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| CODE OF CONDUCT |

**POLICY/ DOCUMENT PURPOSE STATEMENT**

This document sets out the standards of conduct for all staff, providing guidance on the expectations during their period of employment with the College.

The document also provides direction and guidance to managers in terms of what they can expect from their staff, but also provides a cross reference to other related College policies and procedures.

**APPLICATION**

The policy applies to all staff and those who are engaged for a contract of service with the College

**INTERPRETATION**

Further guidance on the use or interpretation of this policy may be obtained from the Director of HR or HR Manager.

**LEGAL REQUIREMENTS/ISSUES**

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## Equality Act 2010

Health & Safety at Work Act 1974

## LINKS WITH OTHER POLICIES/DOCUMENTS

Financial Regulations

Data Protection Policy

Disciplinary Procedure

Whistleblowing Policy

Safeguarding Policy

College’s Acceptable Use Policy

**EQUALITY, DIVERSITY AND DISABILITY (DISABILITY, EQUALITY, DUTY IMPACT ASSESSMENT**

Has a preliminary Equality Impact Assessment been completed? Yes Date Completed: 6/2/15

Is a full Impact Assessment required? No

If ‘yes’, has a copy been sent to the Equality Manager? N/a

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| **AUTHOR / ORIGINATOR** | **Donna Farrugia** |
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| **POSTHOLDER RESPONSIBLE FOR REVIEW** | **Director of HR** |
| **RATIFIED /AUTHORISED BY** | *SLT* |

**The Heart of Worcestershire College**

**CODE OF CONDUCT**

**1. INTRODUCTION**

The Heart of Worcestershire College relies upon the goodwill, reliability and loyalty of its employees.

It is important that all employees are aware of the standards of conduct expected of them. If employees are unsure, they should seek guidance from their manager or the Director of Human Resources.

**2. SCOPE**

The code applies to all employees and those who are engaged for a contract of service with the College.

This code has no contractual status and its contents may be changed at any time.

**3. PUBLIC CONFIDENCE**

The College is a publicly funded institution. This requires of employees high levels of accountability, probity and service. Employees should show the College loyalty and act honestly, diligently and in good faith in its interests. They should ensure at all times that their conduct is not influenced by personal gain and is above suspicion of improper motives.

The College expects all employees to conduct themselves in a reasonable manner; to follow College policies; comply with reasonable instructions from their managers; to work flexibly, effectively and to the best of their ability; abide by the terms and conditions of their employment; fulfil the requirements of their job specification and generally maintain the highest professional standards.

Employees who have public funds entrusted to them must use them responsibly and lawfully.

The public expect conduct of the highest standards from our employees and public confidence would be shaken should the least suspicion arise that any employee might be influenced by improper motives.

**4. CONDUCT AND PERFORMANCE**

The Corporation determines standards of conduct and performance at work.

Any member of staff who contravenes this code of conduct may, depending upon the circumstances, face action under the College’s Disciplinary Procedure.

**5. EQUALITY AND FAIRNESS**

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals.

Within the workplace, all employees should show mutual respect and their language and behaviour should be conducive to a productive and harmonious work environment in which all employees have the right to be treated with fairness and equity.

**6. PROFESSIONAL BEHAVIOUR AND PERSONAL CONDUCT – DIGNITY AND RESPECT**

Employees should maintain standards of courtesy, fairness, general behaviour and language that demonstrate dignity and respect for their students, colleagues and the public they serve. They must also act as a positive role model to students and as a representative of the College. In both private and public life, employees must be careful to avoid becoming engaged in any activities that may bring the College into disrepute.

All employees are expected to comply with the College’s Single Equality Scheme and not discriminate against any of the protected characteristics. Unacceptable behaviour such as bullying, harassment or intimidation will not be tolerated. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, students and members of the public.

All employees must behave in a polite, respectful and helpful manner towards their colleagues, students and members of the public. In doing this, employees are required to perform their duties with skill, honesty, care and diligence using authority in a fair and equitable manner.

