



DIOCESE OF SHEFFIELD ACADEMIES TRUST STATUTORY POLICIES

DELEGATION

The following policies are to be drawn up by the individual academy:

Home school agreement policy
Medicine & supporting pupils with medical condition
Register of pupils' admission to schools
Register of pupils' attendance
School information published on a website
Sex (and relationship) education policy
Special education needs
Adult volunteers
Anti-bullying
Early years foundation stage policy
Behaviour policy
Charging and remissions policy
*Admission policy**
*Child protection policy**
*Central record: recruitment and vetting**

*produced by the school following trust guidelines

Index of policies in this document

Accessibility plan
Equal opportunities policy/ objectives
Data protection policy
Complaints procedure
Statement of procedures for dealing with allegations against staff
Staff code of conduct adapt
Health and safety policy
Premises management documentation
Pay & rewards policy



ACCESSIBILITY PLAN

The Diocese of Sheffield Academies Trust is committed to the view that each child is unique and of infinite value to God.

Definition of Disability

“A person has a disability if he /she has a physical or mental impairment that has a substantial and long- term adverse effect on his/her ability to carry out normal day to day activities”

Disability Discrimination Act – 1995 (DDA)

Main objectives

To reduce and eliminate barriers to access to the curriculum

To have full participation in the academy community for students, prospective students and adult users with a disability

These objectives are in accordance with the school development plan.

Principles

This plan has been produced in accordance with the Disability Discrimination Act 1995, as amended by the SEN and Disability Act 2001 (SENDA). It uses the guidance set out in “Accessible Schools: Planning to increase access to schools for disabled pupils”, which was issued by DFES in July 2002.

Compliance with the DDA is consistent with the school’s aims, equal opportunities policy, and the operation of the school’s SEN policy.

The academy recognises its duty under the DDA (as amended by the SENDA):

- Not to discriminate against disabled pupils in their admissions and exclusions, and provision of education and associated services
- Not to treat disabled pupils less favourably
- To take reasonable steps to avoid putting disabled pupils at a substantial disadvantage
- To publish an Accessibility Plan

In performing their duties, governors and staff will have regard to the DRC Code of Practice (2002)

The academy:

- Recognises and values the parent’s knowledge of their child’s disability and its effect on his/her ability
- Respects the parent’s and child’s right to confidentiality

The academy provides all students with a broad and balanced curriculum, differentiated and adjusted to meet the needs of individual students and their preferred learning style, by:

- setting suitable learning challenges
- responding to students’ diverse learning needs
- overcoming potential barriers to learning and assessment for individual and groups of students.

- endorsing the key principles in the National Curriculum Framework, which
- underpins the development of a more inclusive curriculum

This plan will contribute to the review of the school development plan and to related school policies including:

- Equal Opportunities Policy
- Teaching and Learning Policy

Provision

This section outlines the main provisions that the academy has made and is planning to make, to achieve the key objectives.

Delivery of the Curriculum

Staff receive training in making the curriculum accessible to all students and are aware of its importance.

The academy will continue to seek and follow advice from LA services, such as specialist teacher advisers and SEN inspectors/advisors and of appropriate health professionals from the local NHS Trusts.

Physical Environment

The site has been made more accessible with the provision of *****INSERT***** to make access easier.

A premises accessibility plan is available in/on *****INSERT***** where this can be found]. Following the disability survey the academy carried out in [insert date], we have improved the following areas: *****INSERT***** areas of improvement].

The academy will take account of the needs of students and other users with physical difficulties and sensory impairments when planning and making further improvements and refurbishments of the premises such as improved access, lighting, acoustic treatment and colour schemes, and more accessible facilities and fittings.

Provision of information in other formats

The academy is aware of local services, including those provided through the LA, for providing information in alternative formats when required or requested.

The plan is also available on the academy website or on request from the Headteacher, in the following formats: - email, enlarged print version, other formats by arrangement.

The policy was reviewed by: Dated.....

CENTRAL RECORD OF RECRUITMENT AND VETTING

The Diocese of Sheffield Academies Trust approaches all safeguarding issues from the perspective of Christian concern for every individual as a child of God.

Purpose

1. We are committed to safeguarding the welfare of children and, as employers, the Diocese of Sheffield Academies Trust (DSAT) are responsible for ensuring that they have a written recruitment and selection policy in accordance with the “Safeguarding Children and Safer Recruitment in Education” guidance issued by the DfES in April 2011 and updated in April 2012.
2. Safeguarding and promoting the welfare of children is an integral element of our school’s management.
3. Robust and rigorous recruitment and selection practices help to deter or prevent unsuitable applicants from gaining positions within schools, and helps to ensure that the workforce is fully committed to the safety and welfare of children who contribute to a safe and secure school environment.
4. The purpose of this policy and associated guidance is to collate principles of good practice and to provide guidance that incorporates the nationally recommended approaches to safeguarding children.
5. The measures described in this policy and in the recruitment and selection toolkit are applied in school wherever adults (including Governors) work with children who are children under 18 years of age.

Roles and Responsibilities

1. The Headteacher is responsible for the internal organisation and management of ***INSERT Academy name***
2. All staff, governors and volunteers have an integral responsibility to ensure that the school’s environment is safe and secure for children and that all appropriate procedures are followed.
3. The Headteacher should ensure that at least one person in the school has completed Safer Recruitment training either via the NCSL online training website or by attending a “Safer Recruitment” training course. This person should sit on all staff recruitment panels.

Equal Opportunities

1. DSAT is committed to securing genuine equality of opportunity.

2. Staff are encouraged to demonstrate their commitment to equality by taking action which eliminates discrimination and promotes equality of opportunity.
3. The recruitment and selection process will be applied fairly and consistently to all applying for positions within this school, regardless of gender, race, marital status, national or ethnic origin, nationality, disability, sexuality, sexual orientation, age, religion, trade union membership/non membership, status or number of hours worked.

Safeguarding Statement

1. DSAT is committed to safeguarding children and promoting the welfare of children and young people, and expects all staff and volunteers to share in this commitment.
2. We will ensure that all our recruitment and selection practices reflect this commitment. All successful candidates (and governors) will be subject to a Disclosure and Baring Service (DBS) check, and to all other relevant employment checks.

The Recruitment Process

The school will:

1. ensure that job descriptions/person specifications are up to date and make reference to the responsibility for safeguarding and promoting the welfare of children;
2. ensure that the person specification includes specific reference to suitability to work with children;
3. use application forms to obtain and scrutinise comprehensive information about applicants;
4. ensure that references are obtained that help assess applicants' suitability for the post through specific, focussed questions;
5. conduct face to face interviews that ask appropriately robust questions;
6. verify the applicant's identity and their qualifications and skills;
7. verify an applicant's previous employment history and experience;
8. ensure completion of mandatory employment checks, such as List 99 and DBS check via the Criminal Records Bureau;
9. verify that the applicant has the requisite health and capacity for the job;
10. ensure that Induction programmes ensuring a "safeguarding children" culture are adopted and embedded into continuing practice.

Central Record of Pre-Employment Checks

1. In addition to the various staff records kept in schools and on individual personnel files, a single central record of recruitment and vetting checks will be kept in accordance with Ofsted requirements.
2. The record will contain details of checks on the following people:
 - All staff who are employed to work at the school
 - All staff who are employed as regular supply staff to the school, whether employed directly by the school or local authority, or through an agency
 - All others who have been chosen by the school to work in regular contact with children
 - This covers volunteers, governors who also work as volunteers within DSAT, and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members, e.g. a specialist sports coach or artist
3. The record of checks will be kept up to date and be readily available for Ofsted and HM Inspections.
4. For the purposes of creating the record of checks for supply staff provided through a supply agency (whether local authority or commercial), the school will request written confirmation from the supply agency that it has satisfactorily completed all relevant checks. The school does not itself need to carry out or see the checks, except where there is information contained in the DBS Disclosure.
5. Identity checks will be carried out by the school to confirm that the individual arriving at the school is the individual that the agency intended to refer to it.
6. Information disclosed as part of a DBS Disclosure will be treated as confidential.
7. The central record will indicate whether or not the following have been completed:
 - Identity checks
 - Qualification checks for any qualifications legally required for the job, e.g. those posts where a person must have QTS, NPQH, PGCE, Cert Ed. Additionally, for those applying for teaching posts, registration checks with the GTC where appropriate
 - Checks of permission to work in the United Kingdom
 - List 99 checks
 - DBS Enhanced Disclosure
 - Further overseas criminal records checks where appropriate
8. Where the governing body provides services or activities directly under the supervision or management of a member or members of the school's staff, the

school's arrangements for staff appointments will apply. Governors will ensure that proper records are kept.

Protection of Children Act and Referral to the Children's Safeguarding Unit (List 99) at the DfE

1. There is a statutory requirement for the provision of the Protection of Children Act and List 99 scheme to be applied where employees work in the provision of care services to children.
2. Employees at the school who are dismissed, who resign in circumstances which may have led to dismissal, or where a disciplinary transfer has occurred on grounds of misconduct which harmed or placed a child at risk of harm, will be referred to the Children's Safeguarding Unit (List 99) at the DfE (DfES).
3. The record of checks will be kept up to date and be readily available for Ofsted and HM Inspections.
4. For the purposes of creating the record of checks for supply staff provided through a supply agency (whether local authority or commercial), the Academy will request written confirmation from the supply agency that it has satisfactorily completed all relevant checks. The school does not itself need to carry out or see the checks, except where there is information contained in the DBS Disclosure.
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Associated Policies:

Staff Code of Conduct Policy

Policy Review

The policy was reviewed by: Dated.....

EQUAL OPPORTUNITIES POLICY

The Diocese of Sheffield Academies Trust is committed to the view that each child is unique and of infinite value to God .

The purpose of this policy is to provide equality and fairness for all and to ensure that staff are not treated unfairly on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

This policy is effective from [insert date] as approved by Sheffield Diocese Academy Trust trading as Sheffield Diocese Academy Trust (hereafter referred to as the DSAT).

Applicability

This policy applies to all employees within the DSAT, whether permanent or on a fixed-term contract. Specific sections of the policy also apply to job applicants to the DSAT.

Roles and Responsibilities

1. The DSAT along with the Local Governing Body is responsible for the implementation and compliance of this policy.
2. Executive Principals/Principals/Headteachers/Line Managers are responsible for ensuring that:
 - This policy is implemented and operates effectively in their span of control
 - All employees are made aware of the requirements of this policy and their individual responsibilities
 - All employment matters are dealt with in a fair and consistent manner and are appropriately documented
 - Any concerns raised under the scope of this policy are treated seriously and sensitively
3. Employees are responsible for:
 - Not unlawfully discriminating in any employment practice or process
 - Raising with management any suspected discriminatory acts or practice
 - Co-operating with measures introduced to ensure equality of opportunity
 - Refraining from harassment or intimidation of others
 - Refraining from victimising an employee who has made allegations or complaints of discrimination or who has provided information about such discrimination

Principles

DSAT is an Equal Opportunities Employer and is committed to eliminating discrimination and encouraging cultural diversity amongst its workforce. DSAT aims for its workforce to be truly representative of the community it serves and that each employee feels respected and able to give their best while at work.

1. It is the intention of DSAT that all employees be treated fairly and equally. DSAT will ensure as far as possible that no employee or potential employee receives less

favourable treatment on the grounds of the following protected characteristics: pregnancy and maternity, gender (including gender, marriage, gender re-assignment); race (including ethnic origin, colour, nationality, language and national origin); disability; sexual orientation; religion, spirituality or belief; age, sex, on their marital or civil partnership status or disadvantaged by any other conditions or requirements which cannot be shown to be justifiable.

2. This policy aims to:
 - Reinforce the DSAT's commitment to equal opportunities in employment practice
 - Ensure that the DSAT fulfils its legal obligations in accordance with relevant legislation
 - Promote a climate in which good equal opportunities practice exists
 - Create an environment in which individual differences and the contributions of all DSAT staff are recognised and valued
 - Ensure that every employee is treated with dignity and respect
 - Ensure that any form of intimidation, victimisation, bullying or harassment will not be tolerated
 - Ensure that training, development and progression opportunities are available to all
 - Challenge breaches of equality, and regard such breaches as misconduct which may lead to disciplinary action
3. Fairness at work and good job performance go hand in hand. Tackling discrimination helps to attract, motivate and retain staff, enhancing the DSAT's reputation as an employer. Eliminating discrimination helps everyone to have an equal opportunity to work and to develop their skills.
4. All DSAT employees will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All DSAT employees will be helped and encouraged to develop their full potential and the talents and resources of the DSAT's workforce will be fully utilised to maximise the efficiency of the organisation.

