

SWIFT Academies

Code of Conduct for Employees

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INDEX	Paragraph no.
Purpose	1
Scope	2
Standards and Attitudes	3
The Principles	4
Confidentiality and Disclosure of Information	5
Whistleblowing Policy	6
Political Neutrality	7
Relationships with Pupils	8
Safeguarding of Pupils/Students	9
Bullying & Harassment	10
Appointment of Staff	11
The Local Community and Service Users	12
Contractors	13
Outside Commitments	14
Conduct	15
Additional Work	16
Refusal of a Request to take on Additional Work	17
Books, Training materials and Intellectual Property Rights	18
Patents and Inventions	19
Mobile Phones	20
Computer Use	21
Misuse of Computers	22
Use of Social Networking Sites	23
Personal Interests	24
Equality	25

Tender Procedures	26
Gifts and Hospitality	27
Gifts Generally	28
Hospitality	29
Corruption	30
Financial Procedure Rules	31
Sponsorship – Giving and Receiving	32
Dress and Appearance	33
Contact with the Press and Media	34
Talks to Outside Bodies, Radio and Television	35
Smoking and Vaping	36
Drug and Alcohol Misuse	37
Notification of Criminal Investigations and other required Disclosures	38

Annex A	Gifts and Hospitality
Annex B	Staff Gifts & Hospitality Register Form
Annex C	Record of Gifts, Hospitality, Awards & Prizes
Annex D	Disqualification under the Childcare Act 2006 - Amended Regulations
Annex E	Low level concerns tracker

1. PURPOSE

1.1 The purpose of having a Code of Conduct is to:

- make a clear statement about the standards of conduct expected of employees of the Trust
- ensure the highest standards of conduct by identifying Trust standards which sit alongside professional codes and guidelines
- help all employees to act in a way which upholds the Trust's standards and at the same time, protect them from criticism, misunderstanding or complaint.
- help build trust between the Trust and the people who come into contact with those working for it.

2. SCOPE

2.1 This Code of Conduct applies to:

- All employees of the Trust and volunteers.
- Individuals providing services for the Trust e.g. contractors, agencies, self-employed, and those working for the Trust as part of partnerships with the Trust.

2.2 Disregarding this Code will in certain circumstances result in disciplinary action being taken.

2.3 All employees and volunteers will be supplied with a copy of this Code, against which their conduct will be measured.

2.3 Trust Board of Directors are covered by their own Code of Conduct.

2.4 The term employee is used throughout the policy but should be taken to refer to both employees and volunteers as appropriate.

3 STANDARDS AND ATTITUDE

3.1 All employees of the Trust are expected to give the highest possible standard of service to the public, Board of Directors and fellow employees.

3.2 The attitude of employees in dealing with people reflects on the Trust so it is important that they are helpful, polite and courteous. People's impression of the Trust is strongly influenced by the views of the people who work for it. Whether or not employees are aware of it, the comments they make will be accepted by others. Employees, therefore, need to consider carefully the effect of what they say.

3.3 All employees are expected to report to their manager or supervisor any perceived or anticipated impropriety, breach of procedure or policy of the Trust.

3.4 In all cases, it is not enough to avoid actual impropriety, as public perceptions are very important. Employees should at all times avoid any appearance of improper conduct which may give rise to suspicion. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

- 3.5 There are a number of principles that exemplify the standards that are required. They are set out below. A number of these aspects are dealt with in more detail within this Code.

4. THE PRINCIPLES

- 4.1 All employees must perform their duties in accordance with the Principles of Public Life as follows:

Selflessness

You should take decisions giving due regard and consideration to in terms of the public interest. You should not do so in order to gain financial or other material benefits for yourself, your family or your friends.

Integrity

You should not place yourself under any financial or other obligation to outside individuals or organisations that might, or might be perceived to, influence you in the performance of your official duties.

Objectivity

In carrying out public business, including awarding contracts and recommending individuals for rewards and benefits, you should make choices on merit.

Accountability

You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate for your office.

Openness

You should be as open as possible about the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

Honesty

You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

You should promote and support these principles by leadership and example.

4.2 Respect for Others

All employees must;

- Treat others with respect
- Not discriminate unlawfully against any person; and
- Treat all employees/volunteers of the Trust professionally.

4.3 Stewardship

All employees must;

- Use any public funds entrusted to or handled by them in a responsible and lawful manner; and
- Not make personal use of property or facilities of the Trust unless properly authorised to do so.

4.5 Personal Interests

All employees must not in their official or personal capacity

- Allow their personal interests to conflict with the Trust's requirements; or
- Use their position improperly to confer an advantage or disadvantage on any person

4.6 Declaring Interests

All employees must comply with any of the Academy/Trust requirements

- To declare interests
- To declare hospitality, benefits or gifts received as a consequence of their employment

4.7 Openness

All employees must NOT:

- disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless they are required by law to do so; and
- prevent another person from gaining access to information which that person is entitled to by law.

4.8 Duty of Trust

All employees must at all times act in accordance with the trust that the public is entitled to place in them.

4.9 Safeguarding

All employees must undertake their work in accordance with requirements laid down (for their job) in support of the Trust's duties for safeguarding children and young people.

5. CONFIDENTIALITY AND DISCLOSURE OF INFORMATION

- 5.1 The Trust recognises the importance of an open, transparent culture with clear communication and accountability. It is the Trust's aim to be as open as possible about all its activities. The law requires that certain types of information must be available to auditors, government departments, service users and the public. Different rules apply in different situations. If an employee is in any doubt as to whether they can release any particular information, they should always check with their Head Teacher/Head of School¹ first.
- 5.2 The confidentiality of information received in the course of an employee's duties should be respected and must never be used for personal or political gain. Employees must not knowingly pass information on to others who might use it in such a way. If an employee believes that information should be disclosed in the public interest they should follow the Whistleblowing Policy before doing so (see below). Failure to do so may result in disciplinary action being taken.
- 5.3 Employees must not communicate confidential information or documents to others who do not have a legitimate right to know. Furthermore, information which is stored whether on computer systems or manually must only be disclosed in accordance with the requirements of the General Data Protection Regulations 2018 (GDPR) and other legislative provisions.
- 5.4 Information given in the course of an employee's duties should be accurate and fair and never designed to mislead.