**7. PERSONAL APPEARANCE**

The College expects staff to present a smart, professional appearance at all times which is appropriate to the nature of the work undertaken.

The College values the diversity of its staff and aims to create an environment where the cultural, religious and non-religious or similar philosophical beliefs of all are respected. If an employee believes that the College’s dress code conflicts with any belief they hold they should raise this with their line manager.

Whilst dress is a matter of personal taste, it is normally expected that staff will wear clothes which are generally accepted as appropriate for a professional environment and the work tasks of the day.

Some departments require staff to wear a College uniform.

If an employee is in any doubt about the correct mode of dress relevant to their work area, they are advised to seek advice from their line manager.

**8. GIFTS, HOSPITLAITY, ENTERTAINING AND INDUCEMENTS**

The College is publicly funded and, therefore, the standards required in public services need to be maintained. Employees must consider the implied reasoning for the provision of gifts or hospitality by suppliers.

Members of staff should not normally accept any gifts other than items of very small intrinsic value (e.g. business diaries, calendars, telephone pads etc), rewards or hospitality (or have them given to members of their families) from any organisation or individual with whom they have contact in the course of their work that would cause them to reach a position whereby they might be, or might be deemed by others to have been, influenced in making a business decision as a consequence of accepting such hospitality. The frequency and scale of hospitality accepted should not be significantly greater than the College would be likely to provide in return.

If there is any doubt, what is and what is not acceptable in terms of gifts or hospitality, the offer should be declined or advice sought from the Clerk to the Corporation or the Vice Principal – Corporate and Resources. Guidance on acceptable hospitality is contained in the detailed Financial Procedures. Further information and guidance is also provided in the Anti-Bribery Policy.

**9. FINANCIAL DEALINGS**

A potential conflict of interest may arise when an employee has a financial interest in a company or is in a position to influence contracts for business between a third party and the College.

In many cases, only the employee will be aware of the potential for conflict of interest. Therefore, the onus is on that person to inform their line manager in writing if a potential or actual conflict of interest arises. The line manager will then discuss the situation with an appropriate Senior Manager.

Failure to disclose a potential or actual conflict of interest may render a financial decision to be null and void and may lead to disciplinary action being taken against any employee involved.

**10. REGISTER OF INTERESTS**

Employees must declare in writing to the Principal any financial interest or dealings they, any person living with them or any close member of their family may have in any business or contract which may have a business relationship with the College. Should an employee wish to become so involved in any such business they must first receive the permission of the Principal.

**11. CONFIDENTIAL INFORMATION**

Employees will from time to time receive College information of a confidential nature. Any processing or disclosure of confidential information must be for legitimate College reasons and must comply with the College Data Protection Policy a copy of which can be found on the College staff intranet.

**12. PERSONAL INFORMATION**

All requests for confidential or personal information must comply with the College Data Protection Policy.

**13. CONFIDENTIAL REPORTING PROCEDURE (WHISTLEBLOWING)**

The College is committed to the highest possible standards of openness, probity and accountability and expects employees who have serious concerns about any aspect of the College’s work to come forward and voice these concerns, using the Public Interest Disclosure Procedure (Whistleblowing) if appropriate.

Employees are asked to ensure that public interest and assets are protected by reporting immediately to their line manager, or alternative contacts as named in the Procedure, any concerns about dishonesty or impropriety which they suspect has occurred or is likely to occur.

Employees must assist in any investigation or hearing into suspected misconduct.

**14. HEALTH & SAFETY**

The Health & Safety at Work Act 1974 places a duty on employees while they are at work to take reasonable care for the health and safety of themselves and others. Consequently, employees are legally bound to comply with the College’s Health & Safety Policy and any safety rules and instructions set by the College.

**15. TIMEKEEPING**

Employees are expected to be punctual and comply with the hours of work stated in their contract of employment. Any variation to the hours stated must be agreed by their Director/Head of Department.

