St John Henry Newman Catholic Primary School

Staff Code of Conduct Policy

Approved: October 2026
Next Review Date: October 2027

General Statement
The Code of Conduct Policy is designed to help management, members of staff and their Trade Union Representative deal with such issues in the workplace. All adults are a duty to keep pupils safe, promote their welfare and to protect them from sexual, physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrate integrity, maturity and good judgement. Following this Code will help to safeguard staff, governors and volunteers from being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to pupils and the Required Professional Standards.

The Code of Conduct Policy has been drawn up to guide all adults on how they should conduct themselves when carrying out their duties and responsibilities at work. It also covers off-duty behaviours where they are relevant to a person's employment at St John Henry Newman Catholic Primary School. Particular types of work may have special rules that apply to them. In such cases this policy will be supplemented by departmental codes, professional standards or national guidance. In some cases it will be clear that the rules are directly applicable, for example the National Standards for Teachers, however where it is less obvious it will be the manager's responsibility to ensure that the employee is aware of them.

It is not possible to establish requirements that cover all situations and circumstances, so the contents of these standards should be considered as **the basic principles** staff should follow.

Staff, governors and volunteers are expected to know and to follow the rules that apply to them. It is important that they acquaint themselves with the policies and procedures that apply to the activity and responsibility of their particular job. If they are not sure what rules apply to them, they should ask their line manager.

Equal Opportunities
Managers must ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender identity, pregnancy or marital status.

Scope
This policy applies to all Staff, governors, directors, volunteers, contractors, trainees, apprentices, self-employed and others working/providing services with reference to the appropriate national conditions of service, guidance set out in 'Keeping Children Safe in Education' (DFE 2026) and the relevant current statutory guidance on dealing with allegations against staff. From hereon in, all Staff, governors, directors, volunteers, contractors, trainees, apprentices, self-employed and others working/providing services will be referred to as **'All Adults'.**

1. Breaches of the Policy/Code

It is not possible to cover all situations and circumstances. A list of examples of misconduct under this policy/code is available as a guide. **(See appendix A - the list is not intended to be exhaustive and offences with similar seriousness would receive the same treatment).**

2. Core Standards

All adults, must follow and uphold the standards (including the Required Professional Standards) and core standards of St John Henry Newman Catholic Primary School to ensure a quality service is provided at all times.

2.1 All adults, as appropriate to the role and/or job description of the individual, must:

- Place the well-being and learning of pupils at the centre of their professional practice
- Have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances
- Treat pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality
- Model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people
- Respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education
- Seek to work in partnership with parents and carers, respecting their views and promoting understanding and cooperation to support the young person's learning and wellbeing in and out of School
- Reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues
- Ensure that the same professional standards are always applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.

2.2 Teachers are required to comply with the Teachers' Standards September 1st 2012, in particular, Part 2 Personal and Professional Standards.

All adults must be familiar with and act in accordance with the most recent versions of the following documents:

- Part 1 of Keeping Children Safe in Education DfE (statutory)
- Working Together to Safeguard Children HM Government (statutory)
- Prevent Duty Guidance HM Government (statutory)
- 'The Prevent Duty Departmental Advice for Schools and Childcare Providers' DfE
- 'Guidance for Safer Working Practice for those Working with Children and Young People in Education Settings' (non-statutory).

2.3 An employee who fails to bring a matter of concern to the attention of senior management and/or the relevant agencies is likely to be subject to disciplinary action. In addition to behaviours outlined elsewhere in this Code of Conduct and, the types of abuse and neglect set out in Keeping Children Safe in Education DfE, the following is a non-exhaustive list of some behaviours which would be a cause for concern and would be covered by the Code of Conduct:

An adult who:

- Allows a pupil/young person to be treated badly; pretends not to know it is happening; fails to disclose
- Gossips/shares information inappropriately

- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way that is inappropriate for the job role
- Does not treat pupils fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses their position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a pupil or pupils
- Appears to have special or different relationships with a pupil or pupils
- Seems to seek out unnecessary opportunities to be alone with a pupil.