6. WHISTLEBLOWING POLICY

- 6.1 Employees are often the first to realise that there may be something seriously wrong within their school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Trust/School. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 6.2 The Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment employees, and those associated with the Trust, who have serious concerns about any aspect of the Trust's / School's work are expected to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 6.3 In order to ensure that this can happen the Trust has adopted a Whistleblowing Policy available on [Policies | Swift Academies](#)
- 6.4 The Whistleblowing Policy is intended to encourage and enable employees to raise serious concerns rather than overlooking a problem or 'blowing the whistle' outside.

¹ Head Teachers/Head of School can delegate duties to other members of the Leadership Team. For the purpose of this policy the use of the term Head Teacher/Head of School means Head Teacher/Head of School or member of the Leadership Team to whom this responsibility has been delegated. In cases relating to the interests of the Chief Executive/Head Teacher/Head of School matters should be referred to the Chair of the Board of Directors.

6.5 The policy applies to all employees and those contractors working for the Trust on Trust premises, for example, agency staff, builders and drivers. It also covers suppliers and those providing services under a contract with the Trust and/or Trust schools in their own premises.

6.6 The policy is in addition to the Trust's complaints procedures and other statutory reporting procedures.

7. POLITICAL NEUTRALITY

7.1 Employees must not allow their own personal or political opinions to interfere with their work and must at all times perform their duties in an objective manner.

8. RELATIONSHIPS WITH PUPILS

8.1 It is important that all working relationships, and relationships between employees and pupils, are conducted in a professional manner. It is an abuse of the professional relationship between an employee and pupil for the employee to:

- Enter into an improper association with a pupil, either inside or outside of the workplace, e.g. school trips, or when using social media such as Facebook, Twitter etc.
- Commit any acts against a pupil which are illegal
- Show undue personal favour or disfavour towards a pupil
- Endeavour to exert an undue influence on personal attitudes, opinions or behaviour which are in no way connected with the work of the Trust.

9. SAFEGUARDING OF PUPILS/STUDENTS

9.1 Employees have a duty to safeguard pupils from:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect

9.2 The duty to safeguard pupils includes the duty to report concerns about a pupil to the Designated Lead for Child Protection/Safeguarding. Employees must ensure that they are familiar with the Child Protection/Safeguarding Policy and Whistleblowing procedures.

9.3 If staff have safeguarding concerns or an allegation is made about other adults in the School (including supply staff, volunteers, and contractors) posing a risk of harm to children, this should be taken to the headteacher without delay (or where that is not possible, to the DSL). This also includes low level concerns.

An **allegation** is any information which indicates that **anyone** working in the school may have:

- Behaved in a way that has, or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way which indicates s/he may pose a risk of harm to children

- Behaved or may have behaved in a way that indicates they may not be suitable to work with children. (This is in regard to a person's conduct outside school and need not include a child, e.g domestic abuse of a partner)

This applies to any child the member of staff has contact within their personal, professional or community life.

Low level concerns:

The term low level concern does not mean that it is insignificant. A low-level concern is any concern-no matter how small, and even if no more than causing a sense of unease or a nagging doubt.

It is when an adult has acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work: and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Such behaviours can exist on a wide spectrum, from inadvertent or thoughtless, or behaviour that may look to be inappropriate, through to that which is ultimately intended to enable abuse.

10. BULLYING AND HARASSMENT

- 10.1 The Trust is firmly committed to equal opportunities and believes that every employee has the right to work in a safe environment without the fear of discrimination, harassment or abuse. The Trust will not tolerate or condone harassment or bullying in any form. Any claims of Bullying and/or Harassment will be dealt with under the Anti-Bullying and Harassment Policy.

11. APPOINTMENT OF STAFF

- 11.1 It is unlawful for appointments to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post. Employees involved in making appointments should do everything possible to ensure that these are made on the basis of merit and in accordance with the prevailing Trust policy on Recruitment and Selection and regulations on safer recruitment.
- 11.2 In order to avoid any possible accusation of bias, employees must not become involved in any appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, if they are a relative of an applicant, or have a close personal relationship with him or her, nor where they have the opportunity to benefit, directly or indirectly, from an appointment without the express prior approval of their Head Teacher/Head of School.
- 11.3 In this paragraph 'relative' means a spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding person.
- 11.4 'Partner' means a member of a couple who live together or who are involved in a romantic relationship.

- 11.5 'Close personal relationship' would include a person not employed by the Trust with whom an employee has a close business connection.
- 11.6 Personal relationships between colleagues who work together can give rise to conflicts of interest. Therefore, employees who have entered into a close personal or romantic relationship with a colleague are required to disclose this fact to their Head Teacher/Head of School. Any information declared or disclosed should be recorded on both employees' personal files and treated in strict confidence.
- 11.7 This information should only be considered to ensure that the existence of the relationship does not impact on the smooth running of the Trust.

12. THE LOCAL COMMUNITY AND SERVICE USERS

- 12.1 Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient service delivery to that community in accordance with the policies of the Trust. This may involve dealing with troubled, angry and frustrated parents and carers, although employees are entitled not to be expected to place their personal health, safety and welfare at risk.

13. CONTRACTORS

- 13.1 All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to the Head Teacher/Head of School at the earliest opportunity.
- 13.2 Orders and contracts must be awarded in accordance with contracting procedures and rules and no special favour should be shown to businesses run by, for example, friends, partners or relatives.

14. OUTSIDE COMMITMENTS

- 14.1 The Trust recognises that employees are entitled to their private lives. However, an employee must not be in a position where their outside commitments present a conflict of interest e.g. exam marking and staff are expected to conduct themselves with integrity, impartiality and honesty and their private interests should not be such as to have the potential for allegations of impropriety to be sustained thereby bringing the Trust into disrepute.

15. CONDUCT

- 15.1 Whether in or outside work, employees must not conduct themselves in any way that creates doubt as to their suitability for their post or brings the Trust into disrepute. This includes conduct which would bring into question their suitability to work with children.
- 15.2 All adults working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.
- 15.3 There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their

position in the workplace or indicate unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

- 15.4 Adults in contact with children and young people should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting.
- 15.5 The behaviour of an adult's partner or other family members may raise similar concerns and may require careful consideration by the Trust as to whether there may be a potential risk to children and young people in the workforce.

