



Policy Reference No

Code of conduct Policy for Schools St Helens Borough Council

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Policy Title

Policy Information

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About the Code of Conduct

This document aims to outline the standards of conduct expected from all employees in compliance with the code of conduct and ensure consistency in what is expected of the employees. It sets out guidance for staff and other adults working with children, with the intention of minimising the risk of being accused of improper conduct, particularly towards the young people with whom they come into contact during the course of their work.

As public employees, staff in schools are accountable to the public and the public is entitled to expect conduct of the highest standard. It is important that all employees in schools conduct themselves with personal and professional integrity, respecting the safety and wellbeing of others, and in a manner, which is beyond reproach and can be defended in the face of public criticism.

This code of conduct should be covered in schools' induction arrangements for all new employees and for most, will serve only to confirm what has always been their practice. Should they have any doubts about the advice contained in this document they should consult with their Headteacher or People Management.

Scope of the policy

This Code of Conduct applies to all employees of the school irrespective of their role, grade or status. It makes clear the conduct considered acceptable, and clearly indicates what action will be taken if school rules and/or policies are broken.

This code of conduct seeks to establish a set of core principles which underpin the concept of public service, and which are applicable to anybody who works with children, regardless of grade/position, hours of work or type of contract. It also includes volunteers and any other adults working with children. Governors of the school are covered by the Governor Code of Conduct.

It applies to employee's conduct both within the school and when dealing with other organisations as a representative of the school or Council and also applies to an employee's conduct outside of work if such conduct could lead to a loss of trust in an individual as an employee.

The Code of Conduct forms part of an employee's contract of employment. Failure to comply with its contents may result in disciplinary action, which could include dismissal.

Legislation and guidance

Schools are required to establish procedures for the regulation of staff conduct under regulation 7 of [The School staffing \(England\) Regulations 2009](#).

In line with the statutory safeguarding guidance [Keeping Children Safe in Education](#) - September 2023, this employees code of conduct covers:

- staff/pupil relationships and communications, including the use of social media
- acceptable use of technologies (including the use of mobile devices)
- allegations against staff

- whistleblowing
- suitability
- low level concerns

General Standards of Behaviour

This section outlines the expected standards of behaviour that must be demonstrated by all employees. This does not constitute a complete checklist of what is or is not appropriate behaviour for adults in all circumstances.

Professional Standards

In addition to this Code of Conduct, all employees engaged to work under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the ['Teachers' Standards Dec 2021'](#) and in relation to this document, Part 2 of the Teachers' Standards - Personal and Professional Conduct.

Personal Standards

Personal standards of behaviour must be high in dealing with other employees, volunteers, governors, parents and children. Public confidence in the school should be maintained by all employees who are expected to give the highest possible standard of service to the public:

- a duty of service – to work in accordance with their contract of employment;
- a duty to comply with reasonable instructions, procedures, and regulations;
- a duty of care – to be competent and capable and not to be negligent in work;
- a duty of good faith – to be honest and not accept a fee or commission or gifts from those who do business with the school or to divulge confidential information about the school;
- a duty of trust - act in accordance with the trust that the school expects of them.

Disclosure of Information

Employees must maintain appropriate confidentiality and not disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it. Unless:

- They are required by law to do so and/or
- Disclosure of the information to the appropriate person is required to adequately safeguard a child or children. Employees must not prevent another person from gaining access to information to which that person is entitled by law.

Employees must not use information obtained in the course of their employment for personal gain or benefit, nor shall they pass it on to others who may use it in such a way.

Only employees authorised by the Headteacher/Governing Body may talk to the press, or otherwise make public statements on behalf of their school. Generally, an employee (including a Headteacher) contacted by the Press should seek the advice of the Council's Press Office who may deal with the matter on the schools' behalf. This is not intended to prevent employees from writing or talking to the press on behalf of a Trade Union.

Politeness and Courtesy

Employees should always remember their responsibilities to the communities they serve, and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community. Each member of the public should be treated fairly, equitably and consistently in line with the school's Equality Policy.

Equality, Diversity and Inclusion

The Equality Act 2010 protects all people from discrimination, harassment and victimisation. The school is committed to promoting equal opportunities in employment and all employees will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation or caring responsibility.

The school has a zero tolerance towards discrimination, harassment and victimisation. All employees must show due regard to acknowledge and value people's differences, and, as far as possible, where permissible in policy and practice, meet an individual's needs in accordance with their choices and preferences.

The minimum standard of behaviour and attitude expected of school staff is to ensure all people who employees come into contact with are given equal opportunities and treated fairly and respectfully.

Identification

Employees who are meeting staff members, parents or members of the community at home as a representative of the school, should have appropriate identification. Staff members should always state the purpose of the visit and approximately how long this will take.