2.1 Conduct at Work

All adults are expected to perform the duties of their post diligently and to the best of their ability. In doing so they must comply with St John Henry Newman Catholic Primary School's policies, procedures, guidance and practices, for example reading, engaging with and participating in safeguarding related CPD (including reading statutory documents such as 'Keeping Children Safe in Education'). All adults are expected to support the Catholic ethos of the school and not behave in a way that is incompatible with, or prejudicial to, the religious character of the school or the precepts or tenets of the Catholic Church. All adults areexpected to behave in ways which are not likely to bring the School or the Church into disrepute. All adults are expected to follow school policies (including behaviour, anti-bullying and anti-racism) and show politeness, courtesy and respect to all members of the school community, stakeholders and visitors.

All adults must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Deliberately intimidating pupils by shouting aggressively, hectoring or overbearing physical presence is not acceptable in any situation.

2.2 Conduct Outside of Work

Each member of staff, governor and volunteer is expected to behave in ways which are not likely to bring the School or the Church into disrepute

2.3 Equality and Mutual Respect of Opportunity

Each member of staff, governor and volunteer must ensure that the dignity and rights of members of the local community, visitors, pupils and all other staff are recognised and protected at all times. Persons must be treated with fairness, equity and courtesy in accordance with the school policies and the law. Each member of staff, governor and volunteer must not allow prejudice or bias to influence their decisions in carrying out their work.

3. Use of school Resources

3.1 Reporting Impropriety, Dishonesty or Fraud

If any member of staff, governor or volunteer becomes aware of impropriety, dishonesty or fraud by another member of staff, governor or volunteer they are encouraged to draw this to the attention of the Headteacher.

In such circumstances they may believe it is easier to ignore the concern rather than report

what may just be a suspicion of misconduct. Staff, governors and volunteers should be reassured at their induction that St John Henry Newman Catholic Primary School is committed to the highest possible standards of openness, integrity and accountability. The school expects members of staff, governors and volunteers and others that it deals with, who have serious concerns about any aspect of its work, to come forward and voice those concerns. Everyone must fully recognise the duty to do so particularly in terms of child protection. Adults have a duty to report any child protection or welfare concerns to one of the designated members of staff in school. The member of staff, governor or volunteer should be encouraged to draw any other concerns to the attention of the Headteacher or member of the leadership team.

St John Henry Newman Catholic Primary School has a Whistleblowing Policy and Procedure, which makes it clear that employees can raise their concerns in confidence without fear of victimisation, subsequent discrimination or disadvantage.

3.2 General Resources

Staff, governors and volunteers must ensure they use the school's time, resources (such as equipment), property and benefits honestly, responsibly and efficiently at all times to ensure value for money to the school and pupils it serves .

Any resources or property, issued to the member of staff, governor or volunteer by the school, is for the purposes of effectively carrying out their duties (e.g. e-mail, internet access, mobile phones, and laptops and tablets). Any such items remain the property of the school and as such can be withdrawn at any time if it is considered in the best interests of the school.

3.3 Technology

Telephones and, where issued, mobile devices (mobile phones, tablets and walkie talkies) are for members of staff use in connection with carrying out their duties of the post effectively. Private calls should not be made unless absolutely necessary. All calls should be kept as short as possible. Abuse of the use of telephones and mobile devices for private calls, may be viewed as misconduct and as such result in disciplinary action.

Members of staff, governors and volunteers may access the internet on work premises for their own use, provided that this is before starting work or when work is finished, not excessive and observes the guidelines for School's Acceptable Usage Policy. Failure to do so may be considered misconduct and could lead to disciplinary action being taken.

Members of staff, governors and volunteers must not link their own blogs/personal web pages or social media to the school's website, unless expressly given written permission by the Headteacher.

Members of staff, governors and volunteers use (whether at work or outside of work) of devices or resources provided for work use is subject to monitoring to identify cases of inappropriate usage, which may constitute a disciplinary offence and in some instances a criminal offence.

Examples of such devices or resources are:

- Local Schools websites
- Social networking sites, for example Facebook
- Personal web logs (blogs), such as Twitter
- E-mail
- Telephone facilities
- Mobile phone,
- Smartphones, for example iPhone
- PDAs
- iPods
- Laptops/tablets
- Printers

All adults are responsible for ensuring these devices and in addition memory sticks, are secured safely to avoid possible breaches of confidentiality and theft.

