

#### **6.4 Gifts or hospitality to the academy**

Where a business contact sends a gift to the academy (for example, a stationery supplier sending a gift), these should not be accepted and should be returned to the supplier. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality.

If it is not possible to return the gift, the employee who usually deals with the supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the academy and should be included in the Register of Gifts and Hospitality.

The only exceptions to this are low cost, functional items suitable for business use (as opposed to personal use), such as diaries, calendars or pens, may be accepted and do not have to be declared on the Register of Business Interests.

#### **7. Use of academy contacts**

Apart from participating in concessionary schemes arranged by trade unions or other such groups for their members, employees shall not use academy business contacts for acquiring materials or services at trade/discount prices for non-academy activities.

#### **8. Other employment**

Employees are permitted to take up secondary employment outside the academy, as long as the activity does not constitute a conflict of interest, adversely affecting their primary employment at the academy or exceed the legal maximum working week of 48 hours, as defined by the Working Time Regulations.

The secondary employment must be undertaken outside the working hours of the employee's normal post and employees are required to keep the Principal (Governing Body if the employee is the Principal) informed of their employment at other organisations.

## **9. Required reading:**

- ✓ OSCA Health and Safety Policies

## **10. Use of alcohol and illegal drugs**

The taking of illegal drugs during working hours is unacceptable and will not be tolerated. All employees are expected to attend work without being under the influence of alcohol or illegal drugs and without their performance being adversely impacted by the consumption of alcohol or illegal drugs.

If alcohol or drug usage impacts on an employee's working life, the academy has the right to discuss the matter with the employee and take appropriate action, having considered factors such as the academy or Trust's reputation and public confidence.

## **11. Use of academy premises, equipment and communication systems**

Academy equipment and systems (phone, email and computers) are available only for academy related activities and should not be used for the fulfilment of another job or for personal use. This is unless authorised by the Principal (for the Principal, this is the Chair of Governors); in case of an emergency, or where used for brief periods outside of working hours.

This includes photocopy facilities, stationery and premises. It also applies to access provided for remote use (e.g. hand held portable devices etc.) and to staff working outside of academy premises and using their own IT equipment.

Illegal, inappropriate or unacceptable use of academy equipment or communication systems may result in disciplinary action and in serious cases could lead to an employee's dismissal. This list is not exhaustive and includes:

- ✓ Creating, sending or forwarding any message that would reasonably be considered inappropriate or unacceptable
- ✓ Committing or implying commitment to any contractual arrangements
- ✓ Accessing, publication or circulation of illegal, offensive, unacceptable, inappropriate or non-work related material
- ✓ Any illegal activities
- ✓ Posting confidential information about the academy and/or other employees, children or parents
- ✓ Gambling or gaming
- ✓ Unauthorised use of academy facilities (or employee's personal IT equipment), for personal use during employee's working time

Employee's receiving inappropriate communication or material or who are unsure about whether something s/he proposes to do might breach this policy should seek advice from the Principal.

The academy has the right to monitor e-mails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems

from viruses, but also to ensure proper and effective use of systems. Communication systems may be accessed when the academy suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity.

Accredited Trade Union representatives can use academy communication systems for the purposes of undertaking trade union duties and these will be treated as confidential.

Passwords should not be shared and access to computer systems must be kept confidential. Breach of this confidentiality may be subject to disciplinary action.

Where appropriate the academy should consider a system of proxy access. Any academy equipment that is used outside academy premises, for example laptops, should be returned to the academy when the employee leaves employment or upon request by the Principal.

### **Required Reading**

- ✓ GDPR policy
- ✓ Acceptable use Staff Policy
- ✓ ICT use guidelines – staff handbook

### **12. Social networking websites**

Academy employees must not access social networking websites for personal use (i.e. non-job related use) during work time.

Access to some journals, blogs and social networking sites is permitted during work time for the purposes of undertaking job related duties only. Academy employees must act in the best interests of the academy and not disclose personal data or information about any individual including staff, young people or children. This includes images. Access may be withdrawn and disciplinary action taken if there is a breach of confidentiality or defamatory remarks are made about the academy, staff, young people or children.

The academy respects an employee's private life. However, it must also ensure that confidentiality and its reputation are protected. Employees using social networking websites in their private life;

- ✓ Must refrain from identifying themselves as working for the academy, in a way which has, or may have, the effect of bringing the academy into disrepute
- ✓ Must not identify other academy employees, children or young people without their consent
- ✓ Must not make any defamatory remarks about the academy, its employees, children or young people, or conduct themselves in a way that is detrimental to the academy
- ✓ Disclose personal data or information about the academy, employees, children or young people, that could breach the Data Protection act 1998, for example, posting photographs or images of children or young people
- ✓ Must not allow students to access their personal social networking accounts and where they are contacted by a student, they should bring it to the Principal's attention

### **13. Personal Websites and Blogs**



Employees who wish to set up personal web-forums, weblogs or 'blogs' must do so outside of work, not use academy equipment and adhere to the points detailed in the paragraph above.

## **14. Confidentiality**

All employees at the academy and the Governing Body come into contact with a significant volume of data and information in relation to students, staff, academy activities and many other matters. There is an obligation to read and to observe the requirements of the Data Protection Act 1998.

### **14.1 Required reading:**

- ✓ OSCA Data Protection and Retention Policy.

### **14.2 Managing data**

Under the Data Protection Act, staff are required to collect, maintain and dispose of sensitive or personal data in a responsible manner.

### **14.3 Disclosing data**

Staff should not disclose sensitive information about the academy, its employees or the Trust to other parties, for example, parents or colleagues. There are particular exceptions to this; for example disclosure of suspected or alleged abuse of a student to Child Protection officers; discussion with a person accompanying or representing an employee in a formal meeting or disclosure under the Whistleblowing Procedure. All communication with the media must be directed through the Principal or their nominee.