Protected Characteristics

1. All DSAT employees will be treated fairly and equally and will not be discriminated against on the basis of any of the following protected characteristics:
2. **Age** - All DSAT employees will be treated fairly regardless of their age. Employees will not be harassed, victimised, directly or indirectly discriminated against because of their age. Employees will also not be compulsorily retired because of their age. In some circumstances different treatment because of age will not be unlawful if it is objectively justified, and demonstrated that it is a proportionate means of meeting a legitimate aim.
3. **Disability** - A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal

day-to-day activities. This covers all forms of physical, sensory, or mental impairments, including learning disabilities which have lasted more than 12 months.

- a) DSAT employees will not be directly or indirectly discriminated against on the grounds of a disability or treated less favourably because of something connected with a disability. The DSAT is committed to supporting staff to help them overcome a disadvantage resulting from impairment, therefore where a manager knows, or could reasonably be expected to know, that a person has a disability, reasonable steps should be taken to support them in working to overcome their disability or anything in connection with their impairment; however, there will be some instances where adjustments are not reasonable.
 - b) The DSAT will give fair consideration to and selection of applicants with disabilities. Assumptions will not be made about the effect of an impairment on an employee's performance, or their ability to undertake more demanding work. Employees with a disability should also be given attention during the induction process in order to quickly overcome any problems over access or needs for special facilities. All health and safety procedures must take into account the needs of disabled employees. Where special steps need to be taken, this should be discussed with the person in school designated as primarily responsible for health and safety.
 - c) Where a disabled employee's performance is unsatisfactory, reasonable adjustment should be considered to improve performance with the employee. It should not be assumed that performance issues are disability-related.
 - d) Where an employee becomes disabled in the course of employment, steps will be taken to make adjustments to working conditions and/or the physical working environment wherever possible. When an employee becomes incapable of carrying out their normal duties because of a disability, the management of the school in consultation with the employee should consider whether reasonable adjustments might enable the employee to continue in the same or a similar job, or whether redeployment options are available. In the event this is not possible, a decision to terminate the employee's contact may need to be taken under either the DSAT's Capability or Management of Sickness Absence Procedure.
 - e) In the event of the need for compulsory redundancies, the DSAT will use the means of selection outlined in its Redundancy Policy. When applying these criteria, the DSAT will give special consideration to the circumstances and performance of employees with a disability. Disability must never be used as criteria for selection for redundancy; if a disabled employee is selected for redundancy, consideration must be given as to whether any reasonable adjustment would remove any disadvantage caused by their disability. Sickness absence directly related to disability is excluded.
4. **Gender Reassignment** - DSAT employees or potential DSAT employees will not be discriminated against on the basis of gender reassignment. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. Transsexual people will not be treated less favourably for being absent from work because they propose to undergo, are undergoing or have undergone

gender reassignment than they would be treated if they were absent because they were ill or injured.

5. **Marriage and civil partnership** – DSAT employees or job applicants who are married or in a civil partnership will be treated fairly and equally to all others.
6. **Pregnancy and maternity** - The DSAT is committed to protecting a woman against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. An employee's period of absence due to pregnancy-related illness will not be taken into account when making any decision about her employment.
7. **Race** - 'Race' includes colour, nationality and ethnic or national origins; employees of the DSAT will not be treated less favourably on the grounds of these characteristics.
8. **Religion and Belief** – Generally DSAT employees and job applicants will not be discriminated against on the basis of their religion or beliefs. DSAT employees will be respectful of people with other religions and also of those of the same religion. Religion includes any religion and also a lack of religion, i.e. those who do not follow a religion. There may be some roles within the DSAT that have a genuine occupational requirement (GOR); where this occurs this will be clearly stated at the point of advertising to recruit.
9. **Sex** - Both male and female employees and job applicants will not be treated less favourably on the basis of their gender.
10. **Sexual orientation** - DSAT employees and job applicants will be treated fairly regardless of their sexual orientation, whether they are bisexual, gay, heterosexual or lesbian.

Discrimination, Victimisation and Harassment

1. **Direct discrimination** - DSAT employees will not be directly discriminated against. Direct discrimination occurs when someone is treated less favourably because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic
2. **Discrimination by association** - DSAT employees will not be discriminated against by association. Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic
3. **Perception discrimination** - DSAT employees will not receive perception discrimination. Perception Discrimination is direct discrimination against an individual because others 'think' they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic

4. **Indirect discrimination** - DSAT employees will not suffer indirect discrimination. DSAT policies, practices, rules and procedures will be fair and will not disadvantage people who share a protected characteristic. In some circumstances indirect discrimination can be justified if it is 'a proportionate means of achieving a legitimate aim'.
5. **Harassment** - Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The DSAT will ensure as far as reasonably practical that employees are not harassed and that they do not find behaviours offensive even if they are not directed at them. DSAT employees should also not suffer from harassment because of perception or association. Managers should deal appropriately with instances of harassment and discuss with Human Resources if needed. Please also refer to the Bullying and Harassment Policy.
6. **Third party harassment** - As far as reasonably possible the DSAT will ensure its employees do not suffer any form of harassment from third parties who are not employees of the organisation, i.e. customers or clients. If an employee is known to have received or has reported receiving harassment from a third party, the employee's Manager will need to ensure reasonable steps are taken to prevent it from happening again.
7. **Victimisation** - DSAT employees will not suffer victimisation. Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.

Positive action

Where possible the DSAT will take positive action if it is believed that employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

In some circumstances protected characteristics may be taken into consideration when deciding who to recruit or promote. However, this can only be done when candidates are "as qualified as each other" for a particular vacancy, meaning that selection assessment on a range of criteria rates them as equally capable of doing the job.

Recruitment

In recruiting staff, the DSAT will ensure that its practices do not discriminate against candidates or potential candidates in ways that are unconnected to their ability to perform the duties of the post. All staff will be given opportunities to develop their skills and expertise in their chosen career.

Pre-employment health-related checks - Up to the point of an individual being offered a job, health-related questions can only be asked to:

- Decide whether any reasonable adjustments need to be made for the person to participate in the selection process
- Decide whether an applicant can carry out a function that is essential ('intrinsic') to the job
- Monitor diversity among people making applications for jobs
- Take positive action to assist disabled people

Once a candidate has been offered a job, other appropriate health-related questions can be asked.

Pay

Equal pay – The pay of staff should be granted based on their skills and abilities and not based on a particular characteristic. The DSAT will ensure as far as possible that pay is equal between employees; particularly that it is equal between males and females.

Pay secrecy - The DSAT will not prevent or restrict employees from having a discussion to establish if differences in pay exist that are related to protected characteristics.

Impact Assessment

All relevant persons are required to comply with this policy and must demonstrate sensitivity and competence in relation to diversity in race, faith, age, gender, disability and sexual orientation. If you, or any other groups, believe you are disadvantaged by this policy, please contact Human Resources.

Training

Staff training can play an important role in establishing the principles and practices which create greater equality of opportunity. Programmes of awareness training can draw attention to discriminatory procedures. Measures can also be taken to develop and encourage models of good practice. Specific training can also be designed to develop the managerial potential of under-represented groups.

The policy was reviewed by: Dated.....

CODE OF CONDUCT FOR ALL EMPLOYEES

The Code of Conduct has been adopted by the Governing Body and applies to all employees within schools.

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SECTION 1 INTRODUCTION

The Governing Body of *****[insert school name]** adopted this policy on***** [insert date]**.

It will review it in***** [insert date/number of years]**.

1.1 Introduction

- 1.1.1 This Code of Conduct for employees is based on key principles. These principles are developed from the work of the Nolan Committee on standards in public life.
- 1.1.2 In this Code of Conduct you will find the minimum standards that all school employees must keep to. These standards also apply to casual workers, agency staff, contractors, volunteers, consultants and self employed people engaged in work for the school.
- 1.1.3 If you are an employee this Code of Conduct is part of your terms and conditions of employment. Any supplementary codes of practice on employee conduct issued by the Governors must also be complied with.
- 1.1.4 You also need to follow any security policies or codes of practice that the school has, in particular in relation to safeguarding children.

1.2 Purpose

- 1.2.1 The Governors believe that you are responsible for your own actions. That means it is your responsibility to read the Code of Conduct and any other code which may apply to your job.
- 1.2.2 If there are any parts of this Code, or other codes of practice that you are unsure of or do not understand, you must seek clarification from your Headteacher/line manager or your HR provider.
- 1.2.3 You can find explanations for some of the words and phrases in this Code in the glossary section of this document.
- 1.2.4 All staff working in school have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. It is therefore expected that you will adopt high standards of personal conduct in order to maintain the confidence and respect of your colleagues, pupils, public in general and all those with whom they work.
- 1.2.5 There may be times when an employee's behaviour or actions in their personal life comes under scrutiny from local communities, media or public authorities. This means that you should be aware that behaviour in your personal life could impact upon your suitability to work in school. You should understand that concerns may

arise about an employee's response to the behaviour or actions in the private or community life of a partner, immediate family member or other household member. Where such concerns arise the employee's response may raise questions about their suitability to work with children. To define these actions would not provide the ability to respond to the full range of circumstances. For example, some cases may not be gross or serious misconduct but they may result in a break down of trust and confidence that ultimately may lead to a recommendation for dismissal on the grounds of 'some other substantial reason'.

1.2.6 Governors have the right to monitor employees where there may be cause for concern regarding safeguarding and/or potential criminal activity, fraud. If the school monitors employees in this way, it will keep within the laws that deal with monitoring.

1.2.7 If you are seconded to work in another school or organisation you are expected to conduct yourself in a manner consistent with this Code of Conduct and in a way which meets the requirements of the school or organisation to which you have been seconded.

1.2.8 You may have disciplinary action taken against you if you:-

- do not keep to this Code of Conduct
- commit a criminal offence
- do something that may bring the school and/or Diocese of Sheffield Academies Trust into disrepute, whether during working hours or outside of them

Disciplinary action includes the possibility of being dismissed without notice being given.

1.2.9 This Code is in accordance with the rules contained in the Human Rights Act.

1.3 Application of the Policy

1.3.1 In the Code of Conduct, when we use the word "you", we mean, teaching staff including Headteachers, Deputy Headteachers, Assistant Headteachers, support staff, casual workers, agency staff, contractors, volunteers and consultants and self employed people engaged in work for the school.

1.3.2 When we use the word "school", we mean, maintained community schools, foundation schools, trust schools, voluntary aided schools, voluntary controlled schools, academies.

1.3.3 This Code is not a full list of what you are expected to do or not to do. There may be other things that the school will look at as misconduct or gross misconduct. If there is something that you are unsure about, please ask your Headteacher, line manager or HR provider.

1.3.4 Pupils, colleagues, parents/carers and governors expect you to have high standards of behaviour. If someone has suspicions that you could be influenced unfairly, this could damage confidence in the school. You must not put yourself in a position where your honesty or integrity could be called into question.

SECTION 2 PUBLIC DUTY, PRIVATE INTEREST, FRAUD AND THEFT

(i) *General*

- 2.1 Your duty as an employee and any interests outside your job must not conflict. If there is anything that you are involved with outside work that might affect your job, you must declare this to your Headteacher or line manager.
- 2.2 You must always do your job safely. To make sure you do not put pupils, other colleagues or yourself at risk, you must follow school **and trust** health & safety policies and have regard to the duty of care described in them. You must also follow safe systems of work and any codes of practice that applies to your job.
- 2.3 If you are a member of an organisation that:
- is not open to the public
 - requires formal membership and an oath of allegiance
 - has any secrecy about its rules, the process of becoming a member or conduct of members.
- 2.4 You must declare this in writing to the Governors. For further information on what we call a secret society, read **Appendix A**.
- 2.5 The Governors are committed to fight against fraud, whether committed by employees, contractors or the public.
- 2.6 You must not use the fact you are a school employee to obtain gain, directly or indirectly for yourself, business associates, friends or family.
- 2.7 All the Governors are committed to the prevention and detection of fraud. The school has up to date written procedures or manuals for financial systems and processes. See **Appendix B**.
- 2.8 The school also has a Gifts and Hospitality policy and Code of Practice. This is shown as **Appendix C**.
- 2.9 The school also has a Whistle Blowing policy so that you can report any fraud or corruption more easily.
- 2.10 If you are using public funds, you must use them responsibly and lawfully. You must make sure that the school's resources are used sensibly and legally and that the school gets value for money.
- 2.11 You must keep to the rules within the school's Financial Procedures and Regulations and, where appropriate the Local Authority's Standing Orders and Financial Framework. The Local Authority's Standing Orders are available on the Local Authority's internet site.
- 2.12 If you:
- commit fraud, or attempt to commit fraud, against the school, or any person or organisation

- steal, or attempt to steal, from the school, or any person or organisation.
- 2.13 This will be considered misconduct and may be considered gross misconduct. This includes deliberately putting false information on time sheets, subsistence claims or mileage claims.
- 2.14 If you have concerns that someone is stealing, committing fraud or behaving in a way that might be unethical, you must report this to your Headteacher, line manager, or someone named in the school's Whistleblowing procedure.
- 2.15 The Governors know that it is not always easy to report on the behaviour of other people, and will give you full support if you raise concerns. If you wish to remain anonymous, Governors will make every effort to respect this.
- 2.16 The Governors know there are two sides to a story, and will ensure hearings are fair.
- 2.17 Sometimes allegations will turn out to be wrong. If you deliberately make false or malicious allegations, this will be treated as misconduct.
- 2.18 The Governors expect you to actively promote the safeguarding and well being of children in the school and its community. If you have concerns that someone is behaving in a way that does not support the safeguarding and well being of children you should discuss your concerns with your Headteacher or line manager in the first instance or report them using the school's Whistleblowing Policy or in line with the schools policy for the Management of Allegations of Abuse in Schools.

