Swain House Primary School

Staff Code of Conduct



**September 2023**

**This policy was discussed, reviewed and agreed by the Governing Body on**

**This policy was discussed, reviewed and agreed by all staff on**

**This policy will be reviewed in September 2024**

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## **Aim of this code of conduct**

This policy aims to set and maintain standards of conduct that we expect all staff to follow.

By creating this policy, we aim to ensure our school is an environment where everyone is safe, happy and treated with respect.

Many of the principles in this code of conduct are based on the [Teachers’ Standards](https://www.gov.uk/government/publications/teachers-standards).

School staff have an influential position in the school and will act as role models for pupils by consistently demonstrating high standards of behaviour.

We expect that all teachers will act in accordance with the personal and professional behaviours set out in the Teachers’ Standards.

We expect all support staff, governors and volunteers to also act with personal and professional integrity, respecting the safety and wellbeing of others.

Failure to follow the code of conduct may result in disciplinary action being taken, as set out in our staff disciplinary procedures.

Please note that this code of conduct is not exhaustive. If situations arise that are not covered by this code, staff will use their professional judgement and act in the best interests of the school and its pupils.

# Legislation and guidance

We are required to establish procedures for the regulation of staff conduct under regulation 7 of [The School Staffing (England) Regulations 2009](http://www.legislation.gov.uk/uksi/2009/2680/contents/made).

In line with the statutory safeguarding guidance [Keeping Children Safe in Education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2), we should have a staff code of conduct, which should cover low-level concerns, allegations against staff and whistle-blowing, as well as acceptable use of technologies (including the use of mobile devices), staff/pupil relationships and communications, including the use of social media.

# Professional behaviour and conduct

Staff are expected to demonstrate consistently high standards of personal and professional conduct such that public confidence in their integrity is sustained.

Staff will:

* Have proper and professional regard for the ethos, policies and practices of the school.
* Maintain high standards in their attendance and punctuality.
* Take care of themselves and others affected by their activity at school.
* Cooperate with school leaders in meeting their duties under the relevant regulations.
* Treat pupils, parents, colleagues and external contacts with dignity and respect.
* Observe proper boundaries appropriate to their professional position, showing tolerance of and respect for the rights of others.
* Inform the Headteacher if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution.
* Be aware that professional behaviour and conduct is expected to be extended to extracurricular trips and visits.
* Act appropriately in terms of the views they express – in particular, political views – and the use of school resources at all times.

Staff will not:

* Use foul or abusive language.
* Perpetrate discrimination, bullying, harassment, or intimidation, including physical, sexual and verbal abuse.
* Misuse or misrepresent their position, qualifications, or experience.
* Seek to bring the school into disrepute.
* Use school resources for political purposes.

# Safeguarding pupils

Staff have a duty to safeguard pupils from harm, and to report any concerns they have. This includes physical, emotional and sexual abuse, and neglect.

Staff will familiarise themselves with our child protection and safeguarding policy and procedures, and the Prevent initiative, and ensure they are aware of the processes to follow if they have concerns about a child.

Our child protection and safeguarding policy and procedures are available on the school website and on staff share drive. New staff will also be given copies during their induction.

# Allegations that may meet the harm threshold

This section applies to all cases in which it is alleged that anyone working in the school, including a supply teacher, volunteer or contractor, has:

* Behaved in a way that has harmed a child, or may have harmed a child, and/or
* Possibly committed a criminal offence against or related to a child, and/or
* Behaved towards a child or children in a way that indicates they may pose a risk of harm to children, and/or
* Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place inside or outside of school

We will deal with any such allegation quickly and in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

A ‘case manager’ will lead any investigation. This will be the Headteacher, or the Chair of Governors where the Headteacher is the subject of the allegation.

Low-level concerns about members of staff

A low-level concern is a behaviour towards a child by a member of staff that does not meet the harm threshold, is inconsistent with the staff code of conduct, and may be as simple as causing a sense of unease or a ‘nagging doubt’. For example, this may include:

* Being over-friendly with children
* Having favourites
* Taking photographs of children on a personal device
* Engaging in 1-to-1 activities where they can’t easily be seen
* Humiliating pupils

# Low-level concerns can include inappropriate conduct inside and outside of work.

All staff should share any low-level concerns they have using the reporting procedures set out in our child protection and safeguarding policy. We also encourage staff to self-refer if they find themselves in a situation that could be misinterpreted. If staff are not sure whether behaviour would be deemed a low-level concern, we encourage staff to report it.

