

# Manor Hall Academy Trust



## CODE OF CONDUCT FOR EMPLOYEES' POLICY

Responsibility for monitoring and reviewing this policy lies with the Central Trust Team and Directors. A review of this policy and recommendations for change should be presented to the Directors of the trust for verifications and consulted on with unions.

The Directors of the trust, in line with the Scheme of Delegation and Articles of Association have overall responsibility for the effective operation of MAT policies, but has delegated day to day responsibility to the Headteacher and LAB.

Directors will take account of recommendations from individual schools in review of this policy and seek HR advice as to such revisions.

Consulted with the JCNC	Nov 2022
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Date	Version	Reason For Change	Overview of Changes Made	Source
11.12.2020	1	Scheduled Review	Approved	Directors
5/2/2021	1	Strengthen Policy	Section 2.4, 3.2, 6.3	DSL Network
10.9.21	2	2021 Keeping Children Safe in Education	<ul style="list-style-type: none"> <li>• Introduction – inclusion of paragraph about the expectations in the KCSIE for all schools to have a staff code of conduct.</li> <li>• 3.5 new section on Low level concern to meet the best practice recommendation in the KCSIE 2021</li> <li>• 5.4 Honesty and Integrity – new addition to ensure that Trusts have up-to-date staff records and are made aware of any potential child protection issues</li> <li>• 6.3 Clarity on signposting to Safeguarding Policy</li> <li>• 6.6 Clarity on negative comments on social media</li> <li>• 7.1 Confidentiality updated to provide clarity and clear signposting</li> </ul>	DSL Network
Autumn 22	3	2022 – Keeping Children Safe in Education	<ul style="list-style-type: none"> <li>• To include allegations that may meet the harms threshold and whistle-blowing</li> <li>• Remove the example using inappropriate language from the possible low-level concerns and replace with humiliating pupils</li> <li>• To reflect that the staff code of conduct should also include low-level concerns, allegations against staff and whistle-blowing.</li> <li>• Reformatted for ease of reference</li> <li>• Added link to the document – MHAT Allegations of Abuse Autumn 2022</li> <li>• To include a contents page</li> </ul>	DSL network
Autumn 23	4	Keeping Children Safe in Education and guidance from the Key	<ul style="list-style-type: none"> <li>• Reviewed to ensure compliance with the KCSIE</li> <li>• Added link to the Alcohol and Substance Misuse policy</li> <li>• Added information concerning the use of Smart watches</li> </ul>	

## CONTENTS

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Section 1 – Introduction.....	page 4
Section 2 – Purpose, scope and principles.....	page 4
Section 3 – Being a role model.....	page 4
Section 4 – Safeguarding pupils.....	page 5
Section 5 – Allegations that may meet the harms threshold.....	page 5
Section 6 – Low Level Concerns by a member of staff.....	page 6
Section 7 – Whistleblowing.....	page 6
Section 8 – Pupil Development.....	page 7
Section 9 – Honesty and Integrity.....	page 7
Section 10 – Conduct Outside Work.....	page 8
Section 11 – Acceptable use of technology.....	page 9
Section 12 – Use of mobile devices.....	page 9
Section 13 – Use of Smart Watches.....	page 10
Section 14 – Confidentiality.....	page 10
Section 15 – Dress code.....	page 10
Section 16 – Smoking, alcohol and other substances.....	page 10
Section 17 – Showers and changing.....	page 11
Section 18 – One to One situations.....	page 11
Section 19 – Transporting pupils.....	page 11
Section 20 – Disciplinary action.....	page 12
Section 21 – Other documents referred to.....	page 12
Appendix 1 – Aide memoire to all staff.....	page 13
Appendix 2 – Teacher standards effective from 1 September 2012 DfE.....	page 14

## **1.INTRODUCTION**

As an employer, the Board of Directors are required to set out a Code of Conduct for all school employees.

Our mission statement reflects how the Trust is to conduct itself at all times. All communication and interaction between members of staff, pupils, parents, carers and stakeholders - must reflect our mission statement: Building Relationships-Celebrating Success-Promoting Progress and Independence.

