

## 1. Introduction

- 1.1 Grange Community Nursery and Primary School seeks to maintain the highest standards of integrity and fairness in all its activities. The Code is issued with the aim of measuring and enhancing the school's reputation. Although inevitably it must contain many restrictions, it is intended as a positive reinforcement of long standing and respected values within the public services, and particularly local government. It is applied in the spirit as well as the letter.
- 1.2 The Code provides positive guidance and encouragement for staff, in whose common sense, vigilance and judgement the School has the strongest confidence. In this way, the School will continue to ensure that:
- The highest standards of service are provided to everyone who has contact with the School.
  - Public duty always takes precedence over private interests and conflict of interest between the two is always avoided.
  - The school community and everyone within it receive efficient, impartial and fair service and no person or group is discriminated against unfairly.
  - Public funds are used in a responsible and lawful way and the school community receives the best value for money.
  - Any failures to meet these standards are detected and decisive action taken to remedy the situation and prevent recurrence.
- 1.3 The Code is expected to form a part of the terms of employment of all school staff, including Headteachers, catering and cleaning staff. Any infringement of this or any related Code may be dealt with as a disciplinary matter and may be treated as gross misconduct. Legal action may also be taken.
- 1.4 This Code should be read in conjunction with the other standards of conduct that exist, including the Safer Working Practice for Adults who work with Children and Young People in Education Settings. It is important to note that breaches of some of the Standards within this Code may also be a breach of the Bribery Act and may result in a criminal offence. Staff who belong to professional associations are expected to apply the standards of their associations no less vigorously than those of this Code.

## 2. Core Principles

- 2.1 The following core principles underpin the concept of public service and apply to all employees of the School regardless of the nature of the job they do:

### **Selflessness**

- Employees should take decisions solely in the terms of the public interest. They must not do so nor use their position in order to gain financial or other material benefits for themselves, their family or their friends.

### **Integrity**

- Employees should not place themselves under any financial or other obligations to outside individuals or organisations that might influence them in the performance of their official duties.

### **Objectivity**

- In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, employees must make decisions on merit.

### **Accountability**

- Employees are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

- Employees should be as open as possible about all decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

#### **Honesty**

- Employees have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### **Respect for Others**

- Employees must treat other people with respect and not discriminate unlawfully or unfairly against any person. They must treat Local Governing Body and other supporters of the school professionally.

#### **Trust**

- Employees must, at all times, act in accordance with the trust that pupils, parents and the public is entitled to place on them. Employees must use any public money or pupils' money entrusted to or handled by them, in a responsible and lawful manner and not make personal use of the School resources unless properly authorised to do so.

#### **Leadership**

- Employees should promote and support these principles by leadership and example.

### **3. Concerns and Confidential Reporting**

The School expects the highest possible standards of openness, probity and accountability. Hence employees who have serious and genuine concerns about any aspect of the School's work and relationships, should be able to come forward and raise their concerns, without fear of harassment or victimisation.

- 3.1 Employees who consider other employees, including managers, to be guilty of misconduct must report this to their Line Manager or other appropriate Manager or the Chair of Local Education Committee. Employees must not treat colleagues who report (or who intend to report or are suspected of reporting) potential misconduct issues any less favourably than other employees.
- 3.2 If in some instances, the employee cannot make use of the existing procedures, for any reason, then they should raise complaints or genuine matters of concern with the relevant person through the School's whistle-blowing protocol.

### **4. Disclosure of Interests and Memberships**

- 4.1 Employees must disclose any financial or non-financial interest they or their spouse have, whether direct or indirect, in any contract, company, other public body or any other matter that involves or may involve the School. Failure to disclose may be a criminal offence. The definition of an interest is widely interpreted.

#### **4.2 Financial (Pecuniary) interests**

All employees (including teachers) are required by law (Local Government Act 1972, section 117) to disclose any personal financial interest, whether direct or indirect, in any contract in which the School is involved or is considering. Disclosure is still required even if the contract does not affect the employee's work. If the spouse of an employee has an interest, it must be disclosed as if it were the employee's. The law therefore requires that if an employee or their spouse, receives "remuneration" from a "firm", this is an interest which must be disclosed.

#### **4.3 Non financial interests**

The Code also covers other interests that staff are not, unlike financial interests, required by law to disclose. Such non-pecuniary interests may however occur through employee involvement in organisations that have significant dealings with the School and this includes being a member of another local authority. A conflict of interest may therefore arise even where no financial interest or advantage exists. These are areas where relationships might be seen to influence judgements and convey the impression of a personal motive. Some staff, for example, undertake voluntary work as honorary officers of

charities or community organisations. If the organisation is involved with the school, School, the employee would be well advised to declare the interest.