(ii) Financial Inducements, Gifts and Hospitality

- 2.19 You must never accept a financial payment, bribes or other inducement from any individual, body or organisation. For example: payments or inducements from contractors, developers or consultants.
- 2.20 To take financial payments or inducements is against the law. It is an offence under Section 117 of the Local Government Act 1972.
- 2.21 You must refuse any gift or hospitality offered to you or your family that others may think could influence you.
- 2.22 You may accept gifts of small value such as pens, diaries, calendars and small gifts from children. See **Appendix C**.
- 2.23 Offers of hospitality must only be accepted when proper written authorisation has been received from the Headteacher or Chair of Governors.

(iii) Employee Declarations of Financial and other interests

- 2.24 You have a legal duty to declare any financial or other interest in an existing or proposed contract.
- 2.25 You have a legal duty to declare any interest in or associations that may cause direct or indirect conflict with your work for the school and/or academy trust. You must declare interests in or associations with any:
- Organisation
 - Service
 - Activity
 - Person
- 2.26 If the school and/or academy trust has sponsored an event or a service, you must tell your Headteacher or line manager if you may benefit from it in any way.
- 2.27 You must also tell your Headteacher or line manager if anyone connected with you will benefit from it. This includes your relatives, your partner or spouse, or any business associates you may have.
- 2.28 You must fully explain any way you or someone connected with you may benefit.
- 2.29 If the school gives support in the community, through financial help or other help, you must make sure that any advice you give is fair and balanced. You must make sure there is no conflict of interest.
- 2.30 If you apply for a service that you have influence in because of your job, you must declare a personal interest, both when you apply for the service, and to your Headteacher or line manager.
- 2.31 You must also declare a personal interest if you help someone you know from outside your job to apply for a service you have influence in.
- 2.32 You are free to use all Local Authority and school services, as appropriate. If you do so, you will not be treated more or less fairly because you work for the school.
- 2.33 Members of the public expect you to be fair and treat people equally, no matter who it is you are delivering services to.
- 2.34 You must make sure you don't do anything in your job that might make people think you are being unfair or biased.
- 2.35 You must not try and obtain services in a different way to the public because you work for the school. This includes putting pressure on colleagues to get services.
- 2.36 If you think there might be a conflict of interest, you must ask your Headteacher or line manager to help you.

- 2.37 Any declarations you make under the provisions of this Code of Conduct will be reviewed annually by the Headteacher. Any personal declarations made by the Headteacher will be reviewed annually by the Chair of Governors.
- 2.38 The Headteacher and the Governors are responsible for making sure all the Employment Policies, Practices and Procedures that the school has are followed.
- 2.39 The Headteacher and the Governors are responsible for the monitoring their employees activities making sure that they have kept to this code and any other codes and made declarations when they need to. Any monitoring will comply with all relevant laws.

SECTION 3 CONTRACTORS

- 3.1 As part of your job, you may be required to supervise or engage contractors or have an official relationship with them. If you have any work relationship with contractors, or potential contractors, you must tell your Headteacher/Chair of Governors in writing if you have ever had a private or domestic relationship with the contractors.
- 3.2 The orders we place and contracts we give should be given fairly. This means that we must award orders and contracts based on merit and fair competition against other tenders. You must not show favouritism in doing this. For example, if your friends, partners or relatives run a business, you could not award them a contract unfairly because of this. You must not discriminate against anyone unfairly if you deal with tenders, evaluation or awarding contracts.
- 3.3 If you are privy to confidential information on contracts for tender, or costs for either internal or external contractors, you must not disclose that information to any unauthorised party or organisation.
- 3.4 You must make sure that you don't give special favour to anyone who works for the school or used to work for the school when awarding contracts. You must make sure you do not show special favour to anyone who is a partner, associate or relative of an employee when awarding contracts.

SECTION 4 INFORMATION TECHNOLOGY AND DATA SECURITY

- 4.1 You must ensure that you follow the school security procedures in relation to the use of computers and the proper management of computer-held information. Particular care must be taken to follow established procedures when using passwords and when logging on and off. You **must never share passwords** because this could lead to someone without authorisation accessing the system. Failure to follow the security procedures could lead to disciplinary action.
- 4.2 You must comply with the school's and trust policies on computer use when you use

the Internet or the Local Authority intranet. These may include policies on Internet and Email Usage and Electronic Communication Systems. You must comply with any relevant laws when you access the Internet or intranet. Please refer to the school's Social Media Policy for Teaching and Support Staff in order to make yourself aware of expectations of appropriate use of social media applications. You must ensure that your actions do not adversely affect the reputation of the school or expose the school to legal and governance risks, and that safeguarding of children and young people is not threatened by use of social media.

4.3 Written information is sometimes specially protected, for example, where disclosure is illegal. You must take care to make sure it remains protected. If you are unsure about security controls, talk to your Headteacher or the person in charge of the information protected by them.

4.4 It is your responsibility to ensure any information is protected and not disclosed to anyone who does not have a legal right to that information, and to ensure that any information is not used for any purpose other than that of which it was gathered.

4.5 The following legislation governs aspects of the Local Authority's information security arrangements. This list is not exhaustive:

Computer Misuse Act 1990
Copyright Designs and Patents Act 1988
Data Protection Act 1998
Electronic Communications Act 2000
Environmental Information Regulations 2004
Freedom of Information Act 2000
Human Rights Act 1998
Regulation of Investigatory Powers Act 2000
Re-use of Public Sector Information Regulations 2005

4.5 You should refer to your school's IT Policy for further information and seek advice from your Headteacher/line manager if you are unsure about any of its contents.

SECTION 5 USE OF LOCAL AUTHORITY AND SCHOOL SYSTEMS, PROPERTY AND FACILITIES

5.1 The school's property such as telephones, mobile phones, the internet, intranet, e-mail, stationery, photocopiers, word processors and other machines or tools, materials, offices, car parks and facilities, may only be used for school business unless permission for private use is given by the Headteacher/Governors. This also applies to all automatic processing equipment such as laptops, PC's, software including computer games and data, none of which may be used for private purposes or removed from the premises without the express permission of the Headteacher/Governors in writing.

- 5.2 If, with your Headteacher's permission, you use a school telephone or mobile telephone to make private calls or text messages, or send private faxes using a school fax machine, you must pay for this through the approved systems in place. If you are unsure about how to pay for calls, speak to your Headteacher or line manager.
- 5.3 Any school systems in place that log telephone, email and Internet usage may be used to identify any usage for private purposes. The school may monitor any communications using school systems. If the school monitors your use of school resources, it will do it within the law and school policy.
- 5.4 You must keep to any school system security measures.

SECTION 6 SECONDARY EMPLOYMENT

- 6.1 Any secondary employment undertaken must not conflict with the school's interests or bring it into disrepute and must only be undertaken outside the employee's working hours. You **must declare** any other employment outside your role in school to the Headteacher. You must also declare any other employment contracts within school.
- 6.2 If you are a:
- School Governor
 - Councillor for another local authority
 - Member of the Territorial Army
 - Justice of the Peace
 - Member of an Employment Tribunal
- 6.3 These roles do not count as Secondary Employment. You should still make your Headteacher/line manager aware of these duties and ask for any time off you need in a reasonable and timely manner. Unpaid voluntary work in the Community is not secondary employment, but you still need to declare it to your Headteacher, as there may be a conflict of interest with your school job.
- 6.4 You can find further guidance of receiving payment or fees for other work in **Appendix E**.

SECTION 7 DISCLOSURE OF INFORMATION, CONFIDENTIALITY AND REFERENCES

- 7.1 You should be fair and open when dealing with others and ensure that they have access to information they need unless there is a good reason not to allow according to the freedom of information act.
- 7.2 You must act in accordance with the law when handling personal and other information. Special care must be taken when handling personal and confidential information and

never use it inappropriately. You may be personally prosecuted under the Data Protection Act so it is important that you know what your responsibilities are. If you are unsure about this, consult your Headteacher/line manager. The Local Authority also has a Data Protection and Security Officer who can help.

- 7.3 You must not disclose any confidential, personal or financial information about an employee, pupil or parent/carer to any **unauthorised** person. You must not disclose any personal or financial information about any employee to an external agency without their approval. If you are not sure about who is an authorised person, you should consult your Headteacher or seek advice from your HR provider.
- 7.4 If you are asked for personal information for a reference, for example for a job or mortgage application, you may provide information only after you confirm the identity of the enquirer. To do this, you can reply in writing to the enquirer, or call them back to make sure they are who they say they are.
- 7.5 If the request is for a reference for a colleague or ex-employee, you must be aware that whilst it is the responsibility of the Headteacher to provide employment references, this can be delegated by the Headteacher, however, the Headteacher has to read and sign off the final document. Any employee may give a reference in a personal capacity. If you misrepresent the school, this will be treated as misconduct.
- 7.6 You must not disclose confidential information to a third party. This includes information relating to:
- competitive tendering or tendering for work
 - exempt items under the provisions of the Local Government (Access to Information Act) 1985;
 - an employee, elected member, governor or service user;
- 7.7 You must not use any information obtained in the course of your employment for personal gain or give to anyone else who might use it in this way.
- 7.8 If you actively use your position in school to seek any information for use other than for the purpose of the job you are employed to carry out and/or share or pass on the information to anyone who does not have the legal right to the information, then this would be considered gross misconduct and could lead to dismissal.
- 7.9 If, in the course of your job, you deal with someone you're related to, or have a close relationship with, declare it to your Headteacher/Chair of Governors. You must be fair and act in a professional way.

- 7.10 Inappropriate disclosure of confidential information can be considered misconduct, and may be considered gross misconduct which can lead to dismissal.

SECTION 8 COMMUNICATIONS WITH THE MEDIA

- 8.1 All contact with the media that is about Local Authority and/or school activities is handled by the Communications service in conjunction with Headteachers and Chairs of Governors.
- 8.2 You must be aware that by sharing information with the media relating to your employment within school, you may be in breach of the code of conduct. If there is any uncertainty on what action to take in these instances, you should seek advice from your Headteacher.
- 8.3 If any issues or concerns have been raised via the Communication service or Headteacher/governors and you feel they are not being handled appropriately, then you should raise this through the school's Whistleblowing procedure.

SECTION 9 POLITICAL NEUTRALITY

- 9.1 You must not allow your personal or political opinions to interfere with your work. Some posts are "politically restricted". If this applies to you, you should already have been told about the restrictions separately. **Teachers and Headteachers are excluded from political restriction, whatever their role.**
- 9.2 More information on this is available in **Appendix F**. If you need any more advice or information, ask your line manager/Headteacher or HR provider.
- 9.3 When working with others, whether within the school or external, you must always ensure their rights, views and opinions are respected. This includes employees, elected members, members of the public, parents/carers for example.
- 9.4 While carrying out your role in a professional manner at all times, you must not show political bias in relation to the performance of your duties/employment with the school [# and/or Local Authority]. You should be aware that if displaying items that demonstrate support for a particular group, for example, on vehicles/equipment, this could breach the code of conduct. Where there is any uncertainty you should seek advice from your Headteacher.