16. ADDITIONAL WORK

- 16.1 Employees are able to take on work in addition to their existing contract of employment, providing it does not conflict with the performance of their duties in the role for which they are employed. In order to assess whether or not there might be a conflict, employees are required to inform their Head Teacher/Head of School before taking any outside employment.
- 16.2 The Trust will not unreasonably stop employees from undertaking additional employment, but this employment must not, in the Trust's view, conflict with or be detrimental to its interests, or weaken public confidence in the conduct of its business.
- 16.3 An employee who wishes to take on additional work must ensure that:
 - (a) the additional hours worked do not contravene the Working Time Regulations or otherwise give the Trust cause for concern about health and safety at work.
 - (b) the outside work does not place the employee in a position where their duties and private interests conflict
 - (c) the outside work does not damage, or potentially damage, public confidence in the Trust's conduct or business

17. REFUSAL OF A REQUEST TO TAKE ON ADDITIONAL WORK

- 17.1 If an employee has their request to take on additional work refused and wishes to challenge this, they should speak to the Chief Executive/Head Teacher/Head of School or consider raising a grievance under the Trust's Grievance Procedure.

18. BOOKS, TRAINING MATERIALS AND INTELLECTUAL PROPERTY RIGHTS

- 18.1 If an employee writes a book for payment on subjects relating to their work for the Trust they must seek the permission of the Trust in writing through the Chief Executive/Head Teacher/Head of School.
- 18.2 The Trust retains intellectual property rights for work undertaken by employees. Research, reports, designs, drawings, software and other developments or similar work, when created in the course of an employee's normal duties, remain the property of the Trust. These should not be removed from Trust premises or passed on to third parties by any employee acting in a private capacity without the express consent of the Chief Executive/Head Teacher/Head of School.

19. PATENTS AND INVENTIONS

- 19.1 Any matter, or thing capable of being patented under the Patents Act, made developed or discovered by an employee, either alone or with others, whilst in the performance of their duties should be disclosed to the Trust through the Chief Executive/Head Teacher/Head of School and, subject to the provisions of the Patents Act, it will belong to and be the absolute property of the Trust.
- 19.2 Employees must not undertake private or personal work, paid or unpaid, of any description in working hours or on Trust premises unless they have been given specific permission by the Chief Executive/Head Teacher/Head of School. Even if approval is granted, any fees received, e.g. lecture fees would be passed over to the Trust

20. MOBILE PHONES

- 20.1 The use of personal mobile phones by staff is allowed only in the following designated staff areas, the staff room, staff workroom and school offices. Staff should not use a personal mobile phone during contact time, unless in specific circumstances at the discretion of the Head Teacher/Head of School. Members of staff who have been allocated Swift mobile phones may use them in areas other than those outlined above if they are required for the completion of their duties.
- 20.2 Teachers must not contact pupils directly via mobile phones and we strongly recommend that teachers do not contact former students via text messages etc.

21. COMPUTER USE

- 21.1 The Trust wants employees to use computers to the full and to feel competent and comfortable about doing so. However, it is essential that computers are used appropriately. Any reference to computers should be taken to mean all computer equipment and any associated technology.

22. MISUSE OF COMPUTERS

- 22.1 The misuse of computers is a serious matter and may result in employees being subject to disciplinary and, where appropriate, legal action.
- 22.2 Guidance documents exist within the Trust in relation to the use of computers and information technology. Employees must be familiar with, and abide by the Trust's Acceptable Use Policy available at [Policies | Swift Academies](#)
- 22.3 Private use of Trust facilities, such as computers (including use of the Internet), stationery and fax machines, is governed by these documents. Employees should not arrange to receive correspondence, telephone calls and fax messages in the Trust related to outside work or private interests.
- 22.4 An employee who is aware or suspects that abuse of computers, email or the internet is taking place is under a duty to report this immediately under the Trust's Whistleblowing Policy (see paragraph 6 above).
- 22.5 The Trust will monitor the use of computers etc without notice. A record of any sites accessed by staff is automatically stored on the system and may be examined later if misuse is suspected.

23. USE OF SOCIAL NETWORKING SITES

- 23.1 The growing popularity of personal web logs (blogs) and social networking sites, such as Facebook, may raise issues for the Trust, particularly where employees choose to write about their work and the Trust/School in which they are employed.
- 23.2 Employees should ensure that the content of their blogs/social networking sites does not bring the Trust/School into disrepute or breach their obligations in relation to confidentiality and appropriate behaviour.
- 23.3 Employees should not access personal blogs/social networking sites during contractual working hours. When accessing such sites outside working hours employees are advised not to write about their work or make reference to the Trust/School on external web pages. Where an employee chooses to do so he/she should make it clear that the views expressed are his/hers only and do not reflect the views of the Trust/School. In addition employees must adhere to the rules below.
- 23.4 Employees must not:
- Disclose any information that is confidential to the Trust or any third party or disclose personal data of information about any individual/colleague/ pupil/parent which could be in breach of the Data Protection Act;
 - Disclose any information which is not yet in the public arena;

- Post illegal material, e.g. material which incites racial hatred;
- Link their own blogs/personal web pages to the Trust's/School's website;
- Include any information, sourced from the Trust/School, which breaches copyright;
- Make defamatory remarks about the Trust/School, colleagues, Directors, Governors pupils and parents;
- Publish any material or comment that could undermine public confidence in the individual as an employee of the Trust or in their position of trust within the community; and/or
- Misrepresent the Trust, by posting false or inaccurate statements about the work of the Trust/School.