All staff employed under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the 'Teachers' Standards 2012' and in relation to this policy, Part 2 of the Teachers' Standards - Personal and Professional Conduct. Staff should be aware that a failure to comply with the following Code of Conduct could result in disciplinary action including dismissal.

In line with the statutory safeguarding guidance [Keeping Children Safe in Education](#), we should have a staff code of conduct, which should cover acceptable use of technologies (including the use of mobile devices), staff/pupil relationships and communications, including the use of social media.

## **2. PURPOSE, SCOPE AND PRINCIPLES**

A Code of Conduct is designed to give clear guidance on the standards of behaviour all staff are expected to observe, and the school should notify staff of this code and the expectations therein. Manor Hall Academy staff are in a unique position of influence and must adhere to behaviour that models the highest possible standards for all the pupils within the Trust's schools. As a member of a school community, each employee has an individual responsibility to maintain their reputation and the reputation of the Trust and its schools, whether inside or outside working hours.

## **3. BEING A ROLE MODEL**

- 3.1 This Code helps all staff to understand what behaviour is and is not acceptable and must understand the statutory frameworks they must act within.
- 3.2 All staff who work in schools set examples of behaviour and conduct which can be copied by pupils. Staff must therefore avoid using inappropriate or offensive language at all times nor should they express personal beliefs in a way that exploits pupils' vulnerability or might lead them to break the law.
- 3.3 All staff must, therefore, demonstrate the highest standards of conduct in order to encourage our pupils to do the same. This includes maintain high standards in their attendance and punctuality; treating pupils with dignity and respect and showing tolerance and respect for the right of others
- 3.4 All staff must also avoid putting themselves at risk of allegations of abusive or unprofessional conduct.
- 3.5 The code of conduct covers the behaviour of staff both inside and outside of working hours.

3.6. Not undermine fundamental British values, including democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

#### **4. SAFEGUARDING PUPILS**

4.1 All staff must have full awareness and understanding of the current DfE Keeping Children Safe in Education statutory guidance, Working Together to Safeguard Children statutory guidance and The Manor Hall Academy Trust's Safeguarding Policy

4.2. Staff must maintain professional boundaries with pupils appropriate to their position and must always consider whether their actions are warranted, proportionate, safe and applied equitably. Staff should act in an open and transparent way that would not lead any reasonable person to question their actions or intent. Staff should think carefully about their conduct so that misinterpretations are minimised. Concerns about an adult member of staff should be reported direct to the Headteacher not the DSL. If the concern is about the Headteacher it must be reported to the Chair of LAB or the CEO.

4.3 Staff have a duty to safeguard pupils from physical abuse sexual abuse emotional abuse neglect

4.4 The duty to safeguard pupils includes the duty to report concerns about a pupil/student to the school's Designated Safeguarding Lead.

4.5 Staff must not use their mobile phone as a camera in school. Any photograph/video must be taken using school equipment. Staff must only save images on school computers.

#### **5. ALLEGATIONS THAT MAY MEET THE HARMS THRESHOLD**

5.1 This would apply in all cases in which it is alleged that **anyone** working in the school and would include a supply teacher, volunteer or contractor, 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 they may pose a risk to 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 includes behaviour taking place inside or outside of school

5.2 We will deal with any such allegation quickly and in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

5.3 A case manager will lead any investigation. This will be the headteacher or the chair of governors where the headteacher is the subject of the allegation.

5.4 Further information can be found in the Allegations of Abuse policy<sup>1</sup> as well as the Statutory Guidance: Keeping Children Safe in Education (Part 4, Section 1, page 85)<sup>2</sup>.

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<sup>1</sup> [Allegations of Abuse MHAT – Autumn 2022](#)

<sup>2</sup> [Keeping Children Safe in Education 2022](#)

## **6. LOW LEVEL CONCERNS BY A MEMBER OF STAFF**

6.1 A low-level concern is a behaviour towards a child by a member of staff that does not meet the harms threshold, is inconsistent with the staff code of conduct, and may be as simple as causing a sense of unease or a 'nagging doubt'. For example, this may include:

- Being over-friendly with children
- Having favourites
- Taking photographs of children on a personal device
- Engaging in one-to-one activities where they can't easily be seen
- Humiliating pupils
- Low-level concerns can include inappropriate conduct inside and outside of work.