4. Smoking/Vaping at Work

All adults are not allowed to smoke or vape on the premises of St John Henry Newman Catholic Primary School.

5. Gifts

It is against the law for public servants to take bribes. All adults need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents wish to pass small tokens of appreciation to staff e.g. 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.

If, in the course of a member of staff's work, (s)he, or a member of their family is offered a reasonable* gift, concession or some other benefit by an organisation, or member of the public, the member of staff must inform his/her line manager of this gift, concession or benefit. If the member of staff is offered a gift, concession or benefit of more than £25.00 in value, (s)he must seek approval of the Headteacher before it can be accepted.

Minor items of a promotional nature such as diaries, calendars, mugs and other objects of a token value may be accepted. If in doubt, please speak to your line manager.

Personal gifts must not be given to pupils. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the school's behaviour or rewards policy, recorded, and not based on favouritism.

* reasonable means up to the value of £25.00
** significant means over the value of £25.00

6. Hospitality

6.1 Invitations to hospitality events should be politely declined unless the member of staff has received prior authorisation to attend from their line manager. In considering such invitations the line manager will have in mind whether there is a genuine need to impart information or represent the school at the event.

6.2 Under no circumstances should any gifts or hospitality be accepted from contractors who are potential tenderers in the period leading up to the tendering and awarding of a contract by the school.

6.3 When offers of gifts or hospitality are made, this may be construed as an action taken to gain advantage or favour. Any act of acceptance could be a criminal as well as a disciplinary offence. Any gift, hospitality or other benefit received by a member of staff or governor in public service from a person or organisation holding or seeking to obtain a contract will be deemed by the courts to have been received corruptly unless the member of staff, director or governor proves the contrary.

6.4 Members of staff and governors are required to declare any gifts/hospitality received in the register held by the School Business Manager.

7. Sponsorship

7.1 If a member of staff, director or governor is involved in the seeking or receiving of sponsorship for school activities, they must ensure that sponsorship is not accepted in circumstances where the integrity of the school may be seen to be compromised.

8. Outside Commitments

8.1 Each member of staff's, governor and volunteer off duty hours is their own concern, but their conduct at all times must not in any way bring the school into disrepute.

8.2 Some members of staff cannot undertake outside work or take up any additional appointment without the express consent of the school If this applies to a member of staff, it will be shown in their Contract or in the Conditions of Service. If the member of staff is in any doubt about their contractual obligations, they should seek the advice of the Headteacher.

8.3 The member of staff, governor and volunteer is expected to notify the Headteacher of any convictions incurred while employed by the school irrespective of whether the offence occurred on or off duty.

9. Interests

9.1 Conflict of Interest

All members of staff, governors and volunteers have a duty to serve the pupils of the school and their parents in a way that demonstrates impartiality and value for money. Members of staff should not, without authority, undertake activities unconnected with their professional role during working hours.

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.

Staff in full-time employment should inform the Headteacher where they are undertaking

paid work which may impinge on their normal duties, including activities such as lectures, private tuition, publications, press articles or radio/TV appearances.

The payment of fees to teachers acting as examiners is covered by the specific provisions of the Burgundy Book and the regulations of Examining Bodies.

In this context the member of staff must not undertake any outside work if:

- their official duties and professional responsibilities overlap in some way with the proposed work,
- it causes an actual or perceived conflict of interest, for example working for another employer, breach of the working time regulations
- it involves the award of grant aid/sponsorship,
- it makes use of materials, facilities or contacts to which the member of staff has access by virtue of their position.
- It brings the school into disrepute

9.2 Pecuniary Interests (please refer to Appendix B and C)

Orders and contracts must be awarded on merit and by fair competition against other tenders. Scrupulous care must be taken to ensure that the selection process is conducted impartially and in strict accordance with Contract Standing Orders.

Members of staff who have both a client and contractor responsibility must remember the need for accountability and openness in the tendering process. Members of staff or governors known to have a relevant personal interest must play no part in the selection.