All reports will be handled in a responsive, sensitive and proportionate way.

Unprofessional behaviour will be addressed, and the staff member supported to correct it, at an early stage.

This creates and embeds a culture of openness, trust and transparency in which our values and expected behaviour are constantly lived, monitored and reinforced by all staff, while minimising the risk of abuse.

Reporting and responding to low-level concerns is covered in more detail in our child protection and safeguarding policy. This is available on our school website – [www.swainhouse.co.uk](http://www.swainhouse.co.uk)

Our procedures for dealing with allegations will be applied with common sense and judgement.

# Whistle-blowing

Whistle-blowing reports wrongdoing that it is “in the public interest” to report. Examples linked to safeguarding include:

* Pupils’ or staff members’ health and safety being put in danger
* Failure to comply with a legal obligation or statutory requirement
* Attempts to cover up the above, or any other wrongdoing in the public interest

Staff are encouraged to report suspected wrongdoing as soon as possible. Their concerns will be taken seriously and investigated, and their confidentiality will be respected.

Staff should consider the examples above when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or school procedures, put people in danger or was an attempt to cover any such activity up.

Staff should report their concern to the Headteacher. If the concern is about the Headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to Chair of Governors.

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

For our school’s detailed whistle-blowing process, please refer to our whistle-blowing policy.

Any reported low-level concerns or allegations against staff are recorded on CPOMS – Staff Safe.

# Appearance and dress

The school expects that staff will:

* Ensure that their appearance is clean and neat when at work or representing the school.
* Dress in a manner that is appropriate to their role – the school will make reasonable adjustments to uniform expectations to suit disabilities, medical conditions, and religious and cultural beliefs.
* Not wear clothing that could have implications for the health and safety of themselves, or others in their care.
* Remember that they are role models for pupils, and that their dress and appearance should reflect this.
* Not dress in a way that would cause embarrassment to pupils, parents, colleagues, or other stakeholders.
* Ensure that, if visible, tattoos do not cause offence to others; if tattoos are likely to cause offence, they must be covered up whilst in work.
* Ensure that jewellery and piercings are minimal and, in the health and safety interests of both staff and children, avoid anything that could catch or be caught by pupils.

In consultation with staff, we have agreed the following –

The school expects that you will:

* Logos should not be deemed as offensive to anybody, any sports logos must be small and discreet
* Spaghetti straps, visible underwear, low cut tops and see through tops are not acceptable
* Leggings are acceptable but only when worn with a top or dress that covers the bottom and passes the mirror test (bending over in front of a mirror to ensure nothing is visible)
* Cycling shorts in a black or neutral colour can be worn under a dress and should not be visible below the hemline
* Shorts - tailored shorts are acceptable but not leisure shorts
* Vest tops are acceptable, but should have wide straps to the shoulder and cover bra straps
* Hoodies, trainers and pumps are not acceptable except for wear during outdoor PE and sporting events
* Denim clothing is not permitted except denim jackets which should only be worn as an outdoor jacket, not in the school building
* Short skirts and dresses, that do not pass the mirror test, are not acceptable
* Flip flops are not acceptable
* Crocs are acceptable but must not have any jibitz or embellishments
* Backless shoes and sandals are permitted providing they are safe to wear for your role

# Attendance

The school expects that staff will:

* Attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days of work and holidays.
* Comply with the school’s notification of sickness absence procedures.
* Make routine medical and dental appointments outside of their working hours or during holidays where possible.
* Refer to the school’s Staff Leave of Absence Policy if they need time off for any reason other than personal illness
* Follow the school’s absence reporting procedure when they are absent from work due to illness or injury – school must be contacted on 01274 639049 at 7.30am on the day of absence

# Conduct outside of work

Staff may undertake work outside school, either paid or voluntary, provided that it does not conflict with the interests of the school.

Staff will not engage in outside work which could seriously damage the reputation and standing of the school, the employee’s own reputation, or the reputation of other members of the school community. Staff will also not engage in outside work at a level which may contravene The Working Time Regulations 1998 or affect an individual's work performance.