6.2. All staff should share any low-level concerns they have using the reporting procedures set out in our child protection and safeguarding policy. We also encourage staff to self-refer if they find themselves in a situation that could be misinterpreted. If staff are not sure whether behaviour would be deemed a low-level concern, we encourage staff to report it.

6.3 All reports will be handled in a responsive, sensitive and proportionate way.

6.4 Unprofessional behaviour will be addressed, and the staff member supported to correct it, at an early stage.

6.5 This creates and embeds a culture of openness, trust and transparency in which our values and expected behaviour are constantly lived, monitored and reinforced by all staff, while minimising the risk of abuse.

6.6 Reporting and responding to low-level concerns is covered in more detail in Part 2 of the Allegations of Abuse Guidance Note and Responding to Low Level Concerns Guidance<sup>3</sup>

## **7. WHISTLE-BLOWING**

7.1. Whistle-blowing reporting wrongdoing that it is "in the public interest" to report. Examples linked to safeguarding include:

- Pupil's or staff's health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Attempts to cover up the above

7.2 All staff are encouraged to report suspected wrongdoing as soon as possible. Their concerns will be taken seriously and investigated, and their confidentiality will be respected.

7.3 Staff are encouraged to consider whether the concern is of a whistleblowing nature. Staff should also consider whether the incident(s) were either illegal, breached statutory or school procedures, put people in danger or was an attempt to cover such activity up.

7.4. Staff should report their concerns to the Headteacher. If the concern is about the Headteacher the staff member should report this to the Chair of the Local Advisory Board

("LAB").

7.5. Staff of the Central Team should report any whistle-blowing to the CEO.

7.6 If the concern is about the CEO or it is believed they may be involved in the wrongdoing then the Central Team should report the concern to Amanda Hughes (a director of the trust).

7.7 Concerns should be made in writing wherever possible. They should include name of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

7.8 All staff both in schools and in the Central Team should refer to Manor Hall Academy Trust's whistleblowing policy for more detailed information.<sup>4</sup>

## **8. PUPIL DEVELOPMENT**

8.1 Staff must comply with school policies and procedures that support the well-being and development of pupils.

8.2 Staff must co-operate and collaborate with colleagues and with external agencies where necessary to support the development of pupils.

8.3 Staff must follow reasonable instructions that support the development of pupils.

## **9. HONESTY AND INTEGRITY**

9.1 Staff must maintain the highest standards of honesty and integrity in their work. This includes when dealing with pupils, the handling and claiming of money and the use of the Trust's school's property and facilities.

9.2 All staff must comply with the Bribery Act 2010. A person may be guilty of an offence of bribery under this act if they offer, promise or give financial advantage or other advantage to someone; or if they request, agree or accept, or receive a bribe from another person. If you believe that a person has failed to comply with the Bribery Act, you should refer to the Whistleblowing procedure for schools. (Further information is available from our Finance Policy and Gifts and Hospitality Policy which can be found on Parago)<sup>5</sup>

9.3 Gifts from suppliers or associates of the school must be declared to the Headteacher, or to the Chair of the LAB if the Headteacher is the recipient, with the exception of "one off" token gifts from parents. Personal gifts from individual members of staff to pupils are inappropriate and could be misinterpreted. Staff should refer to the Manor Hall Academy Trust's Gifts and Hospitality Policy<sup>6</sup>.

9.4 Staff will ensure that all information given to the trust is correct. This should include:

- Background information (including any past or current investigations/cautions related to conduct outside of school)
- Qualifications
- Professional experience

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<sup>4</sup> [Manor Hall Academy Whistleblowing policy](#)

<sup>5</sup> [Manor Hall Finance Policy which includes information concerning Anti-Bribery](#)

<sup>6</sup> [MHAT Gifts and Hospitality Policy](#)

Where there are any updates to the information provided to the trust, the member of staff will advise the trust as such as soon as reasonably practicable. Consideration will then be given to the nature and circumstances of the matter and whether this may have an impact on the member of staff's employment.