There are circumstances in which staff are obliged to release student data, for example, parents seeking information about student progress or other colleagues in the academy. Staff should be aware that, from time to time, information about employees' salaries is matched with other public sector information (for example housing benefits) in order to prevent fraudulent claims.

### **14.4 Access to data**

Everyone has the right to request access to data that is held about them and such requests should be made to the Principal who will address the request in conjunction with the academy's Data Protection Officer.

## **15. Copyright**

Copyright legislation should be displayed next to photocopier machines and employees are required to adhere to the guidance provided about use of educational resources.

## **16. Intellectual Property**

The Patents Act 1977 as amended by the 1988 UK Copyright, Designs and Patents Act states that inventions and patents, e.g. plans, reports, designs, unique processes or software, etc. are 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 specifically assigned to the employee and where invention might be reasonably expected; or
- ✓ It was made in the course of the employee's duties and at the time the employee had (because of the nature of his or her duties and particular responsibilities arising from them) a special obligation to further the interests of the employer.

## **17. Appointment and Management of staff**

Employees involved in the recruitment of internal and external staff must ensure that the decision to appoint is based on merit, (see the Recruitment and Selection Policy). An appointment that is based on anything other than the ability of the candidate to do the job may leave the academy vulnerable to allegations of discrimination. Employees must not be involved in an appointment where they are related to the applicant, or have a close personal relationship with him or her.

For the purposes of this guidance the definitions of partners/relatives are on-going personal and emotional relationships, marriage and close family members.

It is the policy of the academy that spouses/partners will not be employed where there will be a line management relationship between them relating to discipline, promotion or pay adjustments and/or where they will be employed together in the area of contracts or finance. This will ensure that our parents and staff feel confident that decisions within the academy are made in a fair and equitable way based on the reasonable application of professional judgement. Equally managers and supervisors will want to ensure that their decisions are not influenced by personal considerations. The requirement of managers to maintain confidentiality may also put strains on personal relationships.

If a personal relationship develops where there is a line management responsibility, managers must investigate the situation and discuss the issues with the employees concerned. Where there is evidence that the working relationship will cause a conflict of interest i.e. where the service involves financial and/or contract work the manager must look for an alternative post for one of the employees involved. The decision of who should move to an alternative post must be based on the degree of impact the loss of either employee would have on the particular service. Each case must be decided on its merits to ensure that the decision made is on objective and reasonable grounds and not unfairly discriminatory.

There may be the opportunity to retain both employees in the same area if another manager can take on the line management element of the role in the same department or if the work can be re-arranged. A decision can only be made once a full investigation has taken place and the employees have had an opportunity to express their views. Where there is no alternative post or way of working, this may result in dismissal for "some other substantial reason". Managers must ensure that the decision to redeploy or dismiss is fair and based on measurable criteria. A full investigation must be undertaken before a decision is made. Dismissal is not automatic all other avenues must first be explored.

## **18. Absence from work**

All leave should be approved prior to it being taken. This includes parental leave, special leave, etc. Failure to notify absence is unauthorised absence.

## **19. Poor timekeeping**

Managers must set a timekeeping standard that is known to all employees. This standard should be applied consistently with employees arriving and departing from their place of work at the agreed times.

Employees must inform their managers/colleagues of their whereabouts and expected time of return when they are out of the office e.g. off-site meetings/visits etc.

## **20. Negligence**

Negligence arises from failure by the employee to exercise reasonable care in his or her work. Employees must not cause loss or damage through carelessness, negligence, a reckless act or breach of instructions. It is only a disciplinary offence if the individual is considered to be personally responsible.

## **21. Refusal to obey a reasonable instruction**

It is the responsibility of all employees to carry out reasonable instructions. In those circumstances where an employee refuses to obey a reasonable instruction, it will be necessary to investigate the situation and depending on the outcome of an investigation it may result in disciplinary action. See the Whistleblowing Policy, where refusal to carry out a reasonable instruction is linked to a matter of conscience.

## **22. Employees using private vehicles for academy business must ensure:**

- ✓ The vehicle is roadworthy and complies with Road traffic/Transport regulations
- ✓ That the vehicle is insured for "business use"
- ✓ They are licensed to drive the vehicle
- ✓ They do not drive under the influence of drink/drugs or where there is ill health that may impair their ability to drive the vehicle safely
- ✓ They abide by the current Road Traffic/Transport Regulations

## **23. Professional Dress Code for All Staff**

All Academy colleagues are expected to wear professional dress at all times, below are the guidelines and expectations of the dress code.

Staff must at all times be dressed in an appropriate, professional manner. Staff to wear business dress, usually consisting of (but not always) shirt/tie, trousers/skirt and jacket

General expectations are:

- ✓ No crop tops
- ✓ Tattoos must not be visible/on show wherever possible
- ✓ No décolletage (low neckline garments)
- ✓ No denim
- ✓ Skirts/dresses must be approximately knee length or longer
- ✓ No nose, lip, tongue or brow studs
- ✓ No camisole/vest style tops
- ✓ No bra straps visible
- ✓ No transparent garments
- ✓ No trainers (except PE and Dance staff) or plastic/rubber flip flops

### **PE Staff**

Please note that shorts must be of an appropriate length. (knee length if possible)

### **Premises Staff/Admin Staff/ICT staff**

Obviously exceptions will apply. Clothing allowance provided for these roles.

Should you have any queries or concerns, please raise them in the first instance with your line manager.

### **24. Registers**

The taking of attendance registers by staff is a legal requirement. Failure to take registers, where there is not an appropriate reason, could lead to disciplinary action.