

# EMPLOYEE STANDARDS AND CODE OF CONDUCT

## Purpose

The Employee Standards and Code of Conduct are intended to promote good practice and maintain standards of behaviour and conduct within the College alongside existing College Policies and Procedures. All staff are expected to read and abide by the Standards and Code of Conduct.

The Policy is split into two sections, both of which apply to all employees of the College.

The Employee Standards are those expected of all employees of the College. They reflect the values of Leicester College and the way we should carry out our responsibilities and work together.

Further guidance on the behaviour of staff in respect of students is set out in appendix 1.

The Code of Conduct provides more detailed guidance that all employees must follow to enable the College to operate effectively and legally. The Code of Conduct relates to Employment Legislation, College Policies and Procedures and Contracts of Employment, including the College's disciplinary rules covered in appendix B of the Staff Disciplinary procedure.

The Employee Standards and Staff Code of Conduct cannot provide guidance in all situations; however, they provide a framework for employees to work within.

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## Employee standards

It is expected that employees will abide by the standards below at all times in their dealings with students, colleagues, managers and those they manage.

### 1. Working with students

**In their dealings with students the College expects that all employees will:**

- Always work to support students' learning and achievement
- Treat students with respect
- Respect and adhere to the teaching and learning contract
- Promote high standards of student behaviour
- Ensure their relationships with students are never of a kind that could compromise their professional responsibilities or harm the students in any way

- Avoid behaviour that may be construed as aggressive or threatening

For more detailed guidance please refer to appendix 1.

## **2. Working with colleagues**

**Whether in person, on the telephone or on-line when working with colleagues it is expected that all employees will:**

- Be open, honest and challenge positively
- Behave professionally
- Respect confidentiality and the right to dignity and privacy
- Be supportive of colleagues and help them to learn and develop new skills
- Allow others to make mistakes and support them in learning from the experience
- Acknowledge and value the role of all colleagues
- Work with others to achieve a fast and effective resolution to any conflict arising between staff
- Look for solutions to problems
- Attend meetings punctually and contribute to them
- Return information requests promptly, with a NIL return if appropriate
- Meet deadlines whenever possible and negotiate new deadlines if there are legitimate reasons why they cannot be met
- Reply to all forms of communication promptly even if to acknowledge and give a date for a full response
- When it is appropriate, deal with issues face to face, meeting in person or on MS Teams or by telephone rather than by email
- Share relevant information with colleagues and managers.

## **3. Working with everyone**

**It is expected that all employees will:**

- Demonstrate respectful, considerate and professional behaviour to all colleagues, students and customers at all times
- Ensure that the needs of internal and external customers are prioritised and as far as reasonably possible, are met to their satisfaction
- Ensure the individual needs of staff, students and other customers are taken into account
- Comply with all aspects of the Equality and Diversity policy.
- Refrain from using language or behaving in a manner that another person may find offensive.

## **4. Being corporate**

**It is expected that all employees will:**

- Comply with College policies and procedures, Mission Statement and Values
- Put the interests of the College above their own departmental interests
- Take personal responsibility for, and pride in, the College environment
- Maintain an awareness of whole College issues through communication channels including briefings
- Ensure all staff for whom they are responsible are kept informed and are encouraged to feedback on College, department or individual issues
- Avoid any sort of behaviour that is likely to bring the College into disrepute.

## **5. Being responsible**

**It is expected that all employees will:**

- Take responsibility for their own personal and professional development

in consultation with their manager

- Accept and deal with issues with their own performance
- Communicate ideas and make suggestions for improvements to line managers, always looking for creative solutions to problems and positive contributions
- Bring concerns to the attention of managers
- Take responsibility for the timely delivery of tasks within their remit
- Look after College premises and property which they use
- Take reasonable care of their own health and safety and that of others affected by their acts or omissions, and to comply with relevant statutory provisions.
- Assist in maintaining the security of the College

## Employee code of conduct

### 1. Gifts and Hospitality

Employees must not directly or indirectly accept any gift, reward or benefit from any member of the public, college or other organisation with whom they have been brought into contact by reason of their duties other than:

- Occasional gifts of a trivial nature or an inexpensive seasonal gift (such as a calendar)
- Conventional hospitality that is normal and reasonable in the circumstances

Staff responsible for the purchase of supplies or equipment or, for example, the awarding of sub-contracts should take particular care to ensure that there can be no criticism that unequal treatment has been given to other potential suppliers. Wherever possible,

tendering for contracts should be undertaken and due diligence processes followed.