SECTION 10 THE SCHOOL COMMUNITY AND SERVICE USERS

- 10.1 You must remember that you have a responsibility to the users of the school. You must make sure that you work politely, efficiently and fairly with everyone in the school and community and ensure an impartial service delivery to all groups and individuals.

- 10.2 You should be as open as possible about what you do, and the work of the school whilst maintaining the needs of confidentiality.
- 10.3 You should make sure that you keep to the law and any other guidance.
- 10.4 The Governors will not accept an employee's physical or emotional abuse to a service user, child, pupil, parent or carer, governor, contractor, member of the public or other employee. This includes any harassment, discrimination, victimisation or bullying.
- 10.5 If you act in this way it may be decided that it is misconduct or gross misconduct, which can result in disciplinary action including dismissal.
- 10.6 The school has a Dignity and Respect at Work Policy. You must work within this policy at all times.
- 10.7 When you work with young people or vulnerable adults you are in a position of trust. If you abuse that trust, it will be regarded as potential gross misconduct.
- 10.8 Any sexual misconduct or assault will be regarded as potential gross misconduct.
- 10.9 If you do not follow any policies or procedures meant to keep vulnerable service users or others safe, this may be regarded as gross misconduct.
- 10.10 Any act of gross misconduct may lead to disciplinary action and the possibility of dismissal without notice.
- 10.11 If you work with young people or vulnerable adults, you must read any relevant codes of practice as well as this code, and keep to them. You must keep to any relevant laws, such as the Children's Act and the Child Protection and Adult Abuse Protection Procedures. Relevant documents will be provided as part of the school's induction process.
- 10.12 Any incidents involving assault, sexual offences or harassment, discrimination or victimisation against pupils, must be dealt with under the LA Child Protection Guidance and Procedures and may be reported to the police.
- 10.13 If you see any abusive behaviour, you have a duty to report it to your Headteacher/Chair of Governors, or use the school's Whistleblowing policy to report it.

SECTION 11 RECRUITMENT AND OTHER EMPLOYMENT MATTERS

- 11.1 If you are involved in recruitment, you must take care not to discriminate against anyone, or in favour of anyone. You must keep to the school's Recruitment and Selection Code of Practice.

11.2 To make sure you are not acting unfairly, you must not be involved in any selection and appointment (for example, interviewing someone) when you are related to an applicant. You must not be involved in selection or appointment where you have a close relationship with an applicant - personal or business.

11.3 If you think there might be a conflict of interest, you must inform your Headteacher of this.

11.4 Decisions that you make at work should be fair and unbiased. You must not be involved with decisions to do with discipline, promotion or pay for anyone who is related to you, or someone you have a close relationship with. This includes personal relationships and business relationships. If you are a staff governor, you must not be involved with matters relating to pay decisions and should not normally be involved in any other employment matters.

11.5 If there are any reasons why 11.1-11.4 should not be followed or you need help and advice with what to do next, you should contact your HR provider.

SECTION 12 EQUALITIES

12.1 You must at all times make sure you keep to the school's and trust's policies on equalities, diversity and inclusion including behaving and working in a way which eliminates discrimination, harassment and victimization, advances equality of opportunity and fosters good relations. See Dignity and Work Policy.

12.2 All employees, pupils, governors, parents/carers contractors, partners, trade union representatives and members of the public must be treated equally and in a way that creates mutual respect. You should promote equality, diversity and inclusion by providing an environment and services free from harassment, discrimination, victimization and bullying and by treating people with respect, regardless of their age, disability, race, religion/belief, sex, sexual orientation or marriage/civil partnership.

12.3 The Equality Act 2010 provides the legal framework for the Local Authority in relation to equality, diversity and inclusion.

12.4 Breaching equality policies and the law may be treated as misconduct, up to and including gross misconduct, which carries the possible penalty of dismissal without notice.

SECTION 13 DRESS AND PERSONAL APPEARANCE

13.1 When you work for the school, you are a representative of your school, and must dress in a way that is appropriate, or required, for your workplace and the work you are doing. You must be clean and tidy and make sure you have good personal hygiene.

13.2 If you are provided with official clothing for uniform, or health and safety and/or hygiene reasons, you must wear it. This includes your name badge and other identity badges where provided and in line with school policy.

SECTION 14 HEALTH AND SAFETY

14.1 You have a general and responsibility to work safely and make sure your working environment is healthy and safe. You are required to keep the school and trust Health and Safety Policies. You are also required to follow any policy, regulations or codes of practice on Health and Safety that apply to your school or area of work.

14.2 You must keep to any relevant Health and Safety laws.

SECTION 15 CRIMINAL CONVICTIONS / BARRING

15.1 If your job is covered by the Rehabilitation of Offenders Act, you must have told us about all convictions/formal cautions, warnings, reprimands, binding over or other orders, pending prosecutions or criminal investigations that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended 2013) , before you started working with us.

For information on which convictions are protected visit www.gov.uk/dbs and <http://hub.unlock.org.uk/knowledgebase/filtering-cautions-convictions/>

If you do not have internet access or do not understand what this means to you please discuss this with your line manager.

You must tell us about :

- Cautions relating to specified offences as listed by Government
- Cautions given less than 6 years ago (where individual over 18 at the time of caution)
- Cautions given less than 2 years ago (where individual under 18 at the time of caution)
- Convictions relating to specified offences as listed by Government
- Convictions that resulted in a custodial sentence (regardless of whether served)
- Convictions given less than 11 years ago (where individual over 18 at the time of conviction)
- Convictions given less than 5.5 years ago (where individual under 18 at the time of conviction)
- Similar offences committed under the law of Scotland, Northern Ireland or laws relevant to the armed services.

Under this Act, we will ask you to complete a DBS Application Form or give written permission for us to check your status on-line. You must bring in your DBS Certificate to show and discuss with your Headteacher, when required.

- 15.2 If you do not tell us about these convictions/formal cautions, warnings, reprimands, binding over or other orders, pending prosecutions or criminal investigations this will be treated as possible gross misconduct and might lead to disciplinary action - including the possibility of dismissal without notice.
- 15.3 If you have been barred from working with children and you seek employment to do so, this is a criminal activity and against the law and you will be dismissed without notice and immediately reported to the Police authority.
- 15.4 If your work involves driving, you must tell your Headteacher/Chair of Governors about any driving offences, or pending driving offences.
- 15.5 If you work with children, young people or vulnerable adults as part of your job, or if you have access to them you are required to report any convictions/formal cautions whatsoever to your Headteacher/Chair of Governors.
- 15.6 You must tell your Headteacher/Chair of Governors if you have any criminal proceedings pending against you and any subsequent convictions/formal cautions.

NB. The Childcare (Disqualification) Regulations 2009 only cover the following categories of staff employed in school settings:

- Staff who work in early years provision (including teachers and support staff working in nursery and reception classes)
- Staff working in later years provision for children who have not attained the age of 8 including schools settings, such as breakfast clubs and after school provision
- Staff who are directly concerned in the management of such early or later years provision

Sections 15.7 – 15.9 do not apply to staff that do not fall into these categories.

If you are not sure whether this applies to you, speak to your line manager.

- 15.7 If you are involved in posts that provide education, care or supervision of children as part of early or later years childcare provision, or are directly involved in the line management of such provision you must not be disqualified from working in such provision either directly or 'by association'. Certain cautions, convictions and care orders may mean you are automatically disqualified from such work, you may also be disqualified by association if any member of your household has such a caution/conviction/order.

- 15.8 You must complete a childcare disqualification declaration in relation to yourself and others who live and work in your household and discuss with us when required.
- 15.9 You must tell your Headteacher/Chair of Governors immediately if you receive any convictions, cautions, or other orders that may lead to your disqualification under the Childcare Disqualification Regulations 2009, you must also notify them of any unspent or unprotected convictions, cautions or other orders relating to anyone living or working in your household that would also lead to your disqualification 'by association'.

SECTION 16 DRUGS AND ALCOHOL

- 16.1 While you are at work, you must be in a condition to do your job safely.
- 16.2 The effects of drinking alcohol cause you to perform your work less well. It may also be a health and safety risk - especially if you drive or use machinery. Because of this, you must not drink alcohol:
- On the same day prior to commencing employment duties
 - During your working hours
 - During a lunch break from work
 - On any other break during your working day
 - At functions such as conferences within working hours.
- 16.3 If you drink alcoholic drinks at these times, this may be regarded as misconduct or gross misconduct, which could lead to dismissal.
- 16.4 Where it is clearly evident that your performance is impaired whilst undertaking your employment duties during working time, due to the influence alcohol or drugs, this may be regarded as gross misconduct. If you have previously declared a substance related problem this will be dealt with under the appropriate policy.
- 16.5 Governors believe that consuming alcohol during working hours or on school premises is inappropriate and could put at risk the health, education, safety or welfare to yourself, pupils and staff. This may be regarded as an act of misconduct. Exceptions to this will be agreed in advance and notified to staff by the Headteacher/Governors for events such as staff end of term gatherings and PTA functions. When on school trips prior approval must be gained from the Headteacher before any social consumption of alcohol is undertaken.
- 16.6 If you use illegal drugs, or prescription drugs that have not been prescribed for you, this will not be acceptable. This may result in the school contacting the police to report it. Use of illegal drugs or prescription drugs that have not been prescribed for you before or during work, on breaks or at functions may be considered misconduct or gross misconduct, which could lead to dismissal.

SECTION 17 TEACHERS

The new Teachers' Standards published by the Secretary of State for Education came into effect on 1 September 2012, though the Teaching Agency have been using the conduct elements since 1 April 2012 as a reference point when considering whether a teacher's conduct has fallen significantly short of the standard of behaviour expected of a teacher. The following is extracted from Part Two of the document - Personal and Professional Conduct:

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

Whilst these standards are statutory for teachers only, it is expected that all employees will follow the principles of these standards.

SECTION 18 GENERAL CONDUCT

- 18.1 You must follow instructions, providing they are lawful. You must make sure you do not do anything that might affect the school's legal position. Any refusal to follow instructions may be a breach of contract and could result in deduction of pay. Such instances occurring would need to be looked at individually and employees would be made aware of any respective consequences by the employer.

- 18.2 The Governors expect you to use good judgement, and take account of other people's views. You should show respect for service users, colleagues and governors.
- 18.3 If you need further information or advice about what to do in any situation, you should contact your Headteacher, line manager, Chair of Governors or HR provider.
- 18.4 You should read this code together with the appendices, and any other school codes of practice or policies that are about conduct or security.

GLOSSARY TO CODE OF CONDUCT

Contractor- An individual, partnership, company or other service that has a contract with the school or Local Authority to do or provide something. For example, to design, develop, manufacture, maintain or provide services.

Conflict of Interest- A conflict between private interests and your duties with the school. This can exist whether or not money is involved, and whether the conflict is actual or just perceived.

Competitive Tender- Where several potential contractors are invited to prepare proposals to provide a project or service, on the basis of quality and price.

Disciplinary- Disciplinary action is taken by an employer for violating policy or procedure (including the Code of Conduct). For more details on this, see the school's Disciplinary Policy.

Disrepute- To bring something into disrepute is to lower its reputation, damage its image.

Misconduct- Breaking the Code of Conduct, another code or terms and conditions may be considered misconduct. There are different types of misconduct depending on the exact circumstances and consequences. The most serious type is **gross misconduct**. For more information on this, see the school's **Disciplinary Policy**.

Inducement- something that encourages you towards an action - an incentive. This could be money, food, gifts, or anything else that might benefit you. If you are offered or take something that people may think is an inducement, you could be accused of making decisions unfairly based on what you received.

Whistleblowing (also 'whistle blowing')- Revealing wrongdoing to someone in authority. For more information on this, please refer to the school's Whistleblowing policy.

RELEVANT LAW

This section points to relevant law on some topics from the Code of Conduct. It should not be considered an exhaustive list as legislation frequently changes. If you are unsure about whether an action would be lawful, please investigate further.

Monitoring and Surveillance:

The Regulatory and Investigatory Powers Act, the Data Protection Act, and the Human Rights Act.

Use of IT Equipment:

The Data Protection Act,
The Obscene Publications Act,
The Computer Misuse Act
The Theft Act.

Equalities:

Equality Act 2010

DEFINITION OF WHAT CONSTITUTES A MEMBERSHIP OF SECRET SOCIETY

The following is the Local Authority's definition of what constitutes a society with secret rules (secret society). This definition has been adopted by the school.