If the member of staff, director or governor becomes aware that the school has entered or proposes to enter into a contract in which they have a pecuniary interest; the member of staff or governor must declare their interest to the Headteacher

9.3 Personal Interests (please refer to Appendix B and C)

Members of staff and governors must disclose any potential conflict of interest they are aware of to the Headteacher. The School Business Manager will keep a record of all notifications from members of staff governors and take appropriate steps as necessary. Records must be readily accessible for audit purposes. Information may be shared between senior members of staff as appropriate. A range of situations could create potential conflicts of interest by virtue of a personal commitment, such as (this list is not exhaustive) include:

- A member of staff's, governor's or volunteer's financial or non-financial interest in an activity or business that could be considered as a conflict with the school's interests, or which could bring into question a member of staff's, governor's or volunteer's conduct.
- Any matters, which would normally be dealt with or accessed by a member of staff, governor or volunteer involving any individual companies or organisations, which the school does business with, in which a relative, friend or associate has a financial interest.
- A trusteeship of a voluntary body.
- As a Justice of the Peace: in this case the member of staff, governor or volunteer should bear in mind the need not to sit as a Justice in any case in which there could be doubt about their judicial detachment.

- Membership of an organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules, membership or conduct (e.g. Freemasons): in this case the member of staff, governor or volunteer must record their membership by signing a register held by the School Business Manager.

10. Confidentiality

Each member of staff, governor and volunteer has an obligation to respect the confidentiality of information acquired in the course of their work and must not disclose information about other members of staff, governors or volunteers, pupils, parents/carers of pupils, school finances or any other school business either directly or by way of casual conversation. The member of staff, governor or volunteer must not use such information for their personal advantage or gain or pass it to others who may use it for their advantage or gain.

11. Data Protection

St John Henry Newman Catholic Primary School is required by law to comply with the latest Data Protection Act and GDPR. All members of staff, governors and volunteers must ensure that personal information is processed lawfully and fairly. Personal information is information relating to a living individual who can be identified. It is each member of staff's responsibility to handle all personal information properly no matter, how it is collected, recorded and used, whether on paper, in a computer, or on other material. A member of staff, governor or volunteer will not disclose personal information to others unless authorised to do so.

12. Political Affiliations/Neutrality

As an employee of St John Henry Newman Catholic Primary School the member of staff's, governors or volunteers personal political opinions should not interfere with their work or bring the school into disrepute.

13. Personal Relationships

13.1 Relationships with Staff

Appointments to posts within the school are made on the basis of merit and the ability of the candidate to undertake the duties of the post. To avoid any accusation of bias the member of staff or governor should ensure that they are not involved in an appointment procedure where they are related to an applicant or have a close personal relationship with them outside work.

It is not acceptable for the member of staff to have a direct reporting relationship (such as line manager/subordinate) with a person who is a family member or somebody with whom they are either cohabiting or have an intimate personal relationship. Such relationships can give rise to challenges about integrity and suggestions of favouritism. It is therefore imperative that the school can ensure decisions around recruitment processes, disciplinary proceedings, pay, training, promotion or reimbursement of expenses are taken by individuals who have nothing more than a professional working relationship.

Members of staff must be open about the existence of a personal relationship within a direct reporting relationship and they are required to disclose the matter to their line manager who

will inform the Headteacher. Failure to disclose any such relationship may result in disciplinary action. The line manager, in consultation with the Headteacher, will make such arrangements as are deemed necessary to ensure that there is no conflict of interest arising from such a situation. This may include re- allocation of duties of one or other of the parties in the interests of the school. The decision to move a member of staff will be made for business reasons and not on the basis of status.

Where members of staff develop close personal relationships over a period of time, and they are already in a direct reporting relationship, then the existence of the relationship should be reported as above.

13.2 Relationships with Parents and Carers

All adults are expected to maintain professional, respectful and courteous relationships with parents and carers at all times. Communication with parents should reflect the values, ethos and safeguarding responsibilities of the school, and be focused on supporting the educational and personal development of the child.