Further guidance is available in the Gifts and Hospitality Policy. If you are not sure about what is acceptable ask your manager and, if possible, in advance of any gift or hospitality being offered.

### 2. Financial Regulations

To ensure that the College finances are managed properly, the College has a set of Financial Regulations. Your manager will explain to you any financial regulations that affect your area of work.

Misappropriation of monies including fraudulent overtime or travel claims will be treated as gross misconduct and may lead to dismissal.

The Financial Regulations also set out the responsibilities of staff in observing and upholding the College's policy and position on bribery.

If you are in any doubt, please speak to your manager as breach of any of the Financial Regulations may lead to disciplinary action.

### 3. Conflict of interest

You must not, without the written permission of the Principal undertake any employment or engagement which might interfere with the performance of your duties or conflict with the interests of the College.

It is your responsibility to declare an interest. If you are not sure about something talk to your manager in the first instance. Refer to your Contract of Employment and the Conflicts of Interest Policy.

#### **4. Confidentiality/Access to information**

You must not divulge any confidential information belonging to the College (except in the proper performance of your duties) to any person, College, company or other organisation during or following termination of your employment.

Breaches of data protection regulations should be reported immediately to the Data Protection Officer.

Breaches of data protection regulations may result in disciplinary action. Under the law you may also be personally liable for disclosing personal information if not authorised to do so. If you have any queries speak to the College Data Protection Officer or your line manager.

Refer to your Contract of Employment, the College E-Communications Policy and the Data Protection Policy.

#### **5. Copyright, Inventions and Patents**

The copyright of all records and documents (including course materials) made by you in the course of your employment shall belong to the College.

The copyright of any "scholarly work" shall usually belong to you, e.g. contributions to books or articles. For clarification speak to your line manager. Sections of the Patents Act 1977 (sections 39 to 42) relate to the ownership of employee inventions and the compensation of employees for certain inventions.

Any invention, development, process, plan, design, formula, specification, programme or other matter of work whatsoever made by you as part of your employment with the College will belong

to the College or designated subsidiary of the College. Please refer to your contract of employment.

#### **6. Contractors**

If as part of your job, you engage or supervise contractors and you have any kind of family or personal or other relationship with a contractor or potential contractor you must tell your manager.

Orders and contracts must be awarded on merit by fair competition against other tenders and you must not show favouritism to businesses run by, for example, friends, partners or relatives.

If you have any concerns speak to your manager immediately. Breach of the College tendering procedures may result in disciplinary action.

#### **7. Health and Safety and Security**

All employees of the College have responsibilities under the College Health and Safety at Work Policy and the Health and Safety at Work Act 1974.

You must ensure that you take the greatest possible care for your own safety and that of your Colleagues, students and members of the public.

Always use any safety equipment or clothing that is provided by the College to enable you to carry out your work safely.

Follow any codes of practice and observe any risk assessments that apply to your work area. College security measures must be observed at all times, in order to protect people and property; you must be able to produce an identity card when required and wear it in a manner that it

can be seen, at all times.

Accidents at work, and notifiable occupational diseases, must be recorded and reported to the Health & Safety Executive where applicable.

If you wish to report a Health and Safety matter, contact the Health and Safety Adviser.

If you have any concerns about a security issue, please contact the Director of Estates.

## **8. Safeguarding**

The College has comprehensive policies and procedures to safeguard and promote the welfare of children/young people and adults receiving education and training at the College. All staff have a legal duty to report cases of suspected abuse where there are concerns that a child/young person or adult at risk of abuse has been mistreated or abused. If you have any concerns these should be reported to the College's Safeguarding Officer.