## **10. CONDUCT OUTSIDE WORK**

10.1 Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the school or the employee's own reputation or the reputation of other members of the school community. Any such conduct could lead to disciplinary action and result in dismissal.

10.2 In particular, criminal offences that involve violence or possession or use of illegal drugs or sexual misconduct are likely to be regarded as unacceptable and could lead to disciplinary action and result in dismissal.

10.3 Staff must not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. If a young person, including prior pupils in school within the last five years, seeks to establish social contact staff should apply professional judgement in making a response and be aware that such social contact could be misconstrued. Any concerns should be reported to the Headteacher.

10.4 All staff have a relationship of trust with all pupils past and present by virtue of their position and the work they undertake:

- Those in positions of trust must exercise responsibility as a consequence of the power they have over those they teach and/or care for.
- Where a relationship of trust exists, allowing a relationship to develop in a way that might lead to a sexual relationship is gross misconduct.
- It is unacceptable for a member of staff to have any kind of sexual or intimate relationships/contact with a pupil or former pupil (within last 5 years) of any age or to encourage such relationships/contact. Such relationships/contact are a breach of trust and professional standards even where the pupil is over 18.
- Forming inappropriate relationships with children or young people who are students or pupils at another school may also be regarded as gross misconduct. Such behaviour tends to bring the school into disrepute and gives rise to concern that the staff involved cannot be trusted to maintain professional boundaries with pupils and students at the school.

10.5 This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight, however, some examples of behaviour that is unlawful, inappropriate or inadvisable. If a staff member is concerned at any point that an interaction between themselves and a pupil may be misinterpreted, or if a staff member is concerned at any point about a fellow staff member and a pupil, this should be reported in line with the procedures set out in our child protection and safeguarding policy.

10.6 Contact with pupils and ex-pupils, other than relatives, should be through each academy's authorised mechanisms. Personal phone numbers, email addresses or communication routes via all personal social media platforms should not be used and staff should not share



their home address with pupils. If contacted via an inappropriate route the member of staff must inform the Headteacher immediately where they have reasonable concerns.

- 10.7 School staff should not allow their social media profiles to be visible to pupils. If you have a profile on a social media site, you should not use your full name as pupils may be able to find you. You should therefore consider using a first and middle name instead, and set public profiles to private.
- 10.8 Staff must not accept friend invitations or become friends with any pupil/student of the academy, other than relatives, on any social media platform without prior approval from the Headteacher. Staff should also refrain from following the Twitter or other similar social media accounts of pupils or their parents.
- 10.9 Staff must not engage in inappropriate use of social network sites which may bring themselves, the school, school community or employer into disrepute, including negative comments about the Trust or school on social media. Staff will ensure that they do not post any images online that identify children who are pupils at the school without their consent.
- 10.10 Staff may undertake work outside school, either paid or voluntary, provided that it does not conflict with the interests of the school and is not to a level which may contravene the working time regulations or affect an individual's work performance.
- 10.11 All members of staff must declare any business interests outside of school that may be connected either to the supply of goods / services to the school or be rewarded through association with the school.

## **11. ACCEPTABLE USE OF TECHNOLOGY**

- 11.1 All staff will not use technology in school to view material that is illegal, inappropriate or likely to be deemed offensive. This includes, but is not limited to, sending obscene emails, gambling and viewing pornography or other inappropriate content.
- 11.2 Staff will not use personal mobile phones and laptop, or school equipment for personal use, in school hours or in front of pupils. They will also not use personal mobile phones or cameras to take pictures of pupils.
- 11.3 We have the right to monitor emails and internet use on the school IT systems.
- 11.4 Staff should refer to the Trust's ICT and internet acceptable use document for further information.<sup>7</sup>

## **12. USE OF MOBILE DEVICES**

- 12.1 It is not considered best practice for staff to use mobile phones when working with pupils. The school's acceptable user policy covers many of the concerns around e-safety.
- 12.2 It is only necessary or appropriate to use mobile phones in school hours in exceptional circumstances. These circumstances will generally relate to management of incidents, reporting risky behaviours to senior staff or in the event of a personal emergency.
- 12.3 Staff should not make personal calls or send texts or other messages of a private nature when in shared areas or in the vicinity of pupils. Personal calls, sending of texts and

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<sup>7</sup> [ICT and internet acceptable use](#)

messages should only take place during staff lunch-times or during non-contact times. This also extends to the use of social media and mobile internet services.