#### 4.4 **General Principles**

An interest should be disclosed whether or not the employee is able personally to influence a contract or other dealings with the School. If an employee is, or could be, in a position to influence such matters, as well as disclosing the interest, the employee should also discuss the position promptly and fully with their Headteacher. The Headteacher will decide what further steps to take for the School's and the employee's protection. Where there is no such complication, the only requirement is to disclose. There will be borderline cases in which employees are uncertain whether to disclose or not. The safe course in case of doubt or uncertainty is to err on the side of caution and disclose.

4.5 Staff with approved other employment (see Section 14) should note that any activity of the employment involving contact with the School, automatically creates an interest which must be declared. Just getting approval to the other employment may not be sufficient in itself to satisfy the requirements of the law, the Code or propriety.

4.6 Where any other employee (including teachers) or manager has any reason to believe that an interest has arisen or is likely to do so and it has not at that point been disclosed, the Headteacher should be notified immediately. They should specify the action to be taken. It is however the responsibility of the employee concerned to ensure that accurate information is provided for the Register when required and that this is updated as necessary.

#### 4.7 **How to disclose**

To disclose an interest, the employee should complete a copy of the form at the end of the Code and send it to their Headteacher. The Headteacher should acknowledge in writing receipt of the form and enter it in the school's official Register of Interests. The Register is not open to public inspection.

### 5. **Private and Personal Interests**

5.1 An employee must not allow the impression to be created that they are using, or could use, their official position to promote a personal or private interest, contrary to the general public interest. Private and personal interests can include those arising from an employee's family and friends, as well as those through personal membership of, or association with, clubs, societies and other organisations. An employee should consider whether any particular interest conflicts with, or gives the impression of conflict with, official responsibilities. If so, it is advisable for the interest to be declared formally.

5.2 Staff will have rights as citizens and service users, but must behave in a way which gives no grounds for accusations of favouritism or unduly influencing the School or colleagues. Staff should avoid any conduct, which could give rise to suspicions of impropriety or acting inappropriately to benefit themselves, family or friends.

### 6. **Recruitment**

6.1 Employees involved in appointments should ensure these are made on merit. It is unlawful for an appointment to be made on any ground other than the ability of the candidate to do the job required.

### 7. **Gifts and Favours**

7.1 This section applies to all gifts other than very modest, low value gifts or other tokens of very low value. These are not subject to any of the declaration or approval provisions.

7.2 It is a serious criminal offence for an employee to receive corruptly a gift (this term covers a range of favours) or benefit in other ways for doing, or not doing, anything for another person. If an allegation is made, it is for the employee to show that any rewards have not been corruptly obtained. If a gift is offered or received, the employee must consider whether it is acceptable within the terms of this Code. If s/he considers it may be accepted, the gift should be declared. If s/he rejects the

gift, this should be done diplomatically and the situation declared on the special form. If the employee is unsure, a request for the Headteacher's decision should be made.

- 7.3 The Headteachers must not provide gifts to suppliers or contractors (other than very modest, low value gifts or other tokens of very low value).
- 7.4 The Headteachers must retain a copy of every request / declaration form which they consider, in a special Gifts/Hospitality file. The file should be kept available for inspection.

## **8. Hospitality**

- 8.1 Employees should only consider offers of hospitality if there is a genuine need to impart information or represent the school in the community (especially where the School should be seen to be represented). Hospitality is likely to be acceptable where it is clear that the invitation is corporate rather than personal – but always provided there is no danger of contractual or other decisions being compromised. Offers aimed directly at employees as individuals must always be refused. All offers of hospitality must be authorised in advance by the Headteacher.

## **9. Sponsorship**

- 9.1 Where an outside organisation wishes to sponsor a school activity, whether by invitation, tender, negotiation or voluntarily, the Code requirements concerning acceptance of gifts or hospitality apply. Where the School wishes to sponsor an event or service, neither an employee nor any relative or partner must benefit from the sponsorship in a direct way, without there being a full disclosure of the terms. Similarly, where the School through sponsorship, grant aid, by financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

## **10. Tendering, Contracts, Trading**

- 10.1 All relationships of a business or private nature with external contractors or potential contractors must be disclosed as an interest. Orders and contracts must be awarded on merit, by fair competition against other tenders. No special favours should be shown to businesses run by, for example, friends, partners or relatives and no part of the local community should be discriminated against. Any employee who has any official role in relation to contractors and has or had a relationship in a private or domestic capacity with the contractor must declare the relationship to the Headteacher as an interest.
- 10.2 Employees involved in a tendering process and dealing with contractors should be clear on the separation of client and contractor roles. Headteachers/Chair of LEC who have both a client and contractor responsibility must be aware of the need for accountability and openness. Staff who are aware of confidential information on tenders or costs for external or internal contractors should not disclose that information to any unauthorised person.
- 10.3 Headteachers/ Chair of LEC must ensure that no special favour is shown to current or recent former employees or their relatives or associates in awarding contracts to businesses run by them or employing them in any way.
- 10.4 Staff should only trade on special terms with firms connected with the School if a general arrangement has been agreed between the firm and the School (or a trade union). Staff must not use their position with the School to obtain preferential terms from any firm.