Contact with Pupils and Ex-pupils through Information Systems

- 23.5 Employees, associated persons and office holders work in a position of trust with pupils and it is therefore vital that this position is not abused. Individuals also need to ensure that they do not put themselves in a position where they can be accused of abusing that trust.
- 23.6 In support of this, employees, associated persons and office holders must not have any communication with pupils through personal information and communication systems including personal e-mail accounts, social media sites, mobile phones, text messaging, etc.
- 23.7 All electronic communication with pupils must be through school e-mail accounts, for both pupils and staff, and should be appropriate to the staff/pupil relationship.
- 23.8 Employees, associated persons and office holders must not give out their personal mobile phone numbers to any pupils or request and/or retain the personal phone number of pupils.
- 23.9 The above guidance regarding communication with pupils continues to apply when pupils have left school.
- 23.10 Any exceptions to this may be agreed in writing by the relevant Head Teacher/Head of School in certain circumstances e.g. for the duration of a residential educational visit to ensure effective communication between staff and pupils. These provisions do not apply when employees are related to pupils though such communication should take place out of working hours.

24. PERSONAL INTERESTS

- 24.1 Employees may have a variety of personal interests, which may from time to time impact on their role for the Trust/School. To protect the Trust and the employee from any accusations of wrong doing the Trust has in place a number of safeguards which demonstrate that these interests are not allowed to influence the way the Trust conducts its business.

- 24.2 Whatever an employee's role within the organisation, they must declare to the Chief Executive/Head Teacher/Head of School any financial or non-financial interests which could bring about conflict with the Trust's interests.
- 24.3 If employees are in any doubt about a potential conflict of interest, they should bring the matter to the attention of the Chief Executive/Head Teacher/Head of School so that a decision can be made as to how best to proceed.
- 24.4 Employees must not make, or become involved with, any official or professional decisions about matters in which they have a personal interest.

25. EQUALITY

- 25.1 All members of the local community, parents and carers, and other Trust employees have a right to be treated with fairness and equity. Employees should become familiar with and observe all Trust policies relating to equality issues in addition to the requirements of the law.

25. TENDER PROCEDURES

- 26.1 Employees should exercise fairness and impartiality when dealing with all customers, contractors and subcontracts.
- 26.2 Employees responsible for engaging or supervising contractors and who have previously had, or currently have, a relationship in a private or domestic capacity with a particular contractor, must declare that relationship to the Chief Executive/Head Teacher/Head of School.
- 26.3 If employees become privy to confidential information on tenders or costs relating to external contractors, they must not disclose that information to any unauthorised person or organisation.
- 26.4 All employees must ensure that no special favour is shown to current, or recent former, employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

27. GIFTS, HOSPITALITY, PRIZES AND AWARDS

- 27.1 A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence.

28. GIFTS GENERALLY

- 28.1 Casual gifts offered to employees by contractors, organisations, firms, parents and carers or individuals such as calendars, diaries, pens, food, drink, flowers and other small gifts need not be declared.
- 28.2 The general rule is that a gift below the value of £25 does not need to be declared. However it will not be appropriate to accept a gift below that value if it is more than minimal and may be perceived as an inducement.

- 28.3 In cases where employees are given alcoholic beverages as gifts they need to ensure that they do not contravene the Alcohol at Work Policy.
- 28.4 Employees should decline any personal gift offered to them, or to a member of their family, with a value of £25 or over by any person or organisation having dealings with the Academy/Trust.
- 28.5 When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to the Academy/Trust, there may be a problem returning it, in which case it should be reported immediately to the Chief Executive/Head Teacher/Head of School.
- 28.6 Employees who corruptly receive or give gifts, money, awards, prizes, hospitality or other benefits will face disciplinary action. When giving gifts on behalf of the Academy/Trust, employees should aim to ensure that the value of the gift is reasonable, is within the Scheme of Delegation of financial powers, the decision is fully documented, and has due regard to propriety and regularity in the use of public funds
- 28.7 Employees need to exercise discretion when accepting offers of hospitality particularly when the host is seeking to do business with the Academy/Trust or who may stand to benefit in some way from dealing with the Academy/Trust.
- 28.8 A checklist is provided at Annex A, which should be used to help employees decide whether or not it is appropriate to accept a gift. The form should be completed by staff members and returned to the Head of School for decision.
- 28.9 The Chief Executive Officer and/or Head Teacher/Head of School will keep a record of all gifts given to employees or the Trust / School where the value exceeds £25 or when a gift was declined. See Annex B.

29. HOSPITALITY

- 29.1 Offers of hospitality are a normal part of the courtesies of business life but in the public sector it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence.
- 29.2 Hospitality is sometimes offered to representatives of the Trust in an official or formal capacity. Hospitality can take many forms and could include attending exhibitions, seminars, sporting events, shows or concerts. Training events with very low training content and free catering, drink or transport may also be hospitality.
- 29.3 Employees need to exercise discretion when accepting offers of hospitality particularly when the host is seeking to do business with the Trust or who may stand to benefit in some way from dealing with the Trust.
- 29.4 Offers of hospitality should only be accepted where there is a clear benefit to the Trust in doing so e.g. networking, building contacts. If there is no or limited benefit employees should not attend.

29.5 Hospitality offered by charitable or social organisations, usually in connection with an invitation to speak to the body, can be accepted.

29.6 All offers of hospitality should be reported to the Chief Executive/Head Teacher/Head of School before it is accepted. The Chief Executive/Head Teacher/Head will keep a record of all hospitality accepted by employees of the Trust. See Annex C.

30. CORRUPTION

30.1 Employees must be aware that bribing another person or receiving a bribe are serious criminal offences under the Bribery Act. Penalties include fines and / or imprisonment for up to 10 years.

30.2 The offence of 'bribing another person' will be committed if an employee offers, promises or gives financial or other advantage to another person with the aim of inducing or rewarding them perform an activity or function improperly. The activity or function could relate to an external business or commercial activity or any public function (for instance done in house or by another public sector body).

30.3 For employee's own protection, if anyone makes an approach which seems to them, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, this should be reported to their Manager.

31. FINANCIAL PROCEDURE RULES

31.1 All employees involved in financial activities and transactions on behalf of the Trust, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders of works, goods or services must follow the Trust Finance Policy.

31.2 They must ensure that they use public funds entrusted to them in a responsible and lawful manner and strive to ensure value for money to the local community.

32. SPONSORSHIP – GIVING AND RECEIVING

32.1 When an outside organisation wishes to sponsor or is seeking to sponsor a Trust/School activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

32.2 Where the AcademyTrust/ wishes to sponsor an event or services, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full prior disclosure to the Chief Executive/Head Teacher/Head of School of any such interest. Similarly, where the Academy/Trust through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

33. DRESS AND APPEARANCE

33.1 An employee's dress and appearance are matters of personal choice and self-expression. However, employees should consider the manner of dress and

appearance appropriate to their role which may be different to that adopted in their personal life.