POLITICAL NEUTRALITY ACTIVITY

The governing body requires employees to implement its policies. This must be done equitably, and employees must not allow personal or political opinions to interfere with the duty to implement the lawful policies of the school/council.

Statute dictates that certain posts are politically restricted, this means that certain Council /School employees (employed under NJC/Soulbury Conditions of Service) holding politically restricted posts (as defined below) are disqualified from elected membership of any local authority, other than a Parish or Community Council, from being an MP or an MEP or to hold office in a political party. Neither must employees' canvas at any election or poll and/or speak or write in public in a way which appears to be designed to affect public support for a political party.

The posts under this restriction are: -

- a) All posts graded at spinal column point 44 (or equivalent) and above;
- b) All posts that meet the duties related criteria for determining a 'sensitive' post irrespective of remuneration level. In schools the posts would be those who would be required to speak on behalf of the school on a regular basis to journalists and broadcasters.

Any employee who wishes to apply for an exemption from these restrictions should put their request in writing to the Governing Body for consideration. The legal section regarding such matters will provide advice.

Gifts

Employees, volunteers and governors should be made aware of the school's policy for accepting gifts including arrangements for the declaration of gifts received and given.

It is against the law for public servants to take bribes. There are occasions when children or parents wish to pass small tokens of appreciation to employees, for example, at Christmas or as a thank you, and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Promotional gifts from suppliers of insignificant value (pens, diaries, key rings, calendars etc.) are acceptable and employees will not be required to declare these.

Employees are not permitted to receive any hospitality, gift or fee other than appropriate remuneration; employees should tactfully refuse offers of hospitality, gifts or services from organisations or persons who do or might provide work, goods or services to the school or who require a decision from the school. Employees must not accept or solicit gifts, additional payments or any other personal advantage from any service user, potential or actual contractor or supplier.

If an employee is offered a gift and they believe or suspect that the offer is made with the intention of influencing them to give favourable treatment to a pupil, potential or actual contractor or supplier, they must inform their Headteacher.

Hospitality

Employees are not permitted to receive any hospitality, gift or fee other than appropriate remuneration; employees should tactfully refuse offers of hospitality, gifts or services from organisations or persons who do or might provide work, goods or services to the school or who require a decision from the school. Employees must not accept or solicit gifts, additional payments or any other personal advantage from any service user, potential or actual contractor or supplier.

All employees must comply with any requirements of school to declare interests, hospitality, benefits or gifts received as a consequence of their employment to the headteacher.

Stewardship

All employees, volunteers and governors must:

- Use any public funds entrusted to or handled by them in a responsible and lawful manner.
- Not make personal use of property or facilities of the school unless authorised to do so.
- Not conduct work connected with an outside business or organisation during school time unless expressly and formally requested to do so by their Headteacher.

Care and Use of School Resources

School resources, whether tangible assets such as materials, equipment and cash, or business information, may only be used for the proper advancement of the business of the school, and for no other reasons.

Security and Use of Computer Data/Equipment

The information stored and processed on the information technology systems operated by the school is of paramount importance, and it is essential that the data and systems are adequately secured against risks such as operator errors, theft of equipment, unauthorised access to or copying of programmes and the use of unauthorised software on school equipment. In this regard, relevant legislation, in the form of the Data Protection Act 2018, and the Computer Misuse Act 1990 must be complied with.

Employees must endeavour to ensure that no unauthorised person gains access to equipment/data, which is within their responsibilities. User identifications and passwords must not be disclosed to anyone, and passwords must be changed regularly to a previously unused password.

Copyrights, Designs and Patents

Any inventions, creative design, writing or policies which are produced as part of normal duties or as an obligation are the property of the school and must not be passed to any outside organisation or person without the express permission of the School/Council.

Employees must not market or sell any invention, creative design, writing or policy which has been produced during the employee's period of employment with the School/Council as part of the normal duties attached to the employee's contract of employment.

Personal Interests

An employee must not in their official or personal capacity allow their personal interests to conflict with the school's requirements, bring the reputation of the school into disrepute, or use their position improperly to confer an advantage or disadvantage on any person.

Registration of interests

All Employees irrespective of grade or status must declare any financial interests in any organisation that could conflict with the school's interests.

Employees who are members of organisations not open to the public and which have secrecy about rules, membership or conduct, must declare this membership.

Where there are declared conflicts of interest that could bring into question the employee continuing in their role or carrying out some of their work or day to day activities, employees may be required to relinquish certain activities or required to withdraw from certain decision making processes whilst those conflicts exist.

Personal Relationships/Friendships

If a personal relationship exists or develops during employment, it should be declared where a potential, perceived or actual conflict of interest may exist.