Refer to the College's Safeguarding Policy.

## **9. Smoking Policy**

All areas in the College are designated as non-smoking. Smoking is not allowed anywhere on any College site (inside and outside College buildings) and in College vehicles. This also applies to vaping and e-cigarettes.

Refer to the College's No Smoking Policy.

## **10. Alcohol and Drugs Policy**

You should not attend work whilst under the influence of alcohol, illegal drugs, or other substances. If your job involves driving, responsibility for buildings, working with machinery or tools or the safety of people a breach of this rule

could lead to your dismissal.

If your job does not fall into one of the above categories, you still may be subject to disciplinary action if alcohol, illegal drugs or other substance affects your capability at work, and this may also result in dismissal if appropriate in the circumstances.

## **11. Contact with the Media**

If you are asked by the media for information relating to College activities, you must contact the Marketing and Communications team prior to releasing any details.

This approach ensures that the information we give is consistent and follows corporate guidelines. The Marketing department can also provide expertise in marketing and communication that enables the College to be represented in a positive light with the community and wider public.

## **12. Use of College Facilities**

You must ensure that College facilities and equipment provided for your use at work are used for College business purposes only. Such facilities include; accommodation, transport, stationery, postal services, telephones and IT.

Personal business interests must not be pursued through the use of College facilities or equipment.

If for any reason you wish to use a College facility for personal use, you must first discuss this with your line manager and, if necessary arrange payment for usage.

The College E-communications Policy sets out the restricted circumstances in which personal use of e-mail, internet, telephone etc. are allowed.



Unauthorised use of College facilities or equipment may result in disciplinary action.

### 13. Equality and Diversity

All employees are expected to follow and promote the College's Equality and Diversity Policy and are aware of the College's statutory duties in this respect.

You should not engage in unlawful discriminatory or harassing behaviour of any kind. Please refer to the College Equality and Diversity policy on the intranet for further information and guidance. Any breach of the College Equality and Diversity Policy is likely to result in disciplinary action which could lead to dismissal and may also be against the law.

### 14. Attendance

As an employee of the College, you are contracted or scheduled to work a certain number of hours per week. You should observe start and finish times. If you are unable to attend work the correct procedure must be followed concerning arrangements for holiday, sickness or other authorised leave.

Failure to follow the correct attendance procedures may result in disciplinary action.

### 15. Whistleblowing (Public Interest Disclosure) Policy

The College encourages employees to raise genuine concerns about malpractice taking place in the workplace. The College has certain members of staff who are designated to look into any concerns raised by employees under the whistle blowing policy. The College provides safeguards for employees who report

malpractice and will investigate any allegation thoroughly.

The types of malpractice covered by the whistle blowing policy are:

- Corruption, bribery or blackmail
- Fraud or financial irregularity
- Criminal offences
- Failure to comply with a legal or regulatory obligation
- Miscarriage of justice
- Endangering the health and safety of an individual
- Endangering the environment.

The Whistleblowing Policy can be found in full on the College intranet.

## Appendix 1 Code of behaviour for staff in respect to students

### 1. Introduction

1.1 All staff at Leicester College - teachers, support staff and managers - have a duty of care towards the College's students. This is particularly the case in respect to children (defined legally as all young people up to their eighteenth birthday), but also applies to all other students too. The college's values stress the importance of respect and care for students but wider national pressures and those in society generally are adding to the importance associated with this care. These pressures include:

- The national emphasis being placed on safeguarding children and adults at risk of abuse or neglect.
- The growing complexities associated with the use of IT, social media, and the use of mobile phones and related devices.

1.2 This Code is provided to help College

staff discharge their responsibilities for the care of students by:

- Assisting them to work safely and responsibly.
- Setting clear expectations of behaviour and clarifying which behaviours constitute safe practice and which should be avoided.
- Giving a clear message that unlawful, unruly or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken.
- Reducing the risk of misplaced or malicious allegations being made against staff.
- Reducing the incidence of positions of trust being abused or misused.

