

# Chapter 6: Conduct and Performance

## 6.1 Code of Ethics

- 6.1.1 As customers, the public are entitled to expect employee conduct of the highest standard. Therefore, you should behave and present your actions in accordance with your schools values, ethical standards and the relevant guidance for your role. The Department of Education has published guidance on Teaching Standards which can be found [here](#). For support staff including HLTA's and TA's you should discuss these standards with your Head teacher.
- 6.1.2 This document must be read in conjunction with the Council's constitution which has been drawn up to provide you with guidance on how you will be expected to conduct yourself when carrying out duties and responsibilities associated with your employment. This can be viewed [here](#).

## 6.2 Confidential Reporting (*Also known as 'Whistle Blowing'*)

- 6.2.1 The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and others that we deal with who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 6.2.2 Employees are often the first to realise that there may be something seriously wrong within the Council or the School. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the 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.
- 6.2.3 The Confidential Reporting Policy document makes it clear that you can raise serious concerns without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable you to raise those concerns within the Council, rather than overlooking a problem or 'blowing the whistle' outside. The full policy on confidential reporting is in the [Personnel Handbook at Chapter 3, Section 18](#).

## 6.3 Anti-Fraud and Anti-Corruption Strategy

- 6.3.1 In administering its responsibilities the Council is set against fraud and corruption whether it is attempted on or from within the Council and is committed to an effective Anti-Fraud and Corruption Strategy designed to:
- Encourage prevention;
  - Promote detection;
  - Identify a clear pathway for investigation; and
  - Seek to impose sanctions against anyone who commits fraud against the Council, its clients or the public purse
- 6.3.2 The Council's expectation on propriety and accountability is that Members, Employees and Partner Organisations at all levels will lead by example in ensuring adherence to rules, procedures and recommended practices. The full Council strategy on Anti-Fraud and Corruption can be found [here](#).

## **6.4 General Data Protection Regulations (GDPR)**

- 6.4.1 The Council has established a framework to ensure it can fulfil its responsibilities under the General Data Protection Regulations (GDPR). Further information can be found [here](#).
- 6.4.2 All employees have a responsibility to know what is required of them under these regulations. If you require any further information on the issues or feel that the Council is any way failing to meet the best practices, please view the Councils [Data Protection Breach Reporting Procedure Policy](#) or contact your Headteacher or other senior member of staff.

## **6.5 Declaration of Interests**

- 6.5.1 Where a contract has been entered into or is proposed to be entered into by the Council or the School, an employee has a legal obligation to give written notice of any pecuniary interest direct or indirect that they have in the contract.
- 6.5.2 Such a notice should be given to the Headteacher who may seek further advice from the schools Legal Advisers/Insurers and the HR provider.
- 6.5.3 The legal obligation is particularly relevant to employees who may be involved in a process leading to the award of contracts on behalf of the Council or the School, or who may be involved in a process leading to the award of contracts on behalf of the Council or the School, or who wish to bid, or hold an interest in a company bidding for a contract.
- 6.5.4 An example of the circumstances that might apply is where the employee is in business with, or in the employment, of a person with whom a Council contract is to be made, or is a member of a company or other body with which the Council contract is to be made e.g. as a shareholder.
- 6.5.5 If anyone is in doubt as to their position in particular circumstances contact their Headteacher who will liaise with the schools Legal Advisers/Insurers and/or the HR Provider.

## **6.6 Information Security Statement**

### *6.6.1 Objective*

The objective of this statement is to provide executive direction for the protection of information owned by Central Bedfordshire Council, the School, and its customers, employees, partners or suppliers, in whatever form it may be held or communicated, whether verbal, on paper or electronic. Information is one of our most valuable assets. Of equal value is the trust of our partners, employees and customers that we will protect the information that they have shared with us. Information relating to Central Bedfordshire Council, the School, pupils, parents, customer, partner, employee or supplier, when created, stored, transmitted or communicated, must be protected from unauthorised access, use, modification or destruction. Consequently, all access to, and use of this information and data, requires adherence to the policy principles outlined in the full Council Information Security Statement which can be found [here](#).

## 6.6.2 *Information security policy*

Information stored and processed by the Council, Schools or by third parties working on behalf of the Council and information systems are critical and vitally important assets. Without adequate levels of protection, confidentiality, integrity and availability of information, the council will not be able to fulfil its obligations including the provision of government services and meeting legal, statutory and contractual requirements.