Employees are also expected to comply with the provisions stated in the College’s sickness notification or special leave policies.

**16. OTHER PAID EMPLOYMENT**

Employees must not allow their private interests to come into conflict with their work. Employees must not, without the written consent of the Principal, undertake any employment or engagement which might interfere with the performance of their duties or conflict with the interests of the Corporation. Staff should ask the Principal about any such employment or engagement which they judge could possibly have a bearing on the Corporation’s interests.

**17. ALCOHOL, DRUGS AND OTHER SUBSTANCE MISUSE**

The College wishes to promote the health and well-being of employees and minimise problems at work arising from the effects of alcohol, drugs (whether prescribed or illegal), solvents, etc.

At celebratory College events staff may consume alcohol in moderation. The College will not accept liability for any accidents that may occur as a result of misuse of alcohol.

Staff operating machinery may not under any circumstances consume alcohol during working hours.

Handling illegal substances on the College’s premises will normally be treated as gross misconduct under the College’s Disciplinary Procedure. This includes buying, selling, holding and taking such substances.

In accordance with the Alcohol and Substance Misuse Policy, employees are encouraged to seek help from their line manager or a member of the HR team as soon as they believe they have a problem. Any such help or onward referral will be handled confidentially.

Employees taking prescribed drugs are required to advise their manager if any such drugs being taken are likely to have an effect on their ability to drive, to use equipment, etc. as required by their employment with the College.

**18. SMOKING POLICY**

For health and safety reasons, the College has a smoke-free environment in all its buildings and premises and it is the responsibility of all staff to rigorously enforce the College’s policy and to set a good personal example for students, for example by not smoking outside college buildings.

Staff are not allowed to smoke E-cigarettes on College premises.

**19. CRIMINAL CONVICTIONS**

The College requires an employee to inform the Principal if they receive a police caution and also if they are convicted of, or charged with a criminal offence. Minor road traffic offences must also be reported if the employee uses their vehicle for work purposes and/or is required to drive the College minibus. If any member of staff is in any doubt about whether or not to report an offence, they are advised to seek advice from HR.

Careful consideration will be taken of the offence and the surrounding circumstances. but disciplinary action may be taken and the resulting decision will depend on whether the nature of the offence brings the College into disrepute or undermines the ability of the individual to perform their duties effectively.

**20. IDENTITY CARDS**

All staff are required to wear their ID card so that individuals can clearly be identified as being a member of College staff. This will also help us to ensure a safe learner environment and will allow us to challenge anyone we do not recognise as a member of the College or a visitor.

We accept that there may be some occasions when wearing an ID card will be difficult, for example in workshops and kitchens.  However, when leaving these areas ID cards should be worn.

**21. EMAIL AND INTERNET USAGE**

The College provides email accounts and internet access to staff to help them perform their duties. Access to the internet should be limited to matters relating to work, rather than for social and private purposes. Inappropriate use of these facilities may be considered a disciplinary matter.

Employees are asked to avoid inflammatory language in emails and to check the accuracy of any emails being sent outside the College.

For guidance on the use of email and internet facilities, please see the Acceptable Use Policy.

**22. DATA PROTECTION**

Employees must comply with the College’s Data Protection Regulations at all times.

**23. PRIVATE TELEPHONE CALLS**

Private local telephone calls, both outgoing and incoming, should only be made and received where the subject matter of the call is of some urgency or importance. They should be kept as short as possible and calls should only be made with prior approval of the line manager. The use of mobile phones during working hours should be limited in the same way.

**24. MEMBERSHIP OF OUTSIDE BODIES (SOCIETIES, COMMITTEES ETC.)**

The College encourages membership of societies and professional bodies. However, should an employee find that through acting in an official capacity they may be influenced by a membership or association, they should report the conflict of interests to their manager.

Membership of certain committees (e.g. those holding charitable status) could lead to possible legal liabilities. Therefore, employees are not considered to be representing the College on outside bodies or committees unless specific permission is given in writing by the Principal or a Vice Principal. The College will not accept liability for the actions of employees serving as members of such committees or bodies unless this permission is granted.