To protect both staff and the integrity of the school:

- Relationships with parents and carers must remain professional at all times. Staff must avoid any personal, overly familiar, or social contact with parents outside of school-related matters that could compromise their professional role or create a conflict of interest.
- Staff must not engage in private social media communication or non-professional online interactions with parents or carers. All communication should follow the school's acceptable use and safeguarding policies.
- Any concerns or misunderstandings with parents must be reported to a line manager or the Headteacher rather than handled independently.
- **If a member of staff, governor or volunteer has a personal relationship with a parent or carer** (including friendships, family ties, or romantic relationships) **prior to employment or develops such a relationship during the course of employment**, they are expected to disclose this to their line manager **prior to starting work, or as soon as practically possible**. This is to ensure transparency, avoid any conflict of interest, and maintain professional boundaries. Failure to disclose any such relationship may result in disciplinary action.
- Staff members who are also parents must refrain from discussing or sharing school-related or confidential matters with other parents, to maintain professional boundaries and protect sensitive information.
- In such cases, the Headteacher may determine appropriate measures to safeguard impartiality and ensure the professional integrity of all parties involved.

14 Personal Appearance

The issue of personal appearance is a balance must be between personal freedom, comfort, the image of the school in the eyes of its pupils and the nature of the work the member of staff and volunteer does. As a basic principle all members of staff, governors and volunteers are expected to demonstrate good standards of personal hygiene and care of their appearance. It is expected that members of staff, governors and volunteers will dress appropriately according to the nature of the work they are doing and in accordance with the principles outlined above. Members of staff, governors and volunteers are expected to wear identification, protective clothing and equipment where they are provided. This may be required for the purpose of Health and Safety or for easy identification by other members of

the school community and visitors Members of staff, governors and volunteers are expected to dress modestly and professionally at all times. Inappropriate attire, including clothing that is overly revealing, short or tight-fitting, should not be worn in school. This includes, but is not limited to:

- Short skirts, dresses, or shorts that are not of a modest length (generally to or just above the knee),
- Crop tops or tops that expose the midriff,
- Clothing with offensive language, logos, political statements or imagery.

Adults who dress or appear in a manner that may be considered inappropriate could render themselves vulnerable to criticism or, where the adult is an employee, allegations of misconduct that may lead to action under our disciplinary procedure. Members of staff, governors, directors and volunteers are expected to wear identification, protective clothing and equipment where they are provided. This may be required for the purpose of Health and Safety or for easy identification by other members of the school community and visitors.

Clothing should be practical for the tasks being undertaken and reflect the high expectations of our Catholic school community.

14. Conclusion

This policy does not try to cover every situation. It tries to give an indication of the standards of behaviour or conduct that St John Henry Newman Catholic Primary School expects.

Anyone in doubt about how this applies to them should ask their line manager.

Finally, there are agreed policies, procedures and guidelines for dealing with allegations of misconduct. St John Henry Newman Catholic Primary School is determined that any misconduct is handled in a way that is fair and consistent.

Appendix A: List of Examples of Misconduct

(The examples are not intended to be exhaustive and offences with similar seriousness would receive the same treatment).

1. Gross Misconduct

This means that the employee does something that St John Henry Newman Catholic Primary School is entitled to regard as a fundamental breach of the member of staff's contract of employment. If a member of staff did something like this, then the school could not allow them to remain at work.

Any member of staff suspected of committing an act of gross misconduct would be suspended with full pay whilst an investigation is carried out. If, after proper investigation, under the disciplinary procedure, it was decided that the member of staff had committed an act of gross misconduct, they would be summarily dismissed without further warning, unless there were very exceptional mitigating circumstances.

List of examples:-

- Conduct incompatible with, or prejudicial to, the religious character of the School or the precepts or tenets of the Catholic Church
- Conduct that is likely to bring the School or the Church into disrepute
- Failure to uphold the safeguarding standards detailed in the latest copy of 'Keeping Children Safe in Education'
- Dishonesty.

Examples of which would include: -

- theft of property belonging to the school, students, parents of students, or other members of staff. This could include abuse of a position of trust.
- deliberate falsification of timesheets, expense claims, claims for financial gain etc. flagrant abuse of any flexitime scheme.
- demanding or accepting monies or other consideration as an inducement for the use of school / school property, provision of school services, placing of school orders/contracts or the showing of favour on behalf of the school
- acceptance of any gift or reward for the performance of official duties unless specifically authorised by the head teacher or regarded by them as appropriate in the circumstances.
- false statements made when applying for appointment, especially in respect of qualifications which are a stated requirement of employment or which result in financial gain.
- failure to disclose unspent criminal convictions (or, in respect of posts exempt under the terms of the Rehabilitation of Offenders Act 1975, any conviction, irrespective of whether spent or not and whether incurred before or after appointment).This could include police cautions which form part of a criminal record.