33.2 Employees and volunteers who work with pupils should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations.

33.3 This means employees should wear clothing which:

- Is appropriate for their role
- Is not likely to be viewed as offensive, revealing, or sexually provocative
- Does not distract, cause embarrassment or give rise to misunderstanding
- Is absent of any political or otherwise contentious slogans
- Is not considered to be discriminatory.

33.4 The Trust permits employees to wear jewellery or to display tattoos at the workplace within the following guidelines. Factors that management will consider to determine whether jewellery or tattoos may pose a conflict with the employee's job or work environment include:

- Personal safety of self or others, or damage to company property.
- Productivity or performance expectations.
- Offensiveness to students, co-workers, customers, parents/carers or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature.
- Corporate or societal norms.

33.5 If the Trust determines an employee's jewellery or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewellery, covering of tattoos, transfer to an alternative position, or other reasonable means to resolve the conflict.

33.6 The Trust also prohibits the chewing of gum on all school sites.

34. CONTACT WITH THE PRESS AND MEDIA

34.1 Employees are not permitted to give reports or speak to the press and media, unless this is an aspect which is clearly required within their role, or they have been given permission to do so by their Manager on matters relating to their employment within the Academy/Trust. Employees with this responsibility must guard themselves against declaring a view which is contrary to a position taken by the Trust Board and which may be deemed to be critical of that decision.

34.2 Outside of working hours, an employee is entitled to voice their opinion on issues affecting the local community e.g. at a neighbourhood forum. However, employees have a general duty of care to avoid a conflict of interest and should not criticise, damage or act in any way against the Academy/Trust.

34.3 A Trade Union official or member may be asked to comment by the media on, for instance, an industrial dispute. Any opinion expressed should be clearly given in their capacity as a Trade Union official or member.

35. TALKS TO OUTSIDE BODIES, RADIO AND TELEVISION INTERVIEWS, CONTRIBUTIONS TO PUBLICATIONS, ETC.

35.1 Where an employee is invited to give a talk to an outside body, or participate in a broadcast, or contribute an article to a professional journal, or the like, on a matter related to their employment or on a personal interest which would be relevant to that employment, the following guidelines apply:

- a) Acceptance of such an invitation shall be at the discretion of the Manager. In the event of a Head of School/Head Teacher wishing to follow this course of action, it shall be at the discretion of the Chief Executive and, in the event of the Chief Executive wishing to follow this course of action, the Chair of the Trust Board.
- b) Unless an employee is officially representing the Academy/Trust, they should make it clear that they are speaking or contributing on a personal basis and that their views do not necessarily represent those of the Academy/Trust Board.
- c) Employees should avoid commenting on matters which could be regarded as contentious or sensitive so far as the Academy/Trust is concerned, especially in cases where what is said is being reported.
- d) Provided that an employee gives talks on relatively isolated occasions, they shall, at the discretion of their Manager be permitted:
 - To retain any fee received (on the assumption that any preparatory work will have been undertaken in the employee's own time), and
 - To be absent for the purpose of giving the talk, interview etc., without the necessity of taking annual leave, if the invitation entails being absent during working hours, providing the absence from work is reasonable and does not adversely impact on the delivery of education / their work.

35.2 When an employee wishes to undertake paid lecturing on a regular basis additional to their employment with the Academy/Trust, they should follow the same procedure of that specified for undertaking additional work.

36. SMOKING AND VAPING

36.1 It is the policy of the Trust that all our workplace buildings are smoke-free, and all employees have the right to work in a smoke-free environment. Smoking and vaping are prohibited in all enclosed areas and/or non-designated areas without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, cafeterias, staff rooms, stairs, restrooms, Academy/Trust-owned or leased vehicles and all other enclosed facilities. Failure to adhere to this instruction may result in disciplinary action being taken.

36.2 Definitions: Smoking refers to the use of traditional tobacco products. Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices. These are commonly called e-cigarettes, e-pipes, e-hookahs and e-cigars.

36.3 Further information is provided in the No Smoking Policy.

37 DRUG AND ALCOHOL MISUSE

- 37.1 It is the responsibility of all employees to report to work fit for duty without impairment from alcohol and/or illegal drugs.
- 37.2 It is a disciplinary offence for employees to consume alcohol and/or use illegal drugs during working hours or whilst on duty.
- 37.3 Any employee representing the Academy/Trust at official functions/meetings, whether within the working day or when attending evening seminars, meetings, etc. are reminded of the need to maintain appropriate standards of conduct at all times.
- 37.4 Where there is a belief that an employee is under the influence of alcohol and/or illegal drugs, their Manager will ensure that the employee is escorted home safely and make arrangements to interview them on the next working day.

38. NOTIFICATION OF CRIMINAL INVESTIGATIONS AND OTHER REQUIRED DISCLOSURES

- 38.1 The Code of Conduct places a general obligation on all employees to disclose information which is relevant to their capability, capacity and suitability to carry out the duties and responsibilities for which they are employed. This general obligation applies irrespective of the role undertaken by the employee and is not limited to information which relates to a conviction, caution, reprimand or warning.
- 38.2 For employees undertaking roles for which a Disclosure and Barring Service (DBS) check is required there is a specific obligation on them to disclose any convictions, cautions, reprimands or warnings that they receive which are relevant to their employment.
- 38.3 For the avoidance of doubt an employee must immediately inform their Manager, if during their employment with the Trust they are:
- Included on the Disclosure and Barring Service (DBS) Children's Barred List;
 - Disqualified from working with children under the The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 **(See Annex D)**
 - Advised that they are under investigation for a criminal act (including road traffic offences)
 - Arrested in connection with a criminal act
 - Notified that criminal charges are being considered against them
 - In receipt of a summons to appear before a Court of Law for an alleged offence
 - Found guilty and convicted of any offence
 - Receive a police caution
 - Are involved in any other matter which it would be reasonable to think would impact upon their role and or professional standing
 - Employees who are required to drive as part of their duties must also declare any penalties received in connection with motoring offences
 - Failure to disclose this information may be treated as a disciplinary offence.