Accordingly, the Council and the School have a duty to preserve the confidentiality, integrity and availability of our information assets within the jurisdiction of the Council.

This means that the Council and Schools must take appropriate steps to ensure that information and information systems are properly protected from a variety of threats such as error, fraud, embezzlement, sabotage, terrorism, extortion, industrial espionage, privacy violation, service interruption, and natural disaster. The full Council Information Security Policy can be found [here](#). Please note that this policy does not apply to those schools with delegated powers (where the school is the employer), unless adopted by the governing body.

## 6.6.3 *Responsibilities*

All persons having access to Council and School information, systems and equipment are responsible for adhering to the policy.

All Headteachers and senior staff through the delegation of the governing body are directly responsible for implementing the policy within their School and for regularly informing employees of their responsibilities.

## **6.7 IT Acceptable Use Policy**

- 6.7.1 The Council and the School provides IT resources to its users for business use. Personal use of IT resources is permitted within the constraints defined in this document; however use of the Council and School's IT resources to operate a personally owned business or for personal financial gain is unacceptable. All access to Council and School's IT systems is based upon business need and related to the post held and role undertaken. Head teachers and senior staff should satisfy themselves as to the suitability of candidates IT skills during the recruitment process and ensure IT training and skills needs analysis form part of ongoing staff management.
- 6.7.2 All Council and School employees who are provided with access to any IT service not designated as a public facility must sign the declaration contained within the IT Acceptable Use Policy to confirm that they have read and understood and will abide by the policy.
- 6.7.3 This policy applies to all members of staff including temporary/ supply or agency staff, authorised third party employees and consultants/contractors who are provided with access to any Council or School provided IT service not designated as a public facility.
- 6.7.4 For more information please contact your schools IT team or view the Council's IT Acceptable Use Policy by clicking [here](#).

## **6.8 Security within Council Establishments**

- 6.8.1 It is difficult to reconcile the accessibility of public buildings with the need for increased security, but it is important that the public and employees feel safe when

using the Council establishments. You should check the school policy on the security arrangements for the School with your Headteacher.

## **6.9 Discipline at Work**

6.9.1 The School operates a local disciplinary procedure in order to ensure that fair and effective arrangements exist for dealing with disciplinary matters and to ensure that as far as possible standards are observed for all employees.

6.9.2 This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct. An acceptable standard of conduct is essential for the efficient and effective delivery of the School's services.

6.9.3 The Headteacher and senior staff are responsible for setting and maintaining standards of conduct for their employees. This procedure provides for matters to be dealt with quickly, using a fair and consistent method, where there has been failure to observe the standard of conduct expected by the Governors.

6.9.4 The School recognises its responsibility to ensure that whenever relevant, appropriate rules, procedures and standing instructions issued by the Governors, are brought to the attention of relevant employers and that they remain accessible to them.

6.9.5 This procedure provides for matters to be dealt with quickly, using a fair and consistent method, where there has been failure to observe the standard of conduct expected by the Council.

6.9.6 The disciplinary procedure does not replace the normal interchange between manager and employee, and recognises that in most instances minor breaches of conduct can and should be dealt with informally and promptly by the line manager, without recourse to the formal disciplinary procedure. The use of supervision, coaching, counselling and informal reprimand can be effective in improving conduct.

6.9.7 This procedure is supported by guidelines for both managers and employees. ([Chapter 4, Section 1 and 2 of the Personnel Handbook](#) provide full details of the procedures for conduct and capability issues).

## **6.10 Procedure for Settling Grievances**

6.10.1 The School operates a procedure for settling grievances. The aim of this procedure is to provide a fair arrangement by which individual employees, or a collective group of employees, may raise grievances in the course of, and connected with, their employment and have them settled promptly and satisfactorily as near to the point of origin as possible. To view the full Grievance Policy & Procedure for school based employees please click [here](#).

6.10.2 This procedure does not apply:

- To a grievance in relation to salary grading and related matters (this will be dealt with by the pay policy adopted by the Governing Body);
- In the first instance, where the complaint is of unfair discrimination, harassment or victimisation employees and managers should refer to the Council's Code of Practice on handling unfair discrimination, harassment, victimisation and bullying ([Chapter 3, Section 12 of the Personnel Handbook](#)).