- Deliberate and sustained refusal to carry out a reasonable, lawful, and safe instruction or the normal duties of the post which constitute a fundamental feature of the job.

- Gross negligence in failing to attend to, or carry out, the normal duties of the job.
- Willful serious infringements of safety rules or other negligent actions, which seriously place the health and safety of the member of staff or other persons at risk.

Examples of the above three codes: -

- smoking in identified 'no smoking' areas containing combustible, inflammable or explosive materials.
- driving a vehicle owned by a school in a reckless manner that leads or could have led, to otherwise avoidable serious injury or death of other persons.
- being unfit to perform duties satisfactorily as a result of taking alcohol or drugs not in accordance with medical advice. This would particularly relate to:
  - members of staff while in charge of machinery, vehicles etc.
  - members of staff who are responsible for students.

- Willful unauthorised disclosure of information or misuse of a position of trust in a manner which could be harmful to the school, its students, or members of staff, or for financial or other gain.

For example: -

- the misuse of personal information on members of staff, students, etc.

- Serious misuse of the school's property, including computers, telephones.

For example: -

- inappropriate use of the Internet - see guidelines for use of the Internet and social media available on the intranet or on request from the line manager. Examples of this would include excessive use, accessing, posting (i.e. on Facebook) or downloading pornographic or other unsuitable material, publishing anything that may breach the equality act e.g. anything considered sexist, racist, ageist homophobic or anti faith, conducting bullying, harassment and victimisation via social networking channels, e.g. posting photographs or offensive or threatening comments about colleagues.
- unauthorised use of software e.g. uploading software in violation of copyright or downloading any software or electronic files.
- unauthorised access.
- abuse of the facility to use computers for private purposes.
- sending emails that could be reasonably construed by the recipient as offensive.
- inappropriate use or excessive use of texts, mobile telephones.

- Acts of violence or vandalism in the course of employment directed towards members of the public, students, parents, members of staff or governors.

For example: -

- malicious damage to property belonging to others.
- actual physical violence to or assault of others or, in certain circumstances, threatened physical violence.
- physically or verbally abusive or threatening behaviour towards others.

- Sexual misconduct at work, or sexual relationships with people for whom St John Henry Newman Catholic Primary School has a responsibility of care, by those who have contact with them, in the course of work.

For example: -

- Staff having sex on any school premises.

- Unlawful discrimination or acts of victimisation or harassment on grounds of race, gender, disability, sexual orientation age, religion or any other grounds. When investigating a racist incident, the school will take as its starting point the Home Secretary's recommendation in the MacPherson report (1999) for such an investigation; detailed as follows: **"A racist incident is any incident which is perceived to be racist by the victim or any other person."**

2. Off-Duty Misconduct

This is behaviour, which in context of the nature of the employment fundamentally undermines the school's confidence or trust in the member of staff or there is a real risk of the school being brought into disrepute. This does not relate solely to the reputation of the local school but also to the suitability of the member of staff continuing in their job if the misconduct relates directly to employment.

For example: -

- drug offences, criminal offences or sexual misconduct by members of staff.
- a conviction for theft of any member of staff whose job involves handling cash or valuable goods, entering families' homes or access to sensitive information.
- any conviction for violent behaviour, for example affray, harassment, assault or criminal damage.
- inappropriate use of personal web pages, blogs or social media pages, for example making defamatory remarks about the Catholic Church or school, colleagues or students or their parents/carers, misrepresenting the school, by posting false or inaccurate statements about the work of the school, including any information, sourced from the school, which breaches copyright, publishing any material or comment that could undermine public confidence in them as members of staff of the school and/or in position of trust within the community,
- revealing any information that is confidential to the school or any third party or disclose personal data or information about any individual/colleague, which could be in breach of the Data Protection Act

All members of staff are expected to notify the Headteacher of any convictions incurred while employed by the school, whether the offence occurred on or off duty.