Outside Commitments/Additional Employment

NJC (support staff) conditions of service prohibits employees graded above SCP 22 to engage in any other business or paid employment other than for which he/she is employed by the School/Council. To gain approval to undertake other paid work or engage in business activities, the employee must put the request in writing to the Headteacher. This will then be subject to Governing body approval.

All Employees including those employees graded below SCP 22 must not involve themselves in any organisation or business, either on a regular or casual basis, which carries out work on behalf of the school, or on School property, nor must they hold any financial or business interest in any such organisation.

The school also subscribes to the Working Time Regulations (1998) and takes an interest in the number of hours that an employee works above those contracted to the Council/School. All employees under this Code should notify the Headteacher of any additional work undertaken. The school has a duty of care to its employees and recognises that working excessive hours may be a contributory factor to employee ill health and may have an adverse effect on their ability to perform their substantive duties at the school.

Employees under SCP 22 are required to register that they have additional employment, those on SCP 22 or above must seek permission from the Headteacher. If clarification is required on this matter, then advice should be sought from the Personnel Manager and if necessary, discussed with the Headteacher.

Registration of Outside Commitments/Additional Employment

Employees registering an interest or applying for permission to engage in outside commitments or additional employment should do so on the appropriate form which is obtainable from school.

In all cases employees' applications to engage in outside commitments or additional employment will be considered by and commented on in the first instance by the Headteacher. This will then be submitted to the governing body for approval. This may be delegated to the Chair of Governors, but any requests approved should be reported to the following governing body meeting. The decision will be relayed to the individual in writing.

Employees registering interests will receive acknowledgment and any specific action that is required to be taken.

Appointment of Staff

Employees must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, who is a relative, friend or partner.

In this paragraph: 'Relative' means a spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse of partner of any of the preceding persons. 'Partner' means a member of a couple who live together or who have a close personal relationship.

Safeguarding Pupils

Employees have a duty to have regard to Keeping Children Safe in Education throughout their employment and abide by the duties placed upon them within this.

Staff will observe proper boundaries with pupils that are appropriate to their professional position. They will act in a fair and transparent way that would not lead anyone to reasonably assume they are not doing so.

For further information, please refer to the [Council Child Protection & Safeguarding Policy](#).

Communication and social media

Employees should not give their personal contact details to children for example, e-mail address, home or mobile telephone numbers, details of web-based identities. If children locate these by any other means and attempt to contact or correspond with the employee, the adult should not respond and must report the matter to their manager. The child should be firmly and politely informed that this is not acceptable.

Employees should be aware of St Helens Council's [Internet and Email Policy for Schools](#).

When using social media for personal reasons, employees should not publish defamatory and/or knowingly false material about St Helens Borough Council, associated workplaces and colleagues. Employees should not publish anything, which may have the potential, through association, to bring the school into disrepute.

Acceptable use of technology (including the use of mobile devices)

The school provides internet and email facilities for work-related activities only, and any misuse may lead to disciplinary action. Employees are permitted reasonable personal use of the internet during lunch breaks. The school may monitor email traffic and time spent on the internet as part of any investigations into suspected misuse of the system.

Employees should not engage in inappropriate use of social media sites, either inside or outside of working hours, which may bring themselves, the school or employer into disrepute.

Whistleblowing

The school is committed to the highest possible standards of openness, probity and accountability. In accordance with that commitment the school expects employees and others that we deal with who have serious concerns about any aspect of the school's business to come forward and voice those concerns. The Whistleblowing Policy makes it clear that employees can do so without fear of victimisation, subsequent discrimination or disadvantage and encourages and enables employees to raise concerns.

[The Whistleblowing Policy](#) is intended to cover concerns that fall outside the scope of other procedures.

There is a statutory requirement for the school and its employees to protect children. If employees have any safeguarding related concerns, they are responsible for raising them promptly following the school Safeguarding Policy.

Wages and Recoupment

There may be times where there has been an overpayment made to salary. Employees have a responsibility to check their own salary and have an obligation to contact the Council Payroll Team to report any overpayment if suspected. The Council reserves the right to require repayment, either by deduction from salary or other accepted methods. In each case individual circumstances will be taken into account when deciding the period over which the repayment is to be made.

Health and Safety

In the interests of the public and colleagues you must adhere to the Council's Core Health and Safety Procedures.

Recordings

The school does not permit covert recording under any circumstances. The recording of meetings or conversations is only permitted after permission has been obtained from all those present. This does not affect an employee's right to request any reasonable adjustments relating to a disability.

Further information

Statutory guidance:

- [Keeping Children Safe in Education](#)
- [Working together to Safeguard Children 2023](#)

St Helens Council policies adopted by the Governing body/school:

- [Organisational Safeguarding Policy](#)
- [Employee Disputes Resolution Policy for Schools](#)
- [Internet and Email Policy for Schools](#)
- [Whistleblowing Policy](#)