Staff committing offences that involve violence, possession or use of illegal drugs, or sexual misconduct is unacceptable, and will result in disciplinary procedures in line with the school’s Disciplinary Policy and Procedure.

Staff will not engage in inappropriate use of social network sites which may bring themselves, the school, school community or employer into disrepute. This is explored further in the [Acceptable use of technology](#_[Updated]_Acceptable_use) section of this policy.

# Smoking, e-cigarettes, alcohol, and other substances

Staff will not smoke or vape on school premises or in the sight of pupils, parents or visitors.

Staff will not smoke or vape whilst working with or supervising pupils off-site, such as when on educational visits and trips.

Staff will report for work and remain in a condition to perform their duties free from the effects of drugs, alcohol or any other substances that may hinder judgement and cause changes in behaviour; this does not include over-the-counter painkillers such as paracetamol.

# Health and safety

Staff will:

* Be familiar with, and adhere to, the school’s Health and Safety Policy and ensure that they take every action to keep themselves and everyone in the school environment safe and well.
* Comply with health and safety regulations, adhering to any rules, routines and procedures in place, and cooperate with school leaders and colleagues on matters relating to health and safety.
* Use the correct equipment and tools for the job and any protective clothing supplied.
* Inform the Headteacher of any paid work which is undertaken elsewhere, for compliance with The Working Time Regulations 1998 (as amended).
* Adhere to their common law duty to act as a prudent parent would when in charge of pupils.

# Conflicts of interests

The school is aware that situations may arise where family interests or loyalties conflict with those of the school; however, staff have an obligation to act in the best interests of the school community to avoid situations where there may be a potential conflict of interest.

All staff will be able to demonstrate that they do not have a vested interest in any decision-making or budget spending. All declarations will be submitted in writing to the Headteacher for inclusion on the school’s Declared Conflicts of Interest Register.

Failure to make a relevant declaration of interests is a serious breach of trust and, therefore, if employees are in doubt about a declaration, they are advised to contact the school or trade union.

Any member of staff found to be withholding information about a conflict of interest will be subject to disciplinary action in line with the Disciplinary Policy and Procedure.

Staff and volunteers will be responsible for:

* Declaring any conflicts of interest.
* Acting in accordance with this policy at all times.
* Identifying any conflicts of interest that have not been previously declared.
* Following the school’s Whistleblowing Policy where there are concerns that a conflict of interest has not been declared, and an individual might have subsequently benefitted.
* Ensuring that all individuals in a discussion do not have a vested interest in the subject.
* Informing the Headteacher of any relatives who may have a declarable interest.
* Consider whether they need to declare their relationship with any individual where this might cause a conflict with school activities.

Membership to a trade union or staff representative group does not need to be declared.

**Financial inducements**

Staff will:

* Familiarise themselves and comply with the school’s financial regulations.
* Declare to the Governing Body, in writing, any gifts received, with the exception of:
* Low cost, functional items suitable for business rather than personal use and displaying the supplier’s logo – these items may be accepted.
* Non-excessive gifts offered by parents or pupils to school staff to express their gratitude, but staff members should always refuse monetary gifts.
* Hospitality in the form of meals and drinks where it is part of a normal business meeting.
* Authorised visits to exhibitions, demonstrations, conferences, business meals and social functions in connection with the school’s business, which shall be at the school’s expense.
* Not accept a personal gift, payment, or other incentive from a business contact – any such gifts should be returned.
* Declare any gift that cannot be returned to the Governing Body, who will decide how it will be used.
* Only accept offers to specific events after authorisation from the Governing Body.

**Contacts**

Staff members will not use school business contacts for acquiring materials or services at trade/discount prices for non-school activities, unless participating in concessionary schemes arranged by trade unions or other such groups.

# Maintaining professional relationships with pupils

The school expects that staff will:

* Maintain professional boundaries and relationships with pupils at all times, and will consider whether their actions are warranted, proportionate, safe and necessary.
* Act in an open and transparent way that would not lead to others questioning their actions.
* Ensure that they do not establish social contact with pupils for the purpose of securing a friendship, or to pursue or strengthen a relationship.
* Ensure that they do not develop personal or sexual relationships with pupils: this includes sexual remarks and discussing their own sexual relationships with, or in the presence of, pupils.
* Only contact pupils via the school’s established mechanisms: personal phone numbers, email addresses or social media platforms will not be used to contact pupils.