**25. FIDELITY**

**I**n addition to the express terms, employees have common law duties implied in their contracts of employment. These duties require the employee to obey lawful and reasonable instructions, serve the employer personally and faithfully, exercise reasonable care and skill in carrying out their work, abide by the law as established by Parliament and the Courts and not to disclose confidential information after the employment ends. Serious breaches of these terms could, if proven, lead to disciplinary or legal action being taken against the employee.

Employees who are required to attend a court of law must immediately inform the Principal.

**26. PERSONAL RELATIONSHIPS**

Employees should ensure that any personal relationships with members of the Corporation, colleagues, or members of the public are conducted in such a way that no suspicion of improper influence or lack of impartiality could arise in their work.

Employees must not be involved in College matters relating to appointment, promotion, pay, discipline or grievance where the person is a relative, partner or personal friend. Should such a situation arise they must advise the Principal.

**27. CONDUCT AND PERFORMANCE**

The Corporation determines standards of conduct and performance at work.

Any member of staff who contravenes this code of conduct may, depending upon the circumstances, face action under the College’s Disciplinary Procedure.

**28. SAFEGUARDING**

All staff, whether paid or voluntary, have a duty to keep learners safe and to protect them from sexual, physical and emotional harm. Learners have a right to be safe and to be treated with respect and dignity.

Staff should act responsibly in their professional role while supervising learners, in the delivery of education and while working within the College environment. Staff are asked to reflect upon the image of the college and their professional standing in presenting positive images of healthy lifestyle choices while at work. Examples include refraining from smoking at the front of the college and not drinking alcohol on college trips.

**Propriety and Behaviour**

*Members of staff should not*:

* behave in a manner which would lead any reasonable person to question their suitability to work with learners or act as a role model
* make sexual remarks to, or about, a learner
* discuss their own sexual relationships with or in the presence of learners
* discuss a learner’s sexual relationships in inappropriate settings or contexts
* make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate or might be interpreted as such.

**Information**

*Members of staff*:

* are expected to treat information they receive about learners in a discreet and confidential manner
* should seek advice from a Senior Manager if they are in any doubt about sharing information they hold or which has been requested of them
* need to be cautious when passing personal information to others about a learner.

**Communications using Technology – *(Refer to the College IT and Use of Mobile Phones Policy and Staff Guidelines on the Use of Electronic Communications)***

The College acknowledges the growth and benefit of communication methods such as texting, emailing and social networking sites. It also acknowledges the concerns and difficulties that can arise when these methods cross the boundaries between a professional role and an employee’s personal life.

In communicating with young people under 18 and vulnerable learners in particular, employees should:

* only use equipment provided by College to communicate with young people and vulnerable learners
* only make contact with young people for professional reasons and in accordance with College policy
* recognise that text-messaging young people and vulnerable learners is rarely an appropriate response in a crisis situation or when they are at risk of harm
* recognise that contacting young people through social networking sites is not appropriate and that it may cause difficulties with older learners.

**Infatuations**

*Members of staff should*:

* report to a member of the Safeguarding Team any indications (verbal, written or physical) that suggest a learner may be infatuated with a member of staff
* report to a member of the Safeguarding Team any concerns that another adult is behaving inappropriately.

**Social Contact**

*Members of staff should*:

* always approve any planned social contact with young people and vulnerable learners with Senior Managers, for example when it is part of a reward scheme or pastoral care programme
* advise Senior Managers of any social contact they have with a learner which may give rise to concern
* report to a member of the Safeguarding Team and record any situation which might compromise the College or their own professional standing
* avoid sending personal communication to learners which may be misconstrued (eg texts, emails, letters or cards unless agree with Senior Managers).