'Any lodge, chapter, society, trust or regular gathering or meeting, which:

- a) is not open to members of the public who are not members of that lodge, chapter, society or trust; and
- b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and
- c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

A lodge, chapter, society, trust, gathering or meeting as defined above should not be regarded as a secret society if it forms part of the activity of a generally recognised religion.

INTERNAL CONTROLS

Internal Controls are procedures that should be built into financial systems to give all stakeholders the confidence that transactions will be accurately and properly processed. They also facilitate the detection of errors and the production of reliable information.

The Key Priorities for Internal Control Procedures:

- To have internal checks – the checking of one person’s work by another;
- To ensure there is separation of duties so that key tasks are performed by separate individuals;
- To have system and process manuals documenting required procedures;
- To authorise transactions before further processing;
- To maintain a good audit trail.

1. Separation of Duties

The Headteacher is responsible for ensuring that duties relating to financial administration are carried out by at least two people. The work of one person must act as a check on the work of the other and these checks should be fully documented. Wherever possible the following tasks should be carried out by different members of staff:

- Identifying sums due to the school and Collecting & banking such sums
- Raising orders and Verifying receipt of goods
- Authorisation of invoices for payment and Certification of invoices for payment

In small schools with fewer administrative staff, it may be necessary for the Headteacher or Deputy to carry out some internal checks and authorise transactions. You should always check with the Headteacher for clarity.

Whatever the specific arrangements, staff must not be placed in the position of being asked to sign for tasks which they have not carried out or to sign in the name of another person.

2. Financial Systems and Processes

- The Governing Body should ensure that there are written procedures or manuals for financial systems and processes and that these are kept up to date.

- Only authorised staff should have access to financial systems, records, cash and cheques. Governors should not have access to the financial system unless they are also authorised staff governors.
- Schools should ensure that access to the school's financial management system (e.g. SIMS FMS6) is restricted to staff who have such a requirement as part of their role and that access is removed for staff that leave.
- Appropriate staff should receive the necessary training to operate the financial systems and should be made aware of the requirements for internal controls.
- The Headteacher should ensure that financial control is maintained in the absence of key staff by training other staff and arranging for other staff to shadow finance duties from time to time.

3. Audit Trail

Schools should ensure that all stages of a transaction can be easily traced, for example, from original purchase order to cheque number on bank statement and in reverse. Alterations to original documents such as orders, invoices and cheques should be clearly made in ink or other permanent form and initialled.

Proper accounting records should be maintained and stored securely. All documents relating to financial transactions should be retained in accordance with the following guidelines:

- To comply with HMRC and Department for Work and Pensions, it is necessary to keep relevant payroll and other related financial records for at least **6 complete financial years** plus the current year.
- VAT regulations require that business records be kept for **6 years** – these are deemed to include invoices, income records, orders, delivery notes, bank statements, paying in slips, annual accounts and relevant business correspondence.
- Contract documents should be retained for **6 years** after the contract has expired or 12 years if they have been signed under the Council's seal.

4. Statement of Internal Controls

The Governing Body and the Headteacher should consider and **will** complete a Statement of Internal Controls on an annual basis to give assurance to parents, stakeholders and the Local Authority that the school's finances are properly managed. The SIC should be returned to the Finance Service by the 31 March each year.

GIFTS AND HOSPITALITY

Guidance to Governors Headteachers and Managers

The purpose of this document is to clearly inform employees of the policy and procedure in relation to offers of gifts and hospitality made from any source.

1. Policy

- 1.1 The school's Code of Conduct states that service users, pupils, parents/carers, governors, members of the public, are entitled to demand of you conduct of the highest standard. Your actions must not be influenced by offers of gifts or hospitality and your actions must not give the impression that you have been influenced in this way.
- 1.2 You must not accept gifts, loans, fees or rewards from any person or organisation in particular those who may potentially expect to receive an advantage or benefit in return. This includes gifts, loans, fees or rewards from contractors, outside suppliers or members of the public. However, some incidental gifts or hospitality can be accepted, as detailed in this Code of Practice.
- 1.3 This Code of Practice applies to all employees, including Headteachers.
- 1.4 Any breach of this Code of Practice may be viewed as potential gross misconduct and could lead to a disciplinary hearing that may result in dismissal without notice.

2. Principles

- 2.1 You must maintain a good working relationship with service users but avoid favouritism towards any group or individual in the course of your work.
- 2.2 You must act with integrity at all times.
- 2.3 If it is suspected that a contractor, outside supplier or other person/organisation is acting in an improper manner, you should report it to your line manager as a matter of urgency.

3. Process

3.1 Gifts

- 3.1.1 You may accept items up to the value of £10 e.g. diaries, calendars etc, usually distributed by companies as a promotional exercise, or small gifts from children.

- 3.1.2 Without causing offence, you should discourage service users or other organisations from offering gifts.
- 3.1.3 If gifts have a higher value than £10, you should tactfully refuse them. If gifts of this value are delivered, they should be returned with an appropriate explanation. If gifts cannot be returned, your Headteacher or line manager should dispose of them to charity and record this fact.
- 3.1.4 All gifts above a value of £10 should be registered on the appropriate form, even if the gift is returned. Please see 2(ii) of this procedure.
- 3.1.5 Gifts of cash should not be accepted.

3.2 Hospitality

- 3.2.1 You may accept incidental hospitality, such as light refreshments, tea or coffee, as offered at a visit, conference, meeting or promotional exercise.
- 3.2.2 Where other than incidental hospitality is offered by an existing contractor or by an organisation likely to be involved in a contract, the hospitality should be refused. You should avoid socialising with organisations and pay your own bills for meals, travel etc.
- 3.2.3 Invitations to social events offered as part of normal working life, e.g. opening celebrations, annual dinners, may be accepted if authorised by your Headteacher/Chair of Governors.
- 3.2.4 All offers of hospitality, other than incidental, must be registered on the appropriate form, please see 2(ii) of this procedure.

3.3 Inducements

- 3.3.1 You must not accept inducements, e.g. a bribe.
- 3.3.2 All offers of inducement must immediately be reported to your Headteacher or line manager and be registered as per section 4.1 of this procedure.

4. Procedure

- 4.1 All offers of accepted/declined gifts or hospitality (other than incidental) must be entered on Form A (attached), together with an estimate of value, and passed to the Headteacher.
- 4.2 Headteachers will keep Form A as a register of offers.
- 4.3 The Headteacher will retain a file of higher value gifts or hospitality offered, declined or accepted. A report to Governors will be presented in April summarising the information.

- 4.4 Where gifts, hospitality or inducements are offered to the Headteacher, the Chair of Governors will sign the form.
- 4.5 A central file of all gifts, hospitality or inducements offered, declined or accepted by school employees and Governors will be maintained by the Headteacher.
- 4.6 If you are uncertain how to deal with an offer of a gift or hospitality, you should contact your Headteacher or line manager.
- 4.7 If your interpretation of this Code and/or your actions are called into question, it is the responsibility of your Headteacher or line manager to investigate whether you acted in good faith according to your understanding of the Code of Practice.

GIFTS AND HOSPITALITY

FORM A

GIFTS AND HOSPITALITY REGISTER YEAR.....

NAME	OFFERING ORGANISATION	DETAILS OF GIFT/HOSPITALITY	ESTIMATED VALUE (if known)	ACCEPTED/REJECTED	REASON

Signed Employee Department

Signed Headteacher/Chair of Governors

APPENDIX D

USEFUL CONTACT NUMBERS

INSERT

APPENDIX E

OTHER EMPLOYMENT RELATED ACTIVITIES – FEES

Employees may be asked on occasions to give lectures or undertake work using their professional skills and expertise. If the work forms part of the duties of a post and the employee is carrying out an official duty, he/she must forward all fees to the employing school. Any expenses incurred will be reimbursed through the normal procedures.

Employees in receipt of 'fees' in respect of undertaking work and/or lecturing to an outside organisation/person(s) may retain the 'fees' providing:

- A preparation and delivery of the work is undertaken outside working hours (unless covered below);
- B equipment and/or materials are not being provided by the school or Local Authority;
- C the employee is not acting as a representative of the school or Local Authority.

Where the work or lecture is undertaken during working hours the equivalent working hours must be re-arranged, in agreement with the Headteacher/line manager to accommodate the employee's request or annual leave, flexi leave or time off in lieu must be used. The employee concerned may also be granted unpaid leave, subject to the agreement of the Headteacher/Chair of Governors in consultation with the HR provider.

It will need to be clarified whether any such work is being carried out on behalf of the school or solely on an employee's private undertaking. Refer to Section 12 of the school's Pay Policy.

Politically Restricted Posts (PoRPs)

Legal Background

The Local Government and Housing Act 1989 (LGHA) introduced the principle of Politically Restricted Posts (PoRPs) in local authorities. This Act had the effect of restricting the political activities of certain local authority employees. The LGHA was amended in 2009 by the Local Democracy, Economic Development and Construction Act 2009.

Restricted Posts

Posts may be politically restricted because

- they are specified as PoRPs in accordance with the legislation; or
- it has been determined that they fall within the sensitive duties related criteria of the legislation

Specified Posts within Sheffield City Local Authority

These post holders are politically restricted without the right of appeal

Statutory Officers

The Head of the Paid Service (Chief Executive)
Director of Children's Services under Children's Act 2004 (Executive Director CYPF)
Director of Adult Services under LASSA 1970 (Executive Director Communities)
Chief Finance Officer under Section 151 of LGA 1972 (Executive Director of Resources)
The Monitoring Officer (Deputy Chief Executive)

Non Statutory Chief Officers

Officers reporting directly to the Head of the Paid service excluding secretarial/clerical support.

Deputy Chief Officers

An officer reporting directly or is directly accountable to one or more of the statutory or non statutory Chief Officers.

Officers Exercising Delegated Powers

Officers whose posts are specified by the authority in a list maintained in accordance with section 100G (2) of the Local Government Act 1972.

Assistants for Political Groups

Sensitive Duties Posts within Sheffield City Local Authority

The duties of a post under a local authority fall within this subsection if they consist of or involve one or both of the following sensitive duties i.e.

- giving advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented; or where the authority are operating executive arrangements, to the executive of the authority, to any committee of that executive; or to any member of that executive who is also a member of the authority
- speaking on behalf of the authority on a regular basis to journalists or broadcasters

These post holders can appeal against political restriction on the grounds that the criteria have been wrongly applied.

Teachers and Headteachers are exempt from political restriction, whatever their role.

A list of all Politically Restricted Posts within Sheffield City Local Authority is held by the relevant Proper Officer (Chief Executive). Any modifications to this list must be reported and recorded accordingly.

Restrictions on Post Holders

Employees in PoRPs are debarred from standing for or holding elected office as

- Local Councillors
- MPs
- MEPs
- Members of the Welsh Assembly
- Members of the Scottish Parliament

These restrictions are incorporated as a term in the employee's contract of employment under Section 3 of the Local Government (Politically Restricted Posts) Regulations 1990.

They are also restricted from:

- Canvassing on behalf of a political party or a person who is or seeks to be a candidate

- Speaking to the public at large or publishing any written or artistic work that could give the impression that they are advocating support for a political party

Appeals against inclusion on the list of politically restricted posts

Post holders who are politically restricted because they hold specified posts have no right of appeal.

- Appeals are made to the Head of Paid Service
- Post holders of sensitive posts that are politically restricted may appeal on the grounds that the authority has wrongly applied the duties-related criteria
- Appeals may be made by the current post holder or by an individual who has been offered employment in a politically restricted post
- There is no timescale during which a post holder must make an appeal
- To appeal, employees should send a letter formally seeking exemption and a job description to the Monitoring Officer (Deputy Chief Executive), Town Hall, Pinstone Street, Sheffield, S1 2HH
- If the appeal is successful, the Monitoring Officer will notify HR Connect at Capita, so that it may be noted on the records for the individual and for the post

Please Note: This document is a summary, if you require further details or are unsure about any of the content please contact your academy's HR service provider.

CONFIDENTIALITY AND DATA PROTECTION POLICY

Data Protection Statement

The school complies with *the principles and requirements of The Data Protection Act 1998.*

Our Data Protection Compliance Officers are *INSERT NAME(S)*****

All personal data and information will be kept accurate and up to date. This information will be destroyed and not kept any longer than is necessary other than when required to be kept by law for a specified time for example:

- Health & Safety 5 years
- Inland Revenue 5 years
- National Insurance 6 years
- Child Protection until the child is 25 years old

Children, staff, volunteers and governors may see information about themselves that is held on computer and in paper records.

Subject to the following paragraph, parents/carers may see the information about themselves and the child/children in their care that is held on computer and in paper records.