1.3 In addition to the above principles The Education and Training Foundation has developed Professional Standards that apply to all teachers and trainers in education (England). The Standards outline the commitments expected from teachers and trainers in relation to their professional role under the following categories:

- Professional values and attributes
- Professional knowledge and understanding
- Professional skills.

1.4 Guidance in this Code is also drawn from 'Guidance for Safer Working Practices for Adults who work with Children and young People' prepared by the Allegation Management Advisers (now the Safeguarding Adviser Network) and commissioned by the Department for Children, Schools and Families. It addresses a number of key areas of staff behaviour but cannot cover all

eventualities. In circumstances not addressed in this Code, staff should ensure that they act always to serve the best interests and welfare of the students in their care and seek the advice of their manager.

1.5 This Code of Behaviour addresses the following issues.

1. Power and positions of trust
2. Social contact
3. Propriety and behaviour
4. Personal living space
5. Sexual relations
6. Use of IT

1.6 The Code concludes by referring to the procedures the college carries out where staff behaviour is deemed inappropriate, including referrals that may need to be made to relevant professional bodies including the Local Authority Designated Officer for Safeguarding and to the Police.

## 2. Staff conduct

### Power and positions of trust

2.1 As a result of their knowledge, position and/or the authority invested in their role, all staff of the college are in positions of trust in relation to students. This applies to adults as well as younger students. The relationship between a member of staff and a student cannot be a relationship between equals and therefore it is essential that this unequal balance of power is not misused. Staff must maintain appropriate professional boundaries and avoid any behaviour that exploits that position of power, or which may be perceived by others as so doing. Staff's relationships with students



must be strictly professional. The development of friendships, relationships and especially sexual relationships would normally be deemed inappropriate, and in the case of the last of these in respect to children and vulnerable adults at risk of abuse or neglect illegal.

2.2 There may be occasions when adults joining the college as students already have a relationship with a member of staff. Such relations should be declared by the member of staff to his or her line manager, particularly when the member of staff is the student's teacher.

### **Social Contact**

2.3 Staff may need to contact young students aged 16-18 parents about their progress, attendance or behaviour. Contact may also be necessary by phone, email or text with students directly at home. It should only very rarely be necessary to visit a student at his or her home. Such arrangements should be agreed in advance by the Director of the Curriculum Area or, in the case of Student Services staff, by the Director of Student Services. Staff should not visit a student's home unaccompanied.

2.4 There may be circumstances where the social network of a member of staff includes students of the college – for example the sons or daughters of neighbours, or the friends of members of the family. Clearly in such circumstances the students concerned may visit the member of staff's home. In this case members of staff should be aware that their behaviour is, so to speak, in the public domain and the risks set out in paragraph 2.5 below should be borne in mind. It is most unlikely, however, ever to be appropriate for a member of staff to invite a student directly into

their home. Similarly, it is unlikely ever to be appropriate for a member of staff themselves to initiate social contact with a student or their family, or to visit their home socially.

### **Propriety and behaviour**

2.5 College staff have a responsibility to maintain public confidence in their ability to safeguard the welfare of students, uphold high professional standards and uphold the reputation of the college. It is expected, therefore, that all staff will adopt high standards of personal conduct. High standards of personal conduct are of course essential at work but staff should be aware that such expectations extend beyond the college. There may be circumstances, for example, where behaviour in private life can come to public attention and bring the college into disrepute. This could include misuse of drugs, alcohol, antisocial behaviour, acts of violence, sexual impropriety or extreme political views inciting racial hatred or violence that can call into question or compromise their perceived suitability to work in an educational setting or bring the college and/or the teaching profession into disrepute. Similarly, there may be occasions when staff are with groups of students in social settings – for example during college trips or visits. Staff behaviour here too is also under public scrutiny. The ability of cameras and access to social media pose the risk that what may appear to be private behaviour is placed by others into the public domain. In an increasingly transparent society, staff need to be very mindful of this danger.