- 38.4 The Manager will consider any possible effects of these matters on an individual's employment, discuss this with HR as appropriate and take relevant action.
- 38.5 After having undertaken a risk assessment and taking advice as appropriate the Manager will put in place precautionary measures for the protection of the employee, pupils/students and the Trust. Precautionary action may include restriction of duties, temporary redeployment, temporary change of work base or, if none of these options are practicable, suspension with pay. The Manager is responsible for consulting with authorised officers/legal/HR as appropriate and taking relevant action.
- 38.6 Following careful consideration of the available evidence, any action taken will be fair and reasonable in the circumstances.

GIFTS AND HOSPITALITY

Checklist for considering whether to accept a gift or hospitality

The question in all cases is one of judgement, and the following checklist of queries should help employees to decide whether a gift or an offer of hospitality should be accepted or declined.

- (a) Is the value of the gift or hospitality £25 or over?
- (b) If under £25 is it intended as an inducement?
- (c) Is the extent of the hospitality, or nature of the gift reasonable and appropriate?
- (d) Does the donor have any form of contractual relationship with the Trust / School, does it provide goods or services to the Trust / School of any kind?
- (e) Is the invitation/gift directed to a large group of unrelated individuals or open to the public, or has an individual been targeted because of their employment with the Trust and the nature of their role?
- (f) What is thought to be the motivation behind the invitation/gift?
- (g) For hospitality does the employee wish to attend if so why? Is it because there will be genuine benefits to the College in terms of networking and contracts gained? Or is a desire to go centered around personal enjoyment?
- (h) Would acceptance of the invitation be, in any way, inappropriate or place the employee under pressure in relation to any current or future matter involving the Trust / School?
- (i) For gifts is there a difficulty in returning the gift? If it would cause offence can the gift be given to charity?

If an employee decides to accept a gift over £25 they must declare this to the Chief Executive Officer and / or Headteacher / Head of School. If an employee declines a gift of over £25 the Chief Executive Officer and / or Headteacher / Head of School should also be informed and the reasons for the gift being declined should be recorded.

The following form should be completed by staff in receipt of gifts and hospitality and returned to **the Chief Executive Officer and / or Headteacher / Head of School.**

Staff Gifts & Hospitality Register Form

Staff should complete this form and return to the Chief Executive Officer / Headteacher / Head of School (where applicable)

<i>Section One of this form should be completed (either in electronic or paper form), for all offers of hospitality or gifts either received or offered to staff (with the exception of low value gifts (under £25))</i>	
SECTION ONE: Details of the offer – this section must be completed by the Staff Member receiving the offer.	
Date of offer	
Name of employee	
Who offered the gift or hospitality?	
What is your relationship with the individual/organisation offering the gift or hospitality (if any)?	
Nature of gift or hospitality offered	
Details of other staff and Members offered the same gift or hospitality (where applicable/known)	
Proposed action (delete as appropriate)	Accept / Decline / Already declined This form must be authorised by the Chief Executive Officer / Headteacher / Head of School before any offer is accepted.
Employees signature:	Date:
Following completion of the above section and before any offer is accepted this form must be authorised by the Chief Executive Officer / Headteacher / Head of School	
SECTION TWO: Action authorised by the Chief Executive Officer / Headteacher / Head of School	
Name (Chief Executive Officer / Headteacher / Head of School):	
Record of action (delete as appropriate)	Agree acceptance / Acceptance not authorised/ Agree action to decline Please ensure the Staff Member who received the offer is aware of your decision.
Signed	Date
Please ensure: (i) The employee is informed of your decision (ii) This form is recorded on your Register of Staff Gifts and Hospitality (iii) This form is filed in the Register of Staff Gifts and Hospitality.	

For Office use Only

Form Index Number:

RECORD OF GIFTS, HOSPITALITY, AWARDS & PRIZES

Form Index No.	Date of offer	Name of person who received gift/hospitality	Nature of gift/hospitality (description)	Gift / hospitality given by e.g. name and/or company	Accept / Declined / Already Declined

Disqualification Under the Childcare Act 2006 – Amended Regulations

The government has introduced new legislation (The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018.)

The arrangements set out in the guidance are **additional** to the arrangements in place to safeguard and promote the welfare of all children set out in:

- Keeping children safe in education (KCSIE) - [Keeping children safe in education - GOV.UK](#)
- Statutory framework for early years foundation stage (EYFS) - [Early years foundation stage \(EYFS\) statutory framework - GOV.UK](#) and
- Working together to safeguard children - [Working together to safeguard children - GOV.UK](#)

There are a number of reasons that a person may be disqualified from working with children under the Childcare Act 2006. Staff can be disqualified by

- inclusion on the Disclosure and Barring Service (DBS) Children's Barred List;
- being found to have committed certain violent and sexual criminal offences against children and adults which are referred to in regulation 4 and Schedules 2 and 3 of the 2018 Regulations (note that regulation 4 also refers to offences that are listed in other pieces of legislation);
- certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2018 Regulations;
- refusal or cancellation of registration relating to childcare, or children's homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2018 Regulations;
- being found to have committed an offence overseas, which would constitute an offence regarding disqualification under the 2018 Regulations if it had been done in any part of the United Kingdom.
- Also, under the legislation a person is disqualified if they are 'found to have committed' an offence which is included in the 2018 Regulations (a 'relevant offence') this includes:
 - being convicted of a relevant offence;
 - on or after 6 April 2007, being given a caution for a relevant offence; or
 - on or after 8 April 2013, given a youth caution for a relevant offence.

The new legislation also makes other changes in some of the relevant offences. The **new offences** added to the list since the June 2016 guidance are:

- Criminal Justice and Courts Act 2015 – including care workers ill-treating or wilfully neglecting an individual
- Female Genital Mutilation Act 2003 – including conducting FGM and assisting a girl to conduct FGM on herself
- Modern Slavery Act 2015 – including holding a person in slavery or servitude and requiring a person to perform forced or compulsory labour
- Psychoactive Substances Act 2016 – supplying or offering to supply a psychoactive substance to a child
- Serious Crime Act 2015 – possessing a paedophile manual and engaging in controlling or coercive behaviour in an intimate or family relationship

- Terrorism Act 2000 – including belonging to a proscribed organisation and committing an act of terrorism
- Terrorism Act 2006 – including encouraging terrorism, circulating a terrorist publication and directing a terrorist organization

If an individual is disqualified under the act they can apply for a waiver from Ofsted.