Where there is the risk of significant harm, any decision to deny a parent or carer access to her/his records or those of her/his child, must only be made after seeking the advice and agreement of the lead agency, this could be Social Services Department or Police or Headteacher or Child Protection Liaison Teacher.

*A copy of all information held by ***INSERT NAME*** School including*

- a description why this information is processed; and
- anyone it may be seen by or passed to

will be provided within 40 days of receiving a request in writing from the individual concerned.

Records that also contain information about other individuals will only be included if those concerned give their consent.

Before a child can attend the school every parent/carer is required to complete a registration and medical form. This information is confidential and is stored in a locked filing cabinet.

It is accessible to the Headteacher and the school clerical officers, but to other staff only when appropriate. Staff are given information on a 'need to know' basis to assist them in caring for the children. As this information is confidential it is not accessible to any other person unless this is approved or requested by the parent.

Information disclosed informally or formally by a parent is treated in the same way. The exception to this would be in a medical emergency if the parent/carer/emergency contact were unavailable.

On the medical form parents/carers are required to sign a consent form to permit emergency treatment for their child.

If a person *or any other agency* wants information about a child or a parent they and the staff concerned must have the *written consent* of the parent concerned before this is given out, e.g. giving out a parent's work telephone number to another parent who is no longer able to collect their child.

Staff will not disclose information on any other aspects, about other parents or children, to anyone not that parent or child concerned, *unless information is requested or permission is given by parents of the children concerned:*

- *for the purposes of child protection, crime, taxation and other disclosures permitted under the Non-Disclosure exemption;*
- *is requested by an authorised agency; and*
- *is lawful.*

COMPLAINTS POLICY

Introduction

Section 29 of the Education Act 2002, places a duty on Governing Bodies of all maintained schools and maintained nursery schools in England, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

Where there are established statutory and other procedures for dealing with a complaint, these will be followed. These guidelines therefore do not cover those matters for which such a procedure already exists such as:

- Admissions to schools
- Exclusions from school
- Special Educational Needs Provision
- School re-organisation
- Matters concerned with the school curriculum
- Serious complaints against school staff
- Child Protection issues
- Public examinations

Extended Services

It is also recommended that the governing body ensure that any third party providers offering community services or facilities through the school premises or using school facilities (even if it is hiring it out for a function or meeting) have their own complaints procedures in place.

Please contact the relevant Service or the Advice and Conciliation Service for further guidance.

Underlying Principles

Complaints should be treated seriously and courteously and given the time they require to be heard. It is important to the school that complainants have confidence in these procedures and know that their case will be investigated impartially.

Complainants should be advised at the earliest possible stage about:

- The scope, if any, for pursuing their complaint and the extent of the procedure for dealing with it
- The way in which the complaint is likely to be handled

Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

The key to guaranteeing a successful outcome is to ensure that the correct procedure is followed from the outset. If Governors or Head Teachers are unsure of the procedure to be followed, the flow chart towards the end of this guide should be consulted. In addition, the Advice and Conciliation Service may be contacted for further information

and advice. It may well be the case that action taken under the complaints procedure may lead to action being initiated under other, for example statutory, procedures. In these instances, the investigations under the complaints procedure should be suspended until action under other (including appeals) procedures has been concluded. The complainant should be advised that alternative action is being taken, but will have to remain confidential until that procedure has been completed. The complainant should also be advised of any likely delay in the final resolution of the complaint that will result.

Definition of a Complaint

For schools, the definition of a complaint within the terms of the procedures described here is an expression of dissatisfaction verbally or in writing by parents or carers of children who attend the school, or from neighbours of the school or school community affected by the services the school provides.

After initial investigation of a complaint, a decision may well be made to use the discipline, capability or other appropriate procedure.

Anonymous complaints will not normally be considered under the procedure set out here.

The procedure set out in the following pages outlines the stages both formal and informal through which a complaint made against the school will proceed. At all stages, the aim is resolution to the satisfaction of both parties and a mutual understanding of the problems believed to exist in order that improvements can be made where necessary.

Where agreement and resolution cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly and equitably.

Conciliation or mediation between school and complainant can be considered at any time within the informal or formal stages as set out in this guide. The Trust's HR provider is independent of the school and can be contacted at any stage for advice and guidance.

General Principles

1. Publicity

Parents and carers should always know how they can raise concerns or lodge a formal complaint. Complaints procedures should be easily accessible and well publicised.

A summary of how the school deals with complaints should be included in the information that is given to parents when their children join the school. Schools should also prepare leaflets for parents explaining how problems are dealt with and how the complaints procedures work.

Consideration should be given as to whether the procedures need to be made available in languages other than English and whether audio-cassette, Braille or large-print versions are necessary.

It is good practice to advise parents and carers at regular intervals of the procedures.

2. Accessibility

Procedures should be as speedy as possible, consistent and fair to all concerned. Each stage of the procedure should have known time limits. Where it is not possible to meet these, the complainant should be kept informed of progress.

3. Support for complainant

It is important that parents and carers know that at any stage of the procedure they can be accompanied by a friend, relative or representative and to know where they can go for information, advice and advocacy, if required.

4. Support for a person complained against

Staff who may be questioned as part of the investigation of a complaint must feel that they are being treated fairly, that they will have the opportunity to put their case and that a friend or representative may accompany them at any stage. There is a crucial balance to be maintained between supporting the individual so that his/her rights are maintained and reputation protected, and investigating a complaint thoroughly and impartially.

The complaints procedure is distinct from formal disciplinary proceedings for staff and this will need to be made clear to all concerned. However there may be occasions where a complaint leads to a disciplinary procedure which puts the complaints process on hold. If so, the complainant should be informed of this, without going into details, and updated regularly on likely further delay. After the disciplinary process is completed it will be necessary to decide what further response to the complainant is required.

5. Confidentiality

It is very important to treat all concerns and complaints with discretion. It is vital that parents and carers feel confident that their complaint will not penalise their child. However, a complainant will need to be aware that some information will have to be shared with those involved in order that the complaint can be investigated. It is usual to disregard anonymous complaints, but the danger is that they may relate to something serious and the complainant may subsequently surface and say that he/she alerted the school. It should be at the Headteacher or governing body's discretion to decide whether the gravity of an anonymous complaint warrants an investigation.

6. Redress

If the outcome of the complaints procedure shows the school is at fault, it is often sufficient to provide redress in the form of an acknowledgement that the complaint is valid. Alternatively, it may be appropriate to offer one or more of: an apology, an explanation, a promise that the event complained of will not recur, an undertaking to review school policies or practices in the light of the complaint, or, in appropriate circumstances, financial compensation. Fear of litigation should not prevent a school from admitting to parents when mistakes have been made, but it is recommended that advice be sought from the Trust's HR provider if it is possible that the parent might take legal action.

7. Staff Awareness and Training

All staff should be aware of the procedures, as potentially many will be involved with handling complaints, especially at the informal level. To be confident in doing so depends on them having clear information about the procedures, reassurances that senior staff are committed to the procedures and some basic training in dealing with people who are upset or angry. All staff should also have clear information about which staff have which responsibilities so that parents do not get continually passed from one to another.

8. Record Keeping

Complaints should be recorded and monitored regularly by staff and governors. It is recommended that recording should begin at the point when an initial concern or complaint cannot be resolved immediately but needs some investigation and/or consultation with others in school and a subsequent report back to the parent.

Recording at the earliest stage need only be a very basic record of the complaint, giving the date, name of parent and general nature of the complaint. A pro-forma or a 'comments and complaints' book could be used.

A Staged Approach

Governing bodies are advised to adopt a staged approach as follows:

Stage 1: The First Contact

There needs to be clarity as to the difference between a concern and a complaint. Taking informal concerns seriously at an early stage will reduce the number that develop into formal complaints. There are many occasions where concerns are resolved straight away through the class teacher, head teacher or other staff, depending on who is first approached. Parents and carers should feel able to raise concerns with members of staff informally. On occasion it may be appropriate for someone to act on behalf of a parent and this must be taken into consideration.

It may be unclear at first whether a parent or carer is asking a question or expressing an opinion rather than making a complaint. A parent or carer may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

Stage 2: Referral to the Headteacher

At this stage it will be apparent that the concern is a definite complaint and should be investigated according to school guidelines (See Model Complaints Procedures attached) to ensure consistency and to make sure that nothing happens which could make it difficult for later stages to proceed smoothly.

In some cases the headteacher may already have been involved in looking at the matter; in other cases it may be his/her first involvement and in a large school it may be appropriate to delegate the investigation at this stage to another member of staff. What is important is that a staged procedure exists which reassures complainants that their grievance will be heard by more than one person, and that headteachers ensure that their involvement will not predominate at every stage of a particular complaint.

In some instances, headteachers will have been involved at Stage 1, or the complaint may be against them, in which cases Stage 2 should be carried out by the Chair of Governors. In other cases, where the headteacher has delegated the investigation at Stage 2 to another member of staff, s/he is advised to become involved if the parent is not satisfied, before the Stage 2 process is completed and the matter referred to the governing body.

Stage 3: Review by the Governing Body or Governing Body Complaints Panel

It is anticipated that complaints should rarely reach this formal level, but it is important that governing bodies are prepared to deal with them when necessary. At this stage schools may wish to seek advice from the Trust's HR provider or Diocese as appropriate.

It is important that this review is not only independent and impartial but that it is seen to be so. Complaints should always be considered by a panel, **not** by the full governing body. Some governors may have previous knowledge of the problem which led to the complaint being made and would be unable to give fair and impartial consideration to the issue. Furthermore should a complaint result in

disciplinary action against a member of staff it would be necessary for there to be sufficient governors with no prior involvement to form a staff disciplinary committee.

It is recommended that the panel appoint a clerk to minute the meeting. The clerk would be the contact point for the complainant and be required to:

- Set the date, time and venue of the hearing, ensure that the dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to the parties in advance of the hearing
- Meet and welcome the parties as they arrive at the hearing
- Record the proceedings
- Notify all parties of the panel's decision.

The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations that will satisfy the complainant that their complaint has at least been taken seriously.

The panel cannot be made up solely of governing body members because they are not independent of the management and running of the academy. It is a matter for the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member.

What if the complaint concerns a governor?

The matter should still be referred to the Chair of Governors who will investigate the complaint. If the complaint is about the Chair of Governors, the complaint should be referred to the Vice-Chair or Governing Body Complaints Panel as appropriate.

Complaints Procedure

In order to investigate complaints as fully as possible, the Diocese of Sheffield Academies Trust have implemented a staged approach for each academy in the trust.

1. The First Stage

Dealing with Concerns and Complaints Informally

1.1 Guidelines

- 1.1.1 It is hoped that all complaints and concerns will be resolved as early and as informally as possible. Parents and carers need not only to be listened to but also to feel that they have been listened to. The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. Nevertheless, anyone receiving a complaint should ensure that a record of the complaint and its outcome is maintained.

- 1.1.2 The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved immediately with the class teacher, school secretary or Head Teacher, depending on whom it is parents or carers first approach. Parents must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing. It may, on occasions, be appropriate for someone to act on behalf of the parent or carer.
- 1.1.3 It may be unclear as to whether a parent or carer is asking a question or expressing an opinion, rather than making a complaint. Similarly, a parent or carer may want a preliminary discussion or be seeking clarification of an issue in order to decide whether he or she wishes to take the matter further.
- 1.1.4 The school should inform staff that they have the right to advice or representation from their trade union at any stage of the complaints procedure once it becomes clear that a complaint is being made about a member of staff.

1.2. Procedures

- 1.2.1 Parents and carers should be given an opportunity to discuss their concern with the appropriate member of staff who will clarify the nature of the concern or complaint and reassure them that the school will hear the concern or complaint and attempt to resolve it at the earliest stage. The member of staff may explain how the matter or incident arose and the issues connected with it. It may be helpful at this point for the parent or carer to identify what outcome is expected.
- 1.2.2 The member of staff will need to respond appropriately, taking into account the status and seriousness of the complaint. Hopefully, the matter can then be resolved immediately. (See notes on **'How to Listen to Complaints'** at Appendix 1).
- 1.2.3 If the member of staff first approached cannot deal with the matter immediately, then they should make a clear note of the date, the name and contact address or telephone number given by the complainant. The Head Teacher should be informed accordingly.
- 1.2.4 All members of staff should be aware of the procedure for referring a complaint to the staff member having responsibility for the area about which a particular concern has been raised. They should also ensure that when a referral has been made, this is followed through.
- 1.2.5 Where the concern relates to the actions of the Head Teacher, the complainant should be advised to contact the Chair of the School Governing Body. In such circumstances, it is recommended that a Governors Complaints Panel comprising three members of the School's Governing Body.
- 1.2.6 The member of staff dealing with the concern or complaint should make sure that the parent or carer is clear about what action, if any, or monitoring of the issue has been agreed, putting this in writing if this appears to be the best way of advising the complainant clearly about the resolution of the matter.
- 1.2.7 In instances where no satisfactory solution has been found within 10 school working days of the complaint having been made, parents or carers should be given clear information both verbally and in writing about how to progress their complaint and about any independent advice available to them.