### **13 USE OF SMART WATCHES**

13.1 Staff at Manor Hall Academy Trust are able to wear a Smart Watch but they must ensure that they are only used for the purposes of a watch and not for any other aspect such as accessing social media.

13.2 Staff are to politely remind pupils that they are unable to use the watch for any other purpose than telling the time.

### **14. CONFIDENTIALITY**

14.1 In the course of their role, members of staff are often privy to sensitive and confidential information about the trust, its schools, staff, pupils and their parents.

14.2 This information should never be:

- Disclosed to anyone unless required by law or with consent from the relevant party or parties
- Used to humiliate, embarrass or blackmail others
- Used for a purpose other than what it was collected and intended for

14.3 This does not overrule staff's duty to report child protection concerns to the appropriate channel where staff believe a child has been harmed or is at risk of harm, as detailed further in our child protection and safeguarding policy.

14.4 Staff, who are also parents of a child who is either educated or previously educated at one of our schools, are reminded of the overriding need to maintain confidentiality when communicating on forums such as WhatsApp, Facebook Messenger and any other forum or other social media site.

14.5 All staff are likely at some point to witness actions which need to be confidential. For example, where a pupil/student is bullied by another pupil (or by a member of staff), this needs to be reported and dealt with in accordance with the appropriate school procedure. It must not be discussed outside the school, including with the pupil's parent or carer, nor with colleagues in the school except with a senior member of staff with the appropriate role and authority to deal with the matter.

14.6 However, staff have an obligation to share with their manager or the school's Designated Senior Person any information which gives rise to concern about the safety or welfare of a pupil. Staff must never promise a pupil that they will not act on information that they are told by the pupil.

## **15. DRESS CODE**

- 15.1 All staff must dress and appear in a manner that is appropriate to a professional role and that promotes a professional image.
- 15.2 Staff should dress safely and appropriately for the tasks they undertake.

## **16. SMOKING, ALCOHOL AND OTHER SUBSTANCES**

- 16.1 The academies of the Manor Hall Academy Trust are non-smoking sites. This includes the use of e-cigarettes and any other smoking related material. Staff must not smoke on academy premises or outside academy gates. Any member of staff wishing to smoke must leave the academy grounds.
- 16.2 Staff must not smoke whilst working with or directly supervising pupils offsite.
- 16.3 Staff should not consume or be under the influence of alcohol, illegal drugs or other illegal substances on or near academy premises, or on academy business.
- 16.4 It is the responsibility of employees in consultation with their GP or Pharmacist to ensure that prescribed or over the counter medication does not impact upon their conduct or ability to work safely or to required standard during periods of duty. Any employee with concerns in this regard should confer with their manager; the manager will determine whether any further action would be appropriate, such as an adjustment to duties and/or referral to Occupational Health.
- 16.5 Staff must refrain from the consumption of alcohol and other substances at academy/student events (i.e., Leaving Proms, residential visits) both within the academy premises and outside the academy setting.
- 16.6 Manor Hall Academy Trust has drafted a separate policy to further strengthen our position, namely the Alcohol and Substance Misuse Policy

## **17. SHOWERS AND CHANGING**

- 17.1 Pupils are entitled to respect and privacy whilst they are changing or showering after PE/games or swimming. However, there needs to be an appropriate level of supervision in order to safeguard young people, meet health and safety requirements and to ensure that bullying does not take place. The supervision should be appropriate to the needs and age of the pupils and sensitive to the potential for embarrassment.
- 17.2 Staff should be vigilant about their own behaviour and announce their intention of entering a changing room. Staff must not change or shower in the same place as children.
- 17.3 Reference should also be made to the academy's intimate care policy (where applicable) and individual pupils' risk assessments or care plans.