Staff covered

Staff are covered under the above legislation if they are employed or engaged to provide **early years childcare** (this covers the age range from birth until 1 September following a child's fifth birthday i.e. up to and including reception year) or **later years childcare** (this covers children above reception age but who have not attained the age of 8) in nursery, primary or settings, **or if they are directly concerned with the management of such childcare**. This includes:

Early years provision - staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during the normal school day and outside of school hours for children in the early years age range; and

Later years provision (for children under 8) - staff who are employed to work in childcare provided by the school outside of the normal school day for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision.

Staff who are directly concerned in the management of early or later years provision are covered by the legislation. Schools/academies will need to use their judgement to determine who is covered, but this will include the headteacher, and may also include other members of the school's leadership team and any manager, supervisor, leader or volunteer responsible for the day-to-day management of the provision.

Volunteers and casual workers (including individuals on work experience) who are directly concerned with the management of childcare provision, and/or who work on a regular basis, whether supervised or not, in relevant childcare, are within the scope of the legislation and are covered by this guidance.

Staff who may be covered

Staff who are not employed to directly provide childcare, are not covered by the legislation. Similarly, most staff who are only occasionally deployed and are not regularly required to work in relevant childcare will not automatically come within the scope of the legislation. Schools/academies should exercise their judgement about when and whether such staff are within scope, evaluating and recording any risks and control measures put in place, and taking advice from their HR provider, the authority's designated officer, safeguarding lead officer or adviser when appropriate. A record of the assessment should be retained on the employee's personnel file and a copy supplied to the individual concerned. In general individuals undertaking the following roles would normally be excluded:

- caretakers;
- cleaners;
- drivers;
- transport escorts;
- catering; and
- office staff.

School governors and proprietors are not covered by the legislation, unless they volunteer to work in relevant childcare on a regular basis, or they are directly concerned with the day-to-day management of such provision. Further guidance on the safeguarding arrangements covering governors and the safeguarding responsibilities of governing bodies and proprietors is provided in KCSIE.

Staff not covered

This means that staff employed who work in the following roles are not covered, i.e. staff who:

- only provide education, childcare or supervised activity during school hours to children above reception age; or
- only provide childcare or supervised activities out of school hours for children who are aged 8 or over; and
- have no involvement in the management of relevant provision.

LOW LEVEL CONCERN

1. Introduction

- 1.1 Swift Academies Trust recognises its responsibility to safeguard the welfare of all children and young people by seeking to protect them from all forms of neglect and abuse.
- 1.2 The Trust recognises that a key aspect of safeguarding is to ensure that those who work with children/young people and/or vulnerable groups behave appropriately and that any concerns about an adult's behaviour are identified early and managed promptly and appropriately.
- 1.3 Where an individual's behaviour falls below the standards expected of those working for/on behalf of the Trust, as detailed in the Code of Conduct, this must be shared with the right person enabling the concern to be dealt with promptly and appropriately.
- 1.4 The Trust recognises that promoting a culture in which all concerns about adults (including allegations that do not meet the harm threshold) are shared responsibly and with the right person, and recorded and dealt with appropriately, is crucial. If implemented well this should encourage an open and transparent culture; enable organisations to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or behalf of the organisation are clear about professional boundaries and act within them, in accordance with the ethos and values of the Trust.
- 1.4 There are two levels of allegation/concern as detailed in Keeping Children Safe in Education (KCSIE 2022):
 - I. allegations that may meet the harms threshold;
 - II. allegations/concerns that do not meet the harms threshold – referred to as 'low-level concerns'.
- 1.4 This policy seeks to provide staff with a safe platform to raise such 'low-level' concerns and provides an overview on the process to be followed. This policy is an addendum to the Staff Code of Conduct.

2. Policy statement

- 2.1 This policy focuses on low level concerns regarding adult's behaviour towards children and young people. A definition of what a 'low-level' concern(s) is can be found at section 3 of this policy.
- 2.2 The purpose of this policy is to:
 - ensure staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others;
 - contribute to a culture of openness, trust and transparency where behaviour expectations are constantly lived, monitored and reinforced by all staff;
 - empower staff to share any 'low-level' safeguarding concerns with the designated senior manager;
 - address unprofessional behaviour and support the individual to correct it at an early stage and;

- provide a responsive, sensitive and proportionate means of handling such concerns when they are raised.

2.3 The Trust has an obligation to ensure that it has appropriate procedures/mechanisms in place for dealing with concerns and/or allegations made against those working in or on behalf of the Trust whether in a paid or unpaid capacity – this includes members of staff, external agency staff, contractors, visitors, governors and directors. Therefore, this policy applies to all individuals in these groups.

2.4 All allegations against adults working in the Trust must be reported to the designated senior manager as a matter of urgency. The designated senior manager will then determine if the allegation meets the harms threshold (and therefore potentially pose risk of harm to a child or vulnerable person), and, where it does, the matter will be referred to the Local Authority Designated Officer (LADO) for consideration under the statutory procedures of the Darlington Safeguarding Children Partnership.

2.5 Where the designated senior manager determines that the allegation does not meet the harms threshold, and is therefore a 'low-level' concern, then it will be dealt with under the procedure below. If the designated senior manager is unsure whether the harms threshold has been met, they will take advice from the LADO before determining next steps.

3. Definitions

Designated Senior Managers and Deputy Designated Senior Manager

3.1 The designated senior managers are:

- the Principal of the Academy for those working in that Academy
- the Chief Executive Officer for employees within the Corporate team
- the Chief Executive Officer for governors and directors of the Trust

3.2 The appropriate senior manager would be the person relevant to the individual about whom the concern has been raised.

3.3 If the designated senior manager is not available or the concern is raised against a designated senior manager then the concern should be reported to the deputy designated senior manager as follows:

- the Chief Executive Officer where the allegation is against a Head Teacher/Head of School
- the Chair of the Academy Trust Board where the allegation is against the Chief Executive Officer

3.4 Concerns raised about those not employed by the Trust, for example, agency supply staff, visitors and contractors, must still be reported to the designated senior manager. However, in such cases, their employer will also be notified.