**Physical Contact**

*Members of staff should*:

* never touch a learner in any circumstances
* always be prepared to explain actions and accept that all physical contact is open to scrutiny
* always encourage learners, and in particular vulnerable adults, to undertake self-care tasks independently, wherever possible.

**Learners in Distress**

*Members of staff should*:

* never physically comfort a distressed student
* always tell a colleague when and how they offered comfort to a distressed learner
* record situations which may give rise to concern.

**Behaviour Management**

*Members of staff should*:

* not use force as a form of punishment
* try to defuse situations before they escalate
* keep parents/employers informed of any sanctions
* adhere to the College’s Positive Behaviour Policy.

**Care, Control and Physical Intervention**

* Staff should limit any form of physical intervention with students unless required  as a direct response to a first aid incident or in conjunction with the search and restraint policy.

*Members of staff should*:

* always seek to defuse situations
* always use minimum force for the shortest period of time
* where necessary, follow College guidance on physical intervention set out in the College Search and Restraint Policy.

**Sexual Contact**

All staff should clearly understand the need to maintain appropriate boundaries in their contacts with all students, regardless of age. Staff should take care not to compromise their position of trust.

A sexual relationship between an adult and a 16-18 year old is a criminal offence under Section 16 of the Sexual Offenders Act.

*Members of staff should*:

* not pursue sexual relationships with young students either in or out of College
* avoid any form of communication with a young students which could be interpreted as sexually suggestive or provocative (e.g. verbal comments, letters, notes, electronic mail, phone calls, texts, contact via social media).
* should clearly understand the need to maintain appropriate boundaries in their contacts with all students, regardless of age.  Staff should take care not to compromise their position of trust. In a situation where a member of staff has formed an intimate or sexual relationship with an adult student (who is over 18), this could be regarded as a grave breach of trust which could result in formal disciplinary action being taken against the employee. If you are assessing or supporting a learner with whom you have a relationship, Senior Managers should be informed.

**One to One Situations**

*Members of staff should*:

* avoid meetings with learners in remote, secluded areas
* wherever possible ensure there is visual access and/or an open door in one to one situations
* inform other staff of the meeting beforehand, assessing the need to have them present or close by
* inform their manager or other members of staff if they feel a learner poses a risk of violence or verbal abuse
* avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy
* always report any situation where a learner becomes distressed or angry to a Senior Manager.

**Transporting Learners**

*Members of staff should*:

* plan and agree arrangements with all parties in advance
* be aware that the safety and welfare of a young person or vulnerable learner is their responsibility while any trip or travelling arrangement takes place
* report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures
* ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety.

**Educational Visits, Enrichment activities, etc. *- (Refer to College Travel Policy)***

*Members of staff should*:

* always seek to have another adult present during trips and visits, unless otherwise agreed with Senior Managers
* ensure risk assessments have been undertaken
* check parental consent, where required, to the activity has been given.

**Photography, Videos and other Creative Arts - *(Refer to the Guidance for Photographing and Videoing Learners)***

*Members of staff should*:

* be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded
* ensure that other members of staff are aware that the photography/image equipment is being used and for what purpose
* ensure that all images are available for scrutiny in order to screen for acceptability
* be able to justify images of learners and, in particular, young people in their possession
* avoid making images in one to one situations.

*Members of staff should not*:

* take, display or distribute images of learners without consent to do so
* take images of young students with mobile phones.

**Inappropriate Images and Internet Usage**

*Members of staff should*:

* follow the College policy on the use of IT equipment and internet use
* ensure that children are not, through the use of any medium, exposed to indecent or inappropriate images
* ensure any films or materials shown to young people are age appropriate and sensitive to college policy on equality and diversity.

**Social Media**

*Members of staff should*:

* Not initiate personal invitations to students
* Not accept a friend request from a student
* Exercise discretion and caution if they have existing personal connections/friends/fans with students on sites such as Facebook if a connection/friend/fan becomes a student
* Follow the guidance given in the College’s Acceptable Use Policy and report to a Senior Manager any inappropriate approach by a student via social media.