2. The Second Stage

Referral to the Head Teacher for Formal Investigation

2.1 Guidelines

- 2.1.1 At this stage, it will be apparent that a formal complaint has been registered and an appropriate response will be required. In some instances, the Head Teacher will already have been involved in looking at the matter; in others, it will be their first involvement. In all instances, it will be helpful for the Head Teacher (or other designated member of staff) to use these guidelines to ensure consistency and to ensure that regard is paid to the stages of the complaints procedure.
- 2.1.2 Head Teachers have responsibility for the day-to-day running of their school. They have responsibility for the implementation of the complaints procedure including decisions concerning their involvement at the various stages. A staged complaints procedure should ensure that more than one individual is involved in hearing and investigating the complaint.
- 2.1.3 Head Teachers should make arrangements to ensure that their involvement does not predominate at each stage of a particular complaint. Arrangements may be made for other staff to deal with parent and carer concerns at Stage 1, allowing for the Head Teacher's involvement at Stage 2, should this be necessary. At any stage, the Head Teacher may designate another member of staff to collect information and prepare a response.

2.2 Procedures

- 2.2.1 Formal complaints should normally be submitted in writing. In exceptional circumstances, the school may consider progressing a verbal complaint where there are believed to be sufficient grounds for doing so. The Head Teacher (or designated member of staff) will acknowledge the complaint within 3 working days of receipt.
- 2.2.2 Schools should be sensitive to the particular needs of parents or carers who may have difficulty in making a written complaint or for whom English is not their first language.
- 2.2.3 An acknowledgement should provide a brief outline of the school's complaints procedure and an expected date for the provision of a response. This will normally be within 10 school working days. If this proves to be unworkable, the complainant should be provided with an explanation for the delay and given a revised date for the provision of a response.
- 2.2.4 The Advice and Conciliation Service may become involved and enable an agreed way forward. A mediated meeting between the complainant and the school to discuss a solution may be suggested if both parties are in agreement. The aim here is to seek an early resolution to the complaint for the benefit of the child, parents or carers and the school. Prolonging a complaint longer than is necessary is of no benefit to any of the parties involved. Such involvement is not however intended to compromise the formal complaints procedure. A complainant reserves the right to invoke more formal procedures should this be thought necessary to resolve matters.

- 2.2.5 The Head Teacher should provide an opportunity for a complainant to meet with them in order to supplement any information previously provided. It should be made clear to the complainant that, if they wish, they may be accompanied at any meeting by a friend, relative or representative to speak on their behalf; and that interpreting facilities can be made available should this be necessary.
- 2.2.6 The Head Teacher will, if necessary, interview witnesses and take statements from those involved. If the complaint concerns a pupil, the pupil should also be interviewed. In some instances, another member of staff with whom the pupil feels comfortable may be asked to attend. It may be appropriate, depending on the circumstances, to invite a parent or carer to be present when the Head Teacher interviews a pupil. The Head Teacher should keep written records of all meetings, telephone conversations and other contacts made during the course of investigation of a complaint.
- 2.2.7 Once all relevant information has been gathered, the Head Teacher will then formulate a written response to the complainant. The Head Teacher may, additionally, suggest a meeting to discuss the complaint and seek a resolution. The written response should include a full explanation of the conclusion reached and the reasons for that conclusion. Where appropriate, this will include details of the action taken to resolve the complaint. If the complaint concerns a member of staff and action is to be taken against the member of staff concerned, the phrase 'Appropriate action has or will be taken' should be used.
- 2.2.8 The complainant should be advised that, should they find the Head Teacher's response inadequate and they wish to take matters further, that they should notify the Chair of the School's Governing Body within 10 school working days of receipt. The Chair should arrange for a Governors Complaints Panel to investigate the complaint and would normally chair this panel, unless an alternative chair has designated by the Governing Body.
- 2.2.9 Where a complaint has been made against the Head Teacher, arrangements should be made for the initial investigation to be conducted by a single Governor (usually the Chair or Vice Chair of the Governing Body) or a suitably constituted Governing Body Complaints panel who will undertake Stage 2 of these procedures.

3. The Third Stage

Appeal to the Chair of the Governing Body or Governing Body Complaints Panel

3.1 Guidelines

- 3.1.1 It is anticipated that complaints will rarely reach this stage. It is, however, important that should they do so, any appeal is not only independent and impartial but that it should be seen to be so. All complaints reaching Stage 3 will have done so because the complainant has not been satisfied with the response provided by the Head Teacher (or Chair of Governors if the original complaint had been about the Head Teacher) at an earlier stage of the procedure. Therefore, governors who have had no prior knowledge of or involvement in the complaint must as far as is possible, handle any appeal.

- .3.1.2 As this is the last stage at which a resolution may be reached, every effort should be made to either mediate or conciliate. Parents or carers may therefore wish to seek assistance from the Advice and Conciliation Service, particularly if contact has not previously been made.
- 3.1.3 Appeals should normally be made in writing. In exceptional circumstances, the school may consider progressing a verbal complaint where there are believed to be sufficient grounds for doing so. The appeal should state clearly why it is felt that the complaint has not been resolved satisfactorily and, wherever possible, supported by documentary evidence or witness statements.
- 3.1.4 In the unlikely event of pupils needing to be interviewed, care will need to be taken to ensure that parental permission is obtained. In all instances a single governor should interview the pupil and parents or carers should be given the opportunity to attend but, if they are unable to do so, a nominated member of staff should accompany the pupil.

3.2 Procedures

- 3.2.1 Upon receipt of a written request by a complainant for the complaint to proceed to Stage 3, the procedures outlined below should be followed:
 - 1. The Chair of the Governing Body should write to the complainant acknowledging receipt of the written request.
 - 2. The acknowledgment should inform the complainant that the Chair of Governors or three members of the school's Governing Body, as appropriate, will investigate the complaint within 20 school working days of receipt of the request.
- 3.2.2 The acknowledgement should also explain that the complainant has the right to submit any further information or documentation relevant to the complaint. Any such documentation must, however, be received in sufficient time for this to be sent to the Chair or Panel members charged with conducting the investigation.
- 3.2.3 If a Governors Complaints Panel is conducting the investigation, the Chair of Governors should convene a panel elected from members of the school's Governing Body and independent members. The panel cannot be made up solely of governing body members because they are not independent of the management and running of the academy. It is a matter for the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member. Panel members should be governors who have had no prior involvement with the complaint. Generally speaking, it is not appropriate for the Head Teacher or other staff members to have a place on the panel. Governors may wish to bear in mind the advantages of having a parent or carer (who is also a governor) on the panel. Governors should be sensitive of issues of race, gender and religious affiliation and the make-up of the panel should, if possible, reflect the three categories of LA, Parent and Community governors.
- 3.2.4 The Chair should ensure that the Panel hears the complaint within 20 school working days of receiving the request. All relevant correspondence regarding the complaint should be given to each Panel member as soon as the composition of the Panel has been determined.

- 3.2.5 The Chair should write and inform the complainant, Head Teacher, relevant witnesses and Panel members of the date, time and venue of the meeting, at least 10 school working days in advance. The details of the complaint available at that time should also be sent in writing to the Head Teacher.
- 3.2.6 Notice of the Panel meeting sent to the complainant should also inform him/her of their right to be accompanied to the meeting by a friend, advocate or interpreter. This notice should also explain how the Panel meeting will be conducted and of the complainant's right to submit further written evidence to the Panel at least 5 school working days in advance of the meeting. The Chair should also invite the Head Teacher to attend and prepare a written report for the Panel in response to the complaint.
- 3.2.7 The Head Teacher may invite members of staff who have been directly involved in matters or issues raised by the complainant to respond in writing or, at the discretion of the Panel Chair, to attend the meeting in person. All concerned, including the complainant, should receive all relevant documentation, including the Head Teacher's report, at least 5 school working days in advance of the meeting.
- 3.2.8 It is the responsibility of the panel Chair to ensure that the meeting is properly minuted.
- 3.2.9 The aim of the Panel meeting shall be to resolve the complaint and achieve reconciliation between the school and the complainant. It has to be recognised, however, that whilst the intention is to ensure that any complaint, which reaches this stage, is seen to have been treated seriously, it may not be possible to make recommendations that fully satisfy the complainant.
- 3.2.10 The Panel should be sympathetic to the fact that some parents and carers will not be used to dealing with groups of people in formal situations such as this and may, therefore, feel intimidated by the setting. It is suggested therefore that the Chair ensures proceedings are as informal as the circumstances allow.
- 3.2.11 Should either party wish to produce previously undisclosed or uncirculated documentation, it is in the interests of natural justice to adjourn the meeting to allow sufficient time for each party to consider and respond to this.
- 3.2.12 At Stage 3, the complainant and the Head Teacher, together with and other staff who are involved with the complaint should be interviewed separately in order that the Panel can form a clear and independent view of the complaint. The interviews, which can be arranged to run consecutively, should allow for:

The complainant to explain the nature of their complaint(s)

The Head Teacher to explain the school's response to the complaint

Panel members to have an opportunity to question both complainant and Head Teacher

All parties to have a right to call witnesses (subject to the approval of the Chair) and the Panel to the opportunity of questioning all witnesses

Parents and carers, Head Teacher and staff to have the right of representation at the meeting if they so wish

- 3.2.13 The Chair should explain to the complainant and the Head Teacher that the Panel will consider its decision and a written response sent to both parties within 15 school working days.
- 3.2.14 The Panel will consider the complain and all the evidence presented and
- a) Reach a unanimous or at least a majority decision on the complaint;
 - b) Decide upon the most appropriate course of action to be taken to resolve the complaint and,
 - c) Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not arise in future
- 3.2.15 Recommendations should be reported to the Governing Body at an appropriate time and a written statement outlining the decision of the Panel should be sent to the Head Teacher and complainant. Should any action need to be taken against a member of staff, in order to protect their rights, the phrase 'Appropriate action has or will be taken' should be used.
- 3.2.16 Governors should ensure that a copy of all correspondence and accompanying notes are kept on file. These records should be kept separately from the pupil's personal records.

Is there a time limit for complaining?

You should complain to the school as soon as possible and certainly within three months. If you do not contact the school within that time, normally no further action will be taken in respect of your complaint. However, any exceptional reasons you may give for not meeting this time limit will always be taken into account.

4. Further recourse

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant attempts to reopen the same issue following the complaints appeal panel hearing, the chair of the governing body should inform them in writing that the procedure has been exhausted and that the matter is now closed.