## **11. Public Comment & Disclosure of Information**

- 11.1 Staff acting in a private capacity should not comment publicly on School policy or a specific matter, unless this is being done as the recognised representative of an external body.
- 11.2 Trustees/ School agenda/minutes or committee discussions taken under part 2 of an agenda or the proceedings of any panel must not be disclosed to anyone outside the School unless, exceptionally, authority has been given by the Headteacher.

The onus is on the Headteacher to make sure staff are aware of the status of information and are clear what may be released, when and to whom.

- 11.3 Information or situations should not be disclosed to or discussed with the media unless the employee has specific authority from the Headteacher.
- 11.4 Information about work which is confidential should not be used for personal gain or benefit or knowingly be passed on to others who might use it in this way.
- 11.5 Commercially sensitive information must be completely safeguarded and must not be communicated to people who are not entitled to know it, especially if they are outside the School. The School/School expects ex-employees to honour the same commitment for an appropriate period after leaving.
- 11.6 School information must be acquired, used and safeguarded in accordance with the requirements of the Data Protection Act.

## **12. Relatives and Relationships**

- a. There is a general obligation on all employees not to compromise standards of behaviour, conduct or performance through personal relationships.
- b. Mutual respect between employees and school Governors/Trustees is essential. Close personal familiarity between employees and Governors/Trustees can damage the relationship. You must be professional at all times and not allow your work and private interests to conflict.
- c. Every applicant for an appointment must disclose, before appointment, any personal relationship to a school Governor/Trustee, or other employee of the School. Deliberate non-disclosure will disqualify the applicant and if already appointed they may be liable to dismissal. An existing employee who is aware of a relationship with an applicant must declare the details to the Headteacher (or Chair of LEC in the case of a Headteacher).
- d. Any canvassing of Governors/Trustees or other employees to influence a selection decision will disqualify the candidate concerned. An employee must not attempt to influence or be involved directly or indirectly, in any part of a recruitment and selection process that includes an applicant who is a relative or someone with whom they have a close personal relationship. Similarly, an employee should not be involved in decisions relating to discipline, terms of pay for any other employee who is a relative or with whom they have a close relationship.
- e. If the best candidate for the job is someone who is a relative of or who has a close personal relationship with individuals in a line management or contractual relationship, the Headteacher (or Chair of LEC in the case of a Headteacher) will give serious consideration to the implications of this. They will need to identify appropriate means of dealing with conflicts of interest should these occur as a result of the appointment. There may be some circumstances when such an appointment is not appropriate because it is not possible to deal with the organisational problems that occur and because the public confidence would be compromised and could leave the School open to criticism.

**13. Other Employment**

- a. You must not undertake any type of private work or other employment which conflicts with the School's interests or prevents you from fulfilling the terms of your employment contract.
- b. Teachers embarking on any outside activity involving paid employment which they feel is likely to give rise to a conflict of interests should disclose that activity to their Headteacher in writing. Examples of such activities are –
  - IT teacher works on a consultancy basis for a private IT company which is seeking a contract with the school.
  - A music teacher undertakes evening tuition work on behalf of a private music company run by a relative which is bidding for school work.
  - A Headteacher is offered work by an educational body (e.g. OFSTED etc.) outside the normal school day.
  - A PE teacher is offered part-time coaching work by a company which supplies the school with sports equipment.
- c. Although such relationships may appear to the employee to be entirely innocent, legitimate and free of taint, it is always advisable to disclose them. By doing so, the employee will reduce the risk of false accusations against him/herself, should an issue arise subsequently.
- d. Staff wishing to undertake other employment during normal working hours must seek the prior agreement of the Governing Body. For instance, the Headteacher referred to in example C above would have to obtain the prior agreement of his/her Governing Body before undertaking work for OFSTED during the normal school day (NB members of the Leadership Group do not have prescribed working hours).

NB: The School has a duty to ensure that staff are not exceeding the limits on working hours embodied in the Working Time and Health and Safety Regulations).

**14. Intellectual Property Rights**

- a. 'Intellectual property' means products of the mind, for example inventions, curriculum, designs, trade marks, creative writings, programs and drawings (referred to in short as 'inventions'). It will normally be the case that the ownership of all 'inventions' and the copyright of all written material created during work for the School, belong to the School.

**15. Use of School Facilities and Personal Activities**

- a. School employees are provided with facilities such as office materials, reprography, computing and communications systems and equipment, tools and vehicles, for use in carrying out their official work. These can only be used, or removed from School premises, for personal use or non-School purposes very exceptionally, and then only with the prior approval of a senior manager. Some facilities, such as reprography, may be available to staff for private use on agreed terms and with prior approval.
- b. Personal or outside activities must not be undertaken in the School's time.

**16. Associated Forms & Referral Points**

- Declaration of Interest Form
- Gifts & Hospitality Form