Staff are aware that they must not:

* Discuss personal information with pupils, such as concerning their lifestyle or marital status, unless it is directly relevant to the topic being taught.
* Correspond in a personal nature through any medium with pupils, e.g. phone calls or text messages, unless it is within the staff member’s role and via an approved communication method, e.g. school emails.
* Adopt an ongoing support role beyond the scope of their position.
* Use personal equipment for approved activities, such as a personal camera, unless approved by the LMT, and will not photograph, audio record or film pupils without authorisation from the LMT and consent from the pupil’s parent.
* Save images, videos or audio recordings of pupils on personal devices, unless authorised by the LMT or parents.
* Upload images, videos or audio recordings of pupils to any location without consent from parents and the LMT.
* Discuss or share information regarding other pupils or members of staff; staff should be aware of their surroundings when speaking to others, as their conversations may be overheard.
* Ignore instances of sexual harassment and inappropriate behaviour amongst pupils.
* Invite or allow pupils to visit their home.
* Allow pupils to access staff members’ personal devices.
* Attend pupils’ homes or their social gatherings, unless approved by the LMT.
* Be alone with a pupil outside of teaching responsibilities, unless approved by the LMT.
* Enter changing rooms or toilets occupied by pupils, when supervision is not required or appropriate, use toilet facilities allocated to pupils, or undress in facilities intended for use by pupils.
* Not transport a pupil unless approved by LMT and arranged with parents.
* Carry out one-to-one tutoring, mentoring or coaching of pupils, unless approved by the Headteacher or LMT.
* Give personal gifts or special favours, or disproportionately single specific pupils out for special duties or responsibilities.
* Offer overnight, weekend or holiday care as a respite to parents without the approval of the Headteacher.

Under the Sexual Offences Act 2003, it is an offence for a person aged 18 or over to have a sexual relationship with a child under 18 where that person is in a position of trust in respect to that child, even if the relationship is consensual.

Where inappropriate contact is made with pupils, this will be raised with the Headteacher, and handled in line with the school’s Child Protection and Safeguarding Policy and Staff Code of Conduct.

If a pupil is consistently attempting to befriend or contact a member of staff on social media, the member of staff will inform the Headteacher as soon as possible.

Staff are strongly discouraged from forming personal relationships with former pupils, including on social media, as well as with the parents of any pupils on social media.

In the event of the school becoming aware of a close relationship between a member of staff and a former pupil which may raise concerns about their suitability to work with children, the Headteacher will contact the LA designated officer (LADO) for advice and guidance.

Any inappropriate contact made with former pupils will be handled in line with the Child Protection and Safeguarding Policy and Staff Code of Conduct.

**Appropriate language**

Staff will be informed that pupils should not be treated as friends. Staff will not:

* Use inappropriate names or terms of endearment.
* Allow inappropriate conversations or enquiries of a sexual nature to occur.
* Treat pupils disrespectfully or discriminatorily, based upon their perceived or actual protected characteristics.
* Subject pupils to humiliation, profanity, or vilification.
* Allow or partake in suggestive humour, banter, jokes or innuendos of a sexual nature.
* Use obscene or inappropriate gestures and language.
* Partake in personal conversations, including on the phone, where this may be overheard by pupils.

# Physical contact with pupils

All staff members will respect the personal space and privacy of all pupils and will avoid situations which unnecessarily result in close physical contact.

The school understands that there are circumstances in which it is entirely necessary for staff to have physical contact with pupils, e.g. when applying first aid and assisting with intimate care, but staff will only do so in a professional and appropriate manner in line with relevant school policies.

When physical contact is made with pupils, it is imperative that it is conducted in a way which is responsive to the pupil’s needs, is of limited duration and is appropriate to their age, stage of development, gender, and background.

Staff will seek the pupil’s permission, where possible, before initiating contact.

Staff will always use their professional judgement when determining what physical contact is appropriate, as this may differ between pupils, and ensure that the pupil’s feelings and wishes are always taken into account.