4.1 Education Funding Agency

Academies operate independently of local authorities. If you have a complaint about an academy which you have been unable to resolve, you should contact the Education Funding Agency (EFA). Further information is available on the website at

www.education.gov.uk/aboutdfe/armslengthbodies/b00199952/the-education-funding-agency/contacts

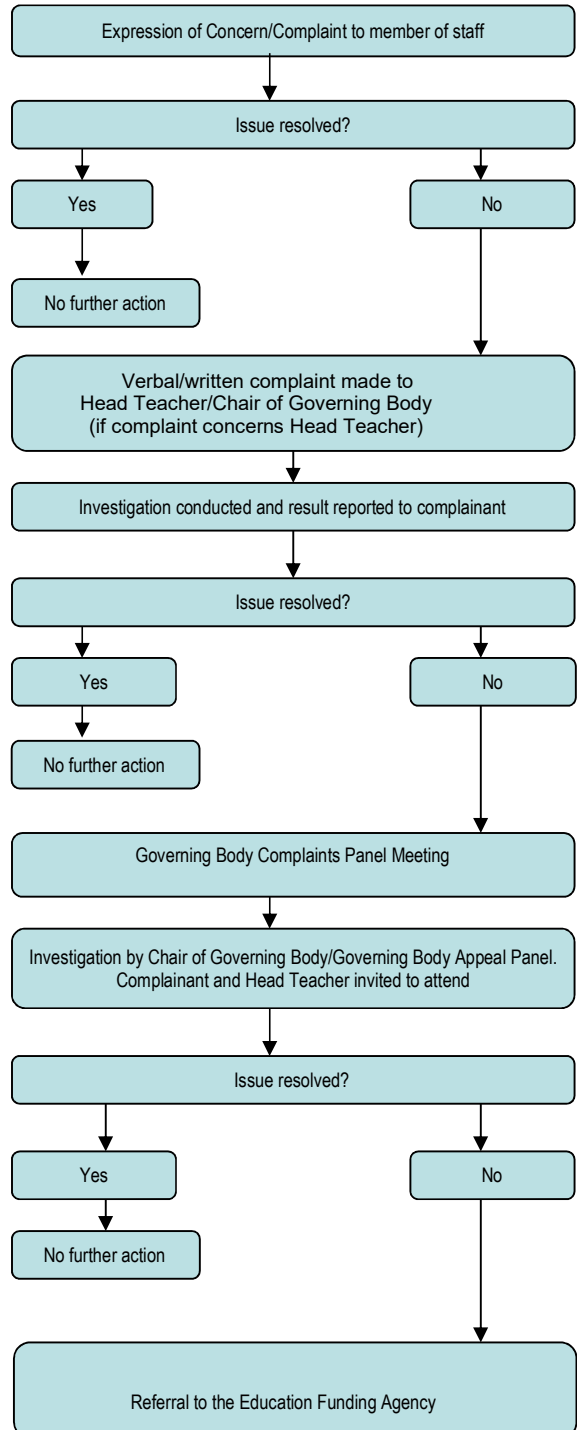
Flowchart Summary of Stages of Complaints Procedure

Stage One:
Informal

Stage 2:
Head Teacher/Chair of Governing Body Investigation

Stage 3:
Governing Body Appeal Panel

Referral beyond the academy and trust



Standard Complaint Record

Your name:

Pupil's name:

Your relationship to the pupil:

School:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

For Official use by the school

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Guidance on Listening to Complaints

As soon as you realise you are listening to a complaint, remember the following points:

- **Take responsibility**

Try not to keep transferring an angry person on from one place to another. Make sure you know the contact person for anything you cannot deal with yourself.

- **Don't be flippant**

First impressions count. You and the school may be judged on your immediate reaction.

- **Treat all complaints seriously**

However small or trivial an issue may seem to you, the complaint itself will be an important one for anyone who takes the trouble to complain.

- **Be courteous**

Be sympathetic and helpful, but do not blame other colleagues.

- **Say who you are**

If you are unknown to the complainant, introduce yourself.

- **Ask for their name and use it**

Anonymous complaints are acceptable only in exceptional circumstances.

- **Take time to figure out exactly what the problem is**

It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.

- **Don't take the complaint personally**

To an angry parent or carer, YOU are the school and the only one they can put their feelings to right now.

- **Stay cool and calm**

Do not argue with the complainant. Be polite and try to establish exactly what it is he or she is believes the issue to be.

- **Check you are being understood**

Make certain that the parent or carer understands what you are saying. Avoid using jargon- it can cause confusion and annoyance to someone 'not in the know'.

- **Don't rush**

Take your time. Let the complainant have their say and let off steam if they need to. Listen carefully and sympathetically to their problem before replying and attempting to find a solution or suggesting the next step.

Further information can be found at

<https://www.gov.uk/government/publications/setting-up-an-academies-complaints-procedure/putting-in-place-a-complaints-procedure>

MANAGING ALLEGATIONS AGAINST STAFF & VOLUNTEERS

(Procedures adopted from section 11 Of Rotherham Local Authority Whole School Policy for Safeguarding - incorporating Child Protection)

11.1 Our aim is to provide a safe and supportive environment which secures the well being and very best outcomes for the children at our school. We do recognise that sometimes the behaviour of adults may lead to an allegation of abuse being made.

11.2 Allegations sometimes arise from a differing understanding of the same event, but when they occur they are distressing and difficult for all concerned. We also recognise that many allegations are genuine and there are some adults who deliberately seek to harm or abuse children.

11.3 We will take all possible steps to safeguard our children and to ensure that the adults in our school are safe to work with children. We will always ensure that the procedures outlined in *Rotherham Local Safeguarding Children Board Child Protection Procedures: Chapter 3* and Part 4 of [‘Keeping Children Safe in Education’](#), DfE (2014) are adhered to and will seek appropriate advice from the Local Authority Designated Officer (LADO), who can be contacted on ***INSERT***

11.4 If an allegation is made or information is received about an adult who works in our setting which indicates that they may be unsuitable to work with children, the member of staff receiving the information should inform the Headteacher immediately. Should an allegation be made against the Headteacher, this will be reported to the Chair of Governors. In the event that the Headteacher or Chair of Governors is not contactable on that day, the information must be passed to and dealt with by either the member of staff acting as Headteacher or the Vice Chair of Governors.

11.5 The Headteacher or Chair of Governors will seek advice from the LADO within one working day. No member of staff or the governing body will undertake further investigations before receiving advice from the LADO.

11.6 Any member of staff or volunteer who does not feel confident to raise their concerns with the Headteacher or Chair of Governors should contact the LADO directly on ***INSERT***

11.7 The School has a legal duty to refer to the Disclosure and Barring Service anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person. If these circumstances arise in relation to a member of staff at our school, a referral will be made as soon as possible after the resignation or removal of the individual in accordance with advice from the LADO and/or HR.

WHISTLE BLOWING POLICY

WHAT IS 'WHISTLEBLOWING'?

Whistleblowing inside the work place is the term used to describe reporting by employees or ex-employees, of wrongdoing on the part of management, the Governing Body or by fellow employees. Wrongdoing may include for example, fraud, corruption, malpractice, breach of health and safety law, any other illegal or unethical act or breaches of the Academy Code of Conduct. Employees may, for this purpose include, for example, contractors and agency workers. The law provides protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is the Trust's responsibility to ensure that an investigation takes place.

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

The Trust encourages workers to raise their concerns under this procedure in the first instance. If a worker is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager, a more senior person or the CEO.

PROTECTING THE WHISTLEBLOWER

Under the Public Interest Disclosure Act 1998 a Whistleblower is protected from detriment and unfair dismissal. The Academy will support and not discriminate against concerned employees who apply the Whistleblowing procedure, provided any claim is made in good faith. The Trust encourages all individuals to raise any concerns that they may have about the conduct of others in the operation of the Diocese or the way it is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

WHEN SHOULD WHISTLEBLOWING PROCEDURES BE USED?

Each individual member of staff should feel able to speak freely on such matters. However, the Academy and colleagues have the right to protect themselves against unfounded false or malicious accusations.

Whistleblowing should only be used when the party implementing the procedure (Representor) has reasonable grounds for believing that a serious offence has been or may be committed. It must never be used without good grounds, falsely or maliciously.

Whistleblowing is not appropriate for dealing with issues between an employee and the Academy which relate to the employee's own employment or rights or employment

conditions generally. Alternative dispute resolution procedures for that purpose are outlined in the employment terms and conditions.

Whistleblowing is not appropriate for dealing with pupil complaints, which will be dealt with under separately published procedures.

Whistleblowing is not appropriate to specific cases of child safety or safeguarding which will be dealt with under the procedures specified in that connection. If any staff member has concerns that a pupil is being dealt with unfairly in school, they should raise their concern, in the first instance with the Headteacher or Child Protection Officer.

THE PROCEDURE

Any issue raised will be kept confidential while the procedure is being used.

The Representor (the person raising the concern) should raise their concern with their line manager. This may be done orally or in writing.

However, if the concern relates to the Representor's line manager or any person to whom he or she reports, other than the Headteacher, the Representor should raise the issue with the Headteacher;

If the concern relates to the Headteacher, the Representor should raise the matter with the Chair of the Governing Body.

The person with whom the matter is raised is referred to as the "Assessor".

The Assessor will:

Interview the Representor as soon as possible within seven working days, in confidence. Early interview will be essential if the concern relates to an immediate danger to loss of life or serious injury or risk to pupils;

Obtain as much information as possible from the Representor about the grounds for the belief of wrongdoing;

Consult with the Representor about further steps which could be taken;

Advise the Representor of the appropriate route if the matter does not fall under this Procedure;

Other than in the case of paragraph 4.4, report all matters raised under this procedure to the Chair of the Governing Body.

At the interview with the Assessor, the Representor may be accompanied by a recognised trade union representative or a work colleague. The Assessor may be accompanied by a member of the Academy staff to take notes.

The Assessor may at any time disclose the matter to a professionally qualified lawyer for the purpose of taking legal advice. The Assessor may also discuss the issue, in confidence, to other suitable professionals, such as independent HR consultants or school governance providers in order to assess the nature of the case and to inform the outcome of the investigation.

Promptly within ten working days of the interview, the Assessor will recommend one or more of the following:

The matter be further investigated internally by the Academy;

The matter be referred to the Diocese of Sheffield Academies Trust, in which event the Assessor and CEO will undertake investigation

The matter be reported to an appropriate external agency such as the EFA or the police

The route for the Representor to pursue the matter if it does not fall within this procedure; or

That no further action is taken by the Academy

The grounds on which no further action is taken include:

The Assessor is satisfied that, on the balance of probabilities, there is no evidence that wrongdoing within the meaning of this procedure has occurred, is occurring or is likely to occur;

The Assessor is satisfied that the Representor is not acting in good faith;

The matter is already (or has been) the subject of proceedings under one of the Academy's other procedures or policies;

The matter concerned is already (or has been) the subject of legal proceedings, or has already been referred to an external agency.

The recommendation of the Assessor will be made to the Headteacher. However, should it be alleged that the Headteacher is involved in the alleged wrongdoing; the recommendation will be made to the Diocese of Sheffield Academies Trust CEO.

The Headteacher or Chair of the Governing Body, as appropriate, will ensure that the recommendation is implemented unless there is good reason for not doing so in whole or in part. Such a reason will be reported to the next meeting of the Governing Body and Academy Trust.

The Representor's identity will be kept confidential unless the Representor otherwise consents or unless there are grounds to believe that the Representor has acted maliciously. In the absence of such consent or grounds, the Assessor will not reveal the identity of the Representor except:

Where the Assessor is under a legal obligation to do so;

Where the information is already in the public domain; or

On a legally privileged basis to a professionally qualified lawyer for the purpose of obtaining legal advice.

The conclusion of any agreed investigation will be reported by the Assessor to the Representor promptly within twenty eight working days of the initial interview.

All responses to the Representor will be made in writing and sent to the Representor's home address.

If the Representor has not had a response within the above time limit or such reasonable extension as the Academy requires, the Representor may go to an appropriate external agency, under paragraph 6, but will inform the Assessor before doing so.

The Representor may at any time disclose the matter on a legally privileged basis to a professionally qualified lawyer for the purpose of taking legal advice.

MALICIOUS ACCUSATIONS

A deliberately false or malicious accusation made by a Representor is a disciplinary offence and will be dealt with under the Academy's disciplinary procedure, as well as potentially exposing the Representor to legal liability.

INFORMING EXTERNAL AGENCIES

Within the Academy all staff have a duty of confidentiality. The duty of confidentiality is implied by the law in every contract of employment and prohibits employees from publicly disclosing employers' confidential information, unless it is in the public interest that the information is disclosed or unless the Academy fails to follow required procedures. Other legal restrictions on the disclosure of information, for example under data protection legislation, may also apply.

Whistleblowing to an external agency without first going through the internal procedure is a breach of the Academy's Code of Conduct. The external agencies which may be used if disclosure is permitted under paragraph 6.1 are:

Department for Education/EFA (In these circumstances, the DfE/EFA will assess whether all school processes have been applied and that the Assessor has done everything possible to resolve the issue. If this is not the case, the DfE/EFA will refer the matter back to the Assessor);

Member of Parliament;

National Audit Office;

Health and Safety Executive;

Police.

Whistleblowing to the media is not appropriate or permitted in any circumstances.

CONFIDENTIAL EMPLOYEE ENQUIRIES

7.1 Employees may, on a confidential basis seek prior guidance from the Headteacher if they wish to establish whether any course of conduct on their part or on the part of another employee may amount to wrongdoing under these procedures. Such enquiry shall be kept confidential. The Headteacher will attempt to provide guidance on the basis of the information provided, but such guidance shall not prejudice the rights of the Academy or any person under these procedures.

MONITORING, EVALUATION AND REVIEW

The Governing Body will assess the implementation and effectiveness of this policy. The policy will be promoted and implemented throughout the Academy.

This policy was adopted for full implementation on ****