3. General Misconduct

Although this would be regarded seriously, it would not be seen as a major breach in employment relationship, and, for a first offence, a warning would normally be sufficient. Some more serious acts of misconduct might justify the issuing of a final warning in the first instance. The main purpose of any action taken by management would be to ensure the member of staff modifies their future behaviour. Only when a warning(s) has not been heeded would misconduct lead to action being taken, which could result in a member of staff's dismissal.

For example: -

Absenteeism and lateness: -

- unauthorised absence from work during working hours without good reason.
- frequent failure to attend punctually (or in accordance with any flexitime scheme, where applicable).
- failure to comply with procedures and regulations regarding the notification of sickness absence.

Dishonesty: -

- abuse of the facility to make private telephone calls.
- sending personal mail at the school's expense.
- failure to report any loss or damage to any property issued to (or used by) the member of staff, or to notify the appropriate officer of accidents occurring while driving a vehicle owned by school.
- failure to report driving offences.
- failure to report a direct reporting relationship with a member of staff to whom they (the employee) are related, cohabiting with or have an intimate personal relationship

Other Misconduct:-

- failure to wear protective clothing, use protective equipment or adopt safe working practices where required by law or management.
- negligent use of the school's property in such a way as is likely to cause serious damage or loss.
- unauthorised use of protective clothing or other comparable items of the or school's property while off duty.
- failure to comply with the school's policy, procedure and guidance e.g. 'no smoking', 'use of resources e.g. telephones (including mobile), printers, Internet (including Facebook), e-mails, iPods, etc.
- failure to carry out, without good reason, the obligations which the law or the contract of employment place on the member of staff.
- failure to comply with security guidelines e.g. computers, laptops, memory sticks.
- insubordination and/or failure to carry out a reasonable, lawful, and safe instruction or the normal duties of the post.

Inappropriate behaviour towards other people, whether members of the public, partner organisations, persons in care, students, other members of staff or governors

For example:-

- adopting persistently uncooperative or unhelpful attitudes, rudeness, abusive behaviour or offensive language and behaviour involving elements of discrimination, harassment or victimisation.

Appendix B: DEFINITION OF BUSINESS AND PECUNIARY INTERESTS

When visiting schools auditors are often asked the difference between business interests and pecuniary interests and exactly who should be making what declarations.

Business Interests

A business interest is the involvement of an individual or their family members in any trade or profession, along with any direct interest they may have in any company providing goods or services to the school. For example, if a Governor runs their own building company or provides training courses for teaching staff. When making a decision about what or what not to declare, the individual should consider how they may be challenged about their decision not to disclose information.

All members of the Local Governing Bodies, the Headteacher and any staff who influence financial decisions, are expected to declare any business interests that they or any family member may have. See Appendix C for a suitable form to be used. A register of the business interests should be made available in each school and there should be an annual review of this register. In addition, where a Governor or member of staff has no business interests, they should complete a form saying 'No interests to declare'. New Governor or members of staff, influencing financial decisions, should be asked to complete a form on joining the Local Governing Body or school.

Pecuniary Interests

It is a common misconception that pecuniary interests are the same as business interests; however, pecuniary interest is a wider term. Pecuniary interests include personal financial interests, such as involvement in a trust fund or investment, as well as potential interests, for example, where a member of staff's husband is applying for a vacancy in the school or where a teacher Governor is involved in the decision over the promotion of a colleague, and where they may be a potential candidate for the post made available.

Because of the nature of these interests, they cannot only be declared annually. All members of the Governing Bodies and all members of staff should be made aware of the need to declare these interests, as they arise. Declarations should be made in writing to the Headteacher or the Chair of Governors and these should be filed in a register of pecuniary interests.

Appendix C - DECLARATION OF INTERESTS

St John Henry Newman Catholic Primary School

DECLARATION OF BUSINESS AND PECUNIARY INTERESTS AND CONFLICTS OF INTEREST RETURNS (INCLUDING NIL RETURNS) ARE REQUIRED EACH YEAR

NAME …… POSITION **……..**

ADDRESS ……..

Name and address of Business	Nature of the Business	Nature of the Interest	Date the Interest began	Details of any Interests of parent, spouse, civil partner, cohabitee or child

SIGNED …… DATE ..... You may wish to discuss or clarify the above points with your Headteacher and record below

Discussion Notes	Outcome

SIGNED …… DATE …….. SIGNED (Headteacher)…… DATE ……..