Staff will never touch a pupil in a way which is indecent and will be aware that even well-intentioned physical contact may be misconstrued by a pupil, an observer or by anyone to whom this action is described and, therefore, will always be prepared to explain their actions.

Staff will not engage in rough play, tickling or play fights with pupils.

Physical contact will never be secretive; if a member of staff believes an action could be misinterpreted, this will be reported to the Headteacher, or the Chair of Governors if the concern is about the Headteacher, and appropriate procedures will be followed.

If a pupil is in distress and in need of comfort as reassurance, staff may use age-appropriate physical contact, such as placing their hand on the pupil’s shoulder. Staff will remain self-aware of their actions at all times and ensure that their contact is not threatening, intrusive or subject to misinterpretation.

The school acknowledges that situations may arise in which staff members will be required to use physical intervention, and in some cases reasonable force, in order to manage conflict, disruption and distressed behaviour when other measures have failed to do so. In these cases, staff will ensure that actions such as safe touch and reasonable force are used in a correct and safe manner, in accordance with the relevant legislation and national guidance and in line with the schools Reasonable Force Policy.

In all interactions with pupils staff will always behave and act in a respectful and professional manner and staff will be aware that extra caution and consideration may be needed where it is known that a pupil has previously suffered from abuse or neglect.

# Showering and changing

Staff will ensure that pupils are afforded respect and privacy whilst they are changing, e.g. before and after PE; however, a level of supervision is required to ensure that pupils are safe, and that they are not subjected to bullying.

The supervision will be appropriate to the needs and ages of the pupils, and sensitive to the potential for embarrassment.

Staff will adhere to the appropriate policies and risk assessments, eg. PE risk assessment and ensure that appropriate supervision and support is given to all pupils, including those who may need assistance with showering and changing.

Where possible, female staff will supervise girls and male staff will supervise boys.

Staff will announce their intention of entering the changing room to allow pupils to maintain their privacy and will only remain in the changing room for as long as is necessary.

Staff will never change or shower in the same area as pupils.

# Transporting pupils

Staff are aware that the safety and welfare of pupils is the responsibility of the school until pupils are with their parents. The school is committed to taking all possible safety measures to ensure the safety of pupils.

When it is necessary to transport pupils off-site, staff will gain consent from parents before transporting pupils and adhere to the appropriate school policies and risk assessments.

Staff will ensure that they:

* Hold a full valid driving licence for the category of vehicle being driven and providing their licence details to the Headteacher where required.
* Drive in accordance with the laws of the road and Highway Code.
* Check before each journey that the vehicle is roadworthy, e.g. tyres are properly inflated and meet legal requirements.
* Ensure that they are fit to drive; where their fitness to drive may be impaired, e.g. due to a medical condition or taking medication, they inform their line manager as soon as possible and notify the DVLA where required.
* Notify the Headteacher where there is any change in their circumstance in relation to driving at work, e.g. if they acquire penalty points on their licence for motoring offences outside of work.

Staff will only use their own vehicle to transport pupils where there is no practical or reasonable alternative, and where agreed upon by the Headteacher and parents in advance of the journey. Only members of staff with the appropriate level of DBS check and safeguarding and behaviour management training will be permitted to transport pupils.

When using their own vehicle to transport pupils, staff will ensure that their driving insurance is valid for the purposes of business use, including cover for persons travelling as business passengers.

Twoor more staff will be present in the vehicle to avoid any discrepancy regarding safeguarding concerns.

Staff will not offer pupils transport outside of their normal working duties, other than in an emergency or if a pupil is at risk. These circumstances will be recorded and reported to the Headteacher and the pupil’s parents.

# Acceptable use of technology

Staff are aware of the benefits and challenges associated with using technology in school. When using technology staff will always adhere to the various procedures, freedoms and limitations outlined in the relevant school policies, which include but are not limited to:

* Online Safety Policy
* Mobile Phone Policy
* Acceptable Use Policy

All staff will maintain a professional level of conduct in their personal use of technology, and read, sign, and adhere to the school’s Acceptable Use Agreement.

Staff will be aware of how the use of technology can impact safeguarding and wellbeing issues, e.g. online abuse.

Staff will be vigilant to ensure their own behaviour is respectful and that pupils are using technology appropriately while under their care.