3.5 Concerns raised by third parties or those not employed by the Trust should be reported to the relevant designated senior manager.

Low-level concern

3.6 A low-level concern is any concern about an adult's behaviour towards a child or young person – no matter how small, and even if no more than a 'nagging doubt' – which is:

- inconsistent with the terms detailed in the Code of Conduct, including inappropriate conduct outside of work, and

- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).

3.7 Although categorised as 'low-level' concerns, the Trust recognises that any conduct that falls below the expectations set out in the staff Code of Conduct is not insignificant. Examples of such behaviour as cited in Keeping Children Safe in Education could include, but are not limited to:

- being over friendly with students;
- having favourites;
- taking photographs of students on their personal mobile phone;
- using inappropriate sexualised, intimidating or offensive language;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door or;
- humiliating children. (KCSIE, 2022)

4. Reporting process

4.1 Where an individual has 'low-level' concerns about a member of staff, external agency staff, contractor, visitor, governor or director this should be reported to the designated senior manager (or deputy designated senior manager) at the earliest opportunity.

4.2 In the case of concerns which relate to a governor or director, these concerns will be shared by the designated senior manager with the Head of Governance and Trust Secretary and the Chair of the Academy Trust Board.

4.3 It is equally important that an individual is able to make a self-disclosure and share such information about themselves. This could be where they feel a situation may be misinterpreted or might appear compromising to others and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards. In such cases, employees should be advised to make a self-disclosure to their own designated senior manager.

5. Procedure for Managing a 'low-level' Concern

Step 1 – Initial Concern Raised

5.1 All low-level concerns should be reported to the designated senior manager detailing:

- the nature of the concern(s);
- the nature of the concern(s) or the context in which the concern(s) arose, and;
- the action taken.

5.2 A written record of the concerns should be made, including the name of the individual who has shared the concern.

Step 2 – Response by Designated Senior Manager (or Deputy)

5.3 The designated senior manager (or deputy), having spoken to the person who has raised the concern(s), will review the information and make an initial assessment whether the behaviour:

- I. is entirely consistent with the Code of Conduct; or
- II. constitutes a 'low-level' concern; or
- III. is serious enough to consider a referral to the Local Authority Designated Officer (LADO).

- 5.4 In reaching this determination, the designated senior manager (or deputy) may need to undertake some preliminary investigation and speak to the individual against whom the allegation has been made. However, if there is a potential that the harms threshold has been met, advice should be taken from the LADO before speaking to the individual or undertaking detailed investigations.
- 5.5 When considering the reported behaviour, any previous 'low-level' concerns that may be held on file/record about this individual, should also be taken into account. This may result in the reclassification of the concern to be an allegation meeting the harm threshold and should therefore be referred to the LADO. At this point the Darlington Safeguarding Children Partnership statutory procedures will apply and consideration under this policy will cease.

Step 3 – Potential outcomes

- 5.6 Where an allegation has been classified as a 'low-level' concern the designated senior manager (or deputy) will determine an appropriate course of action. The individual against whom the concern has been raised must be notified and given the opportunity to respond to the concern. The designated senior manager may also need to undertake some further investigation depending on the facts of each case.
- 5.7 The type of action will depend on the nature and severity of the behaviour. It may be sufficient to speak to the individual with whom the concerns have been raised and for them to reflect on their conduct moving forward. Similarly, it may be that further training or a support plan is required. In many cases a positive/supportive conversation with the individual will enable them to meet the expectations moving forward.
- 5.8 Such a conversation has to be clear:
- why the conduct is concerning, problematic or inappropriate;
 - what change is required in their conduct;
 - In enquiring about what support they might need in order to achieve and maintain the required conduct and;
 - about the consequences should they fail to reach the required standard, or if further concerns are raised and proven.
- 5.9 Some 'low-level' concerns may raise performance or conduct issues in which case advice and guidance should be taken from the HR team.

6. Record keeping

- 6.1 The designated senior manager (or deputy) will ensure written records are kept in each case including:
- details regarding the concern raised and who raised it
 - the context in which the concern arose
 - all internal and external conversations
 - how the concern has been investigated
 - the decisions that have been made regarding categorisation of the type of behaviour
 - what further actions have been taken
 - a record of any professional conversations held (see 5.7 – 5.8 above)
- 6.2 This record will be retained on the employee's personal file and will be referred to in the event of a future concern being raised (see 5.5 above). This information will be retained until the individual leaves the employment of the Trust and for six years subsequently, in line with the standard retention period for personnel records. A copy of all the information to be retained on the personal file will be given to the employee.

- 6.3 Where the concern relates to someone working in the Trust but not directly employed, for example, agency supply staff, visitors and contractors, the above records will be held with other records regarding their engagement. These will be held confidentially and securely and will be retained for 6 years following the last period of engagement of that individual.
- 6.4 Where the concern relates to a governor or director, the records will be held by the Head of Governance and Trust Secretary. These will be held confidentially and securely and will be retained for 6 years following the end of the period of office for that individual.

Employment references

- 6.5 Information relation to 'low-level' concerns will not be included in employment references provided by the Academies Trust unless it relates to issues which would normally be included, for example, misconduct or poor performance.

7. Tracking and Reviewing

- 7.1 Each academy within the Trust will record all concerns relating to staff conduct (including low-level concerns) within their setting (see Appendix A).
- 7.2 This tracker will be reviewed regularly so that potential patterns of inappropriate, problematic or concerning conduct can be identified. Where a pattern of such conduct is identified, the academy will decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a 'low-level' concern to meeting the harm threshold, in which case it would be referred to the LADO.
- 7.3 Consideration will also be given to whether there are wider cultural issues within the academy that enabled the behaviour to occur and, where appropriate, policies will be revised, or extra training delivered to minimise the risk of it reoccurring.
- 7.4 The Tracker will be held centrally and overseen by the HR department. This should be reviewed termly with the DSM and shared with governors and the Trust Board.

Appendix E

'Low-level Concern Tracker'.

[illegible]