2.6 In all settings, both inside the College and beyond it, staff's behaviour and

demeanour towards students should be within professional boundaries. Humour, for example, is to be encouraged where appropriate but should not extend to teasing, innuendo or ridicule. Inappropriate familiarity should be avoided, and staff should take care that in 1:1 situations with students – for example tutorials – their behaviour is above reproach and that it cannot be misinterpreted or misconstrued by either the student concerned or by others.

2.7 In some settings it may be necessary to have some physical contact with students – for example in sport or dance – and clearly for students with learning difficulties and/or disabilities personal care needs sometimes need to be attended to. As a general rule, however, it is unwise for any physical contact to take place with a student and staff should be aware that even well-intended physical contact may be misconstrued by the student concerned or by a third party.

Staff should not make the assumption that it is acceptable practice to use touch as a means of communication. There are cultural and religious views about touching and of course sensitive issues in respect to gender. Hitting or any action similar to this it is never acceptable.

2.8 It may sometimes be necessary for students to be provided with a lift in a member of staff's car. This should never be routine but may be necessary if the student is at risk: for example needing hospital treatment. Care should be taken in these circumstances. Certainly, it is essential that the member of staff is insured for business use of their car. It is unwise for a member of staff to take a student unaccompanied.

Wherever possible, staff should make alternative arrangements including the use of taxis to transport students in emergency situations or where transport is needed at short notice.

## Sexual relations

2.9 The development of sexual relationships between staff and students is always inappropriate and, in the case of children under 18 and adults at risk of abuse or neglect, illegal. As paragraph 2.1 overleaf makes clear, members of staff are in a position of trust in relation to students and it is critical that the imbalance of power is not exploited or perceived to be exploited. This is particularly the case where staff teach the student concerned or have a close working relationship with them.

Staff should avoid any circumstances or situations in which a relationship could develop with a student (for example 1:1 situations in the college and in social contexts outside of the college) and should not:

- Have any form of communication with a student which could be interpreted as sexually suggestive or provocative – i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact.
- Make sexual remarks to, or about, another student or person.
- Discuss their own sexual relationships with or in the presence of students.
- Behave in a way that could reasonably be interpreted as 'grooming' behaviour.

As paragraph 3.2 below makes clear, any allegation that a member of staff may have a sexual relationship with a child

or vulnerable adult requires the college to report this to the local authority Safeguarding Unit.

### Use of IT

2.10 The wide availability and use of new technology including mobile phones, text messaging, emails, digital cameras and videos, social media and personal blogs all pose difficult challenges for staff in maintaining professional boundaries. Staff should:

- Not give students their personal contact details.
- Ensure that telephone, text, or email contact with students is for college business and that the tone and content of the communication upholds professional standards.
- Not invite students to be a friend on any personal websites e.g. Facebook or through other social network platforms.
- Be very careful about behaviour in any environment that could be posted by others onto websites and bring them or the college into disrepute.

Please refer to the E Communications Policy on the intranet

### 3. Procedures where the Code of Conduct is not upheld

3.1 In circumstances where staff are believed to have transgressed this Code of Conduct to the extent that the college's disciplinary rules have been infringed, the College's Staff Disciplinary Procedure will be invoked.

3.2 Where an allegation is made, or suspicion raised that a member of staff working with a child (a student aged

under 18) or a vulnerable adult at risk of abuse or neglect has:

- Behaved in a way that has harmed or may have harmed that person
- Possibly committed a criminal offence against or related to a child or adult at risk of abuse or neglect

or

- Otherwise behaved in a way that indicates that he or she is unsuitable to work with children or an adult at risk of abuse or neglect.

The College is obliged by the regulations of the Local Safeguarding Children Board and by its own internal Child and Vulnerable Adult Protection Procedures to refer these concerns to the Local Authority Designated Officer for Child/Vulnerable Adult Protection. Decisions will then be made on an interagency basis as to what steps are then necessary including, where appropriate, the involvement of the Police.

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