## **18. ONE TO ONE SITUATIONS**

- 18.1 Staff working individually with pupils should be aware of the potential vulnerability of pupils and staff in such situations. Staff should manage these situations with regard to the safety of the pupil/student and to themselves.
- 18.2 Individual work with pupils should not be undertaken in isolated areas. This is with the exception of personal care situations. Where it is necessary to close doors for reasons of

confidentiality a colleague should be made aware of this and asked to remain vigilant.

## **19. TRANSPORTING PUPILS**

19.1 In certain circumstances it may be appropriate for staff to transport pupils offsite, for example sports fixtures, swimming lessons or other out of academy activities. A designated member of staff should be appointed to plan and provide oversight of all transport arrangements and to respond to any difficulties that may arise.

19.2 Staff must ensure that the transport arrangements and the vehicle meet all legal requirements. Staff must ensure that the driver has the appropriate licence for the vehicle, that the vehicle is roadworthy, has a valid MOT certificate and is appropriately insured for business use and that the maximum capacity is not exceeded.

19.3 Staff must ensure that the driver is not distracted while the vehicle is in motion for any reason other than an emergency and should also ensure all passengers are wearing correctly fastened seatbelts. Staff must never transport pupils while under the influence of alcohol or drugs.

19.4 Prior to transporting pupils' offsite consent must be obtained from pupil' parent/guardian and staff should be aware that the safety and welfare of the pupils is their responsibility until this is safely passed back to their parent/carer.

19.5 Only in exceptional circumstances should personal cars be used to transport pupils off site and staff must have been given permission by a member of the SLT. In such cases, ideally, two members of staff must travel in the vehicle, unless in an emergency or where the child is at risk. If staff are expected to use their own vehicles for transporting pupils they should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded, seat belts are worn.

## **20. DISCIPLINARY ACTION**

20.1 All staff need to recognise that failure to meet these standards of behaviour and conduct could result in disciplinary action and lead to dismissal.

20.2 All staff should review the Disciplinary Policy<sup>8</sup>

## **21. OTHER DOCUMENTS REFERRED TO IN THE REPORT.**

- Allegations of Abuse policy
- Keeping Children Safe In Education 2022
- Low Level Concerns Policy (to draft September 2022)
- Whistle-blowing policy
- Finance policy (including Anti-Bribery)
- Gifts and Hospitality policy
- ICT Acceptable Use Policy
- Disciplinary Policy
- Alcohol and Substance Misuse Policy

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<sup>8</sup> [MHAT Disciplinary policy](#)

## **Appendix 1 – aide memoire for all staff**

### **When we speak to others we will:**

- use a positive statement rather than a negative one so that children can learn what we expect of them in any situation.
- use a calm tone of voice at all times, to explain something to or instruct the children, so that they can follow our words without feeling threatened or uncomfortable.
- avoid using sarcastic words or phrases as these demean children and prevent them from developing high self-esteem.
- speak respectfully to other adults at all times, even if we disagree with them.

### **As professionals we will:**

- avoid workplace gossip and negativity as it breeds resentment and becomes a roadblock to effective communication and collaboration. We all have a duty to take active steps to divert conversations away from this if we come across it.
- maintain confidentiality about anything that we see or hear in the school, so that parents and children can trust us, and as a way of showing respect to our fellow professionals.
- work as part of a team, contributing as well as learning from others and helping to build up a strong workforce so that we can provide the best possible learning opportunities for the children.
- work within the school's policies and practices, so that what we do is consistent with what has been agreed between all members of the staff and the LAB.
- treat everyone with respect.
- dress appropriately, so that we set a good example for the children and to show that we are here to work.
- behave in a positive way despite any personal problems that we may have, especially in front of the children.

## **Appendix 2- from Teachers' Standards Effective from 1 September 2012 (DfE)**

### **PERSONAL AND PROFESSIONAL CONDUCT**

A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career.

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
  - treating pupils with dignity, building relationships rooted in mutual respect and at all times observing proper boundaries appropriate to a teacher's professional position
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions showing tolerance of and respect for the rights of others
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs
  - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.