6.10.3 The Grievance Procedure will not be used to raise complaints, or further challenge issues that are being dealt with as a matter of discipline, incapability or under the sickness absence guidelines.

## **6.11 Probationary Service Review**

6.11.1 The School operates a formal probationary scheme that is effective for all new support staff who join the Council and who have not previously worked in a local government environment. To view the full Probationary Review Guidelines please click [here](#).

6.11.2 The purpose of a probationary period is to allow both the employee and their manager an opportunity to assess the suitability, performance and conduct of the starter within the role. Managers' must support this process by:

- Providing initial assistance, encouragement and feedback to the employee to support them in adapting to a new job (including the duties, responsibilities and working environment).
- Providing the employee with an opportunity to discuss how they feel their new role is going and to raise any concerns they may have.
- Discussing areas where some improvement is needed and to explain clear standards and targets that the employee will be expected to achieve. This will usually include:
  - i. their performance to date
  - ii. the performance standards required
  - iii. further training and supervision to support the employee. It is important that assistance is provided to enable the employee to improve their performance and/or conduct in their job.
  - iv. timescales for improvement (where the employees performance or conduct is below the expectations for the role)
  - v. levels of attendance
  - vi. standards of conduct
  - vii. consequences of not improving (where the employees performance or conduct is below the expectations for the role)

6.11.3 By the completion of the probationary period, the employee must be capable of fully performing in their role with the range of tasks for the job and grade concerned.

6.11.4 Note: If during the probationary period the individual's conduct (including attitude, attendance and timekeeping) is falling below the required standards then such matters should be dealt with immediately under the Council's Disciplinary Procedure.

6.11.5 Performance matters that arise following the successful completion of a probationary period will be dealt with using the School's Capability Guidelines.

## **6.12 Children of employees on Work Premises**

6.12.1 It is your responsibility to ensure that you have made adequate childcare arrangements whilst you are working.

6.12.2 If you have childcare problems due to unforeseen circumstances, you should refer to the [Time Off policy](#) on the Schools Portal and speak to your line manager at the earliest opportunity.

6.12.3 You are **not** allowed to bring children onto School premises whilst you are working because of insurance and health and safety restrictions and the obvious distraction to other employees unless you have the express permission of the Headteacher.

### **6.13 Safekeeping of Personal and Private Property**

6.13.1 The safekeeping of personal and private property (e.g. handbags, wallets etc.) is your own responsibility. No responsibility is accepted for cars, motorcycles, bicycles etc. parked on the School or Council property.

6.13.2 The Council's insurance scheme does not cover any loss of employees' own personal belongings and therefore any such loss would have to be met by you.

### **6.14 Employee Relations**

6.14.1 The Council believes in the principle of solving employee relation's problems by consultation and negotiation and supports the concept of collective bargaining. For practical purposes this can only be conducted by representatives of the employees and therefore we will recognise trade unions in accordance with the Council's Trade Union Recognition Policy. We respect the right of employees to join trade unions and take an active part in trade union activities. Please click [here](#) to view the recognised trade unions for collective bargaining purposes.

6.14.2 The Council is committed to consulting with employee representatives on a regular basis. This will be achieved for NJC employees by the Education Employee Relations (EER) Working Party Forum.

6.14.3 The Council accepts that differences and disputes may arise from time to time, but will do everything to endeavour that they are kept to a minimum and resolved as soon as possible.

6.14.4 The Council recognises that time-off for trade union activities is allowed and grants this in accordance with the appropriate Facilities Agreement. We will disclose information for the purposes of collective bargaining in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 and the ACAS Code of Practice on Disclosure of Information for Collective Bargaining purposes. To view the Facilities for representatives of unions and professional associations guidance please click [here](#).

6.14.5 Finally the Council also recognises that whilst much can be done to achieve good employee relations it requires commitment and dedication of Members and officers at all levels, and a willingness to resolve issues on the part of the trade unions.

6.14.6 The Council recognises three Trade Unions for consultation and collective bargaining purposes in respect of school support staff, these being UNISON, GMB and Unite. The Council has a contractual statement of commitment to the support of collective agreements, nationally, regionally and locally.