**Personal devices**

Personal devices are used in accordance with the provisions outlined in the policies above. Any personal electronic device that is brought into school is the responsibility of the user.

Personal devices are not permitted to be used in front of pupils unless agreed by the Headteacher.

Staff are not permitted to use their personal devices during lesson time, other than in an emergency.

Staff are not permitted to use their personal devices to take photos or videos of pupils unless agreed by the Headteacher.

**Social media**

Staff will be aware that their conduct on social media can have an impact on their role and reputation within the school.

Staff will remain mindful of their use of social media and their web-based presence including written content, videos or photographs, and views expressed directly or indirectly which may bring themselves, the school, or the school community into disrepute.

Staff are required to employ the highest security settings on any personal profiles they may have.

Staff will not engage in inappropriate use of social networking sites including contacting pupils or their family members, accepting or inviting friend requests from pupils or their family members, or following pupils or their family members on social media.

The school understands that some staff are also parents of pupils at the school and, therefore, may wish to contact other parents. When doing so, staff will exercise their professional judgement and will not contact family members on social media if this would lead to a conflict of interest.

# Photography, images and videos

Photographs, images and videos will only be taken using school equipment – using personal mobile phones for this purpose is prohibited (unless agreed with the Headteacher) and taking images of pupils will not be taken for personal use.

Staff will ensure that imagery and videos will be kept in an appropriate and secure place in school.

No pupil will be photographed in a state of undress or semi-undress, or in a situation which could be considered as indecent or sexual.

Staff will not take images of a pupil’s injury, bruising or similar (e.g. following a disclosure of abuse), even if they have been requested to do so by children’s social care and staff members will not make audio recordings of any disclosure made by a pupil.

Consent for taking photographs will be obtained from parents, or the pupil themselves, if they are deemed old enough and able to make the decision for themselves.

The age of consent that is legislated is 13 and above; however, this is only applicable for online services provided directly to children. For everything else, an appropriate age of consent is considered on a case-by-case basis by the DPO, Headteacher and a pupil’s parents (where appropriate).

The Headteacher will be notified of the proposed use of the imagery or video and the equipment and ensure that the use of such is included in lesson plans where this is necessary.

All photographs and videos will be available for scrutiny, and staff will be prepared to explain and justify the images or footage taken.

Careful consideration will always be given to the activities which are being filmed or photographed, to ensure that images or videos are not indecent and cannot be misused.

# Premises, equipment, and communication

Staff are responsible for:

* Securing windows and doors when rooms are not in use.
* Ensuring that visitors sign in and out at the school office.
* Challenging any unidentified individuals and notifying the Headteacher of any unauthorised person.
* Securing valuable equipment after use.
* Ensuring the security of school equipment when taken off the school premises, such as laptops.
* Acting in accordance with the school’s Data Protection Policy, ensuring that data and information is secure.
* Reporting any minor security concerns to the Headteacher.
* Reporting major security concerns directly to the police or emergency services, where appropriate.
* Carrying their school ID with them at all times.
* Being responsible for the security of any of their own property that they bring to the school site.

School equipment and systems are available only for school-related activities and will not be used for the fulfilment of another job or for personal use, unless specifically authorised by the Headteacher. Illegal, inappropriate, or unacceptable use of school equipment or communication systems may result in disciplinary action and, in serious cases, could lead to an employee’s dismissal.

Employees receiving inappropriate communication or material, or who are unsure about whether something they propose to do might breach this policy, should seek advice from the Headteacher.

The school reserves the right to monitor emails, phone calls, internet activity or document production on school-owned equipment, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems.

Communication systems may be accessed when the school suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity. Access will be secured by the systems manager, only with the permission of the Governing Body.

Passwords should not be shared and access to computer systems must be kept confidential except on the express request of the Headteacher or systems manager. Breaches of this confidentiality may be subject to disciplinary action.

School equipment that is used outside the premises, e.g. laptops, will be returned to the school when the employee leaves employment or if requested to do so by the Headteacher.

# Data protection and confidentiality

All staff will be aware of their responsibilities as laid out in the schools Data Protection Policy and in line with the core principles of the UK GDPR and the Data Protection Act 2018.

Staff members will not disclose sensitive information about the school, its employees, or the LA to other parties. The only exception to this being when the confidential information gives rise to concerns about the safety or welfare of a pupil.

Staff members have the right to request access to data that is held about them. Such requests will be made to the Headteacher in writing in accordance with the school’s Data Protection Policy.

Staff will ensure that:

* Confidential paper records are kept in a locked filing cabinet, drawer or safe, with restricted access, and will not be left unattended or in clear view anywhere with general access.
* Implement a ‘clear desk policy’ to avoid unauthorised access to physical records containing sensitive or personal information.
* Memory sticks are not used to hold personal information unless they are password-protected and fully encrypted.
* They will not use their personal laptops or computers for school purposes. All necessary members of staff are provided with their own secure login and password, and every computer regularly prompts users to change their password.
* When sending confidential information staff will always check that the recipient is correct before sending.
* They involve the DPO in all data protection matters closely and in a timely manner.

If staff and governors need to use their personal laptops for school purposes, particularly if they are working from home, they will bring their device into school before using it for work to ensure the appropriate software can be downloaded and information encrypted.

Before sharing data, all staff will ensure:

* They are allowed to share it.
* That adequate security is in place to protect it.
* Who will receive the data has been outlined in a privacy notice.

Where personal information that could be considered private or confidential is taken off the premises, either in electronic or paper format, staff will take extra care to follow the same procedures for security, e.g. keeping devices under lock and key. The person taking the information from the school premises accepts full responsibility for the security of the data.

When pupils and staff join the school, the staff member or pupil (or, where appropriate, pupil’s parent) will be required to complete a consent form for personal data use. This consent form deals with the taking and use of photographs and videos, amongst other things. Where appropriate, third parties may also be required to compete a consent form.

The school holds the right to take the necessary disciplinary action against a staff member if they believe them to be in breach of the above security measures.

# Probity of records

The deliberate falsification of documents, such as references, academic qualifications, or legal documents, is unacceptable. Where a staff member falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

# Criminal record annual self-disclosure declaration

At Swain House Primary School, DBS checks will only be renewed for current staff when there is a change in role from unregulated activity to regulated activity or at any other time at the Headteacher’s discretion. A new DBS will be required for all new starters and staff returning from any leave of 3 months or longer unless they are subscribed to the update service.

The self-disclosure declaration form (Appendix 1) will be sent to all staff at the beginning of every autumn term, commencing autumn 2022. Staff must self-declare any pending prosecutions, any convictions, cautions or bind-overs which they have had since the last DBS check was completed.

Disclosure of a criminal offence need not necessarily stop a member of staff from continuing in their employment. In making this decision, the Headteacher, will consider the nature of the offence and take appropriate action. Failure to declare a conviction could result in summary dismissal if the discrepancy comes to light. Any information should be provided on the form below and will be kept completely confidential.

Car parking or speeding offences may be discounted. All information will be treated in the strictest confidence.

We also ask staff to inform us if there are any changes in relation to them being known to the police or children’s local authority social care since the last declaration form.

Completed forms should be returned to the Helen Bland in a sealed envelope marked for the attention of the Headteacher.

# Monitoring and review

This document will be reviewed on an annual basis by the Headteacher, and any changes made will be communicated to all members of staff.

The next scheduled review date of this document is September 2024.

All members of staff are required to familiarise themselves with this document as part of their induction programme.

**Appendix 1**

**Annual self-disclosure declaration**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

I declare the following information:

|  |  |
| --- | --- |
| Do you have any criminal convictions, bind-over orders, cautions, reprimands or warnings recorded against you? | Yes / No  (please circle) |
| I have the following criminal convictions, bind-over orders, cautions, reprimands and warnings recorded against me: | |
|  | Date: |
|  | Date: |
|  | Date: |
|  | Date: |
|  | |
| Do the police or children’s social care have your name or information on file for any reason? | Yes / No  (please circle): |
| Please provide further information if you have answered yes - | |
| Continue on reverse if necessary | |

**Declaration**

By signing this form I declare that the above information is correct as at the date of signature.

Failure to disclose relevant information may lead to disciplinary action if later discovered.

If you have any concerns please speak to the Headteacher before completing

|  |  |
| --- | --- |
| Signed: | Date |

\*\*Please note\*\* the contents of this form will be dealt with in line with our GDPR procedures. For a copy of this policy see the school handbook.