

# Code of Conduct

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Contact: Chief Executive, Education Futures Trust



**Our children. Our families. Our community.**

Registered Charity Number: 114617

Company Number: 7852922

## Background

Words such as 'you' and 'your' throughout this policy refer to an employee, trustee or volunteer of the Education Futures Trust.

The Education Futures Trust will be referred to as the Trust.

All potential conflicts of interest must be declared before the activity commences, or the issue arises. If your circumstances change it is your responsibility to inform your supervisor and make a new declaration.

### 1. Introduction

- 1.1. This policy should be read in conjunction with all other Trust policies including the Conflict of Interest Policy and the Whistleblowing Policy.
- 1.2. The Code of Conduct forms part of your contract of employment and must be followed – breach of this code will be viewed as a serious disciplinary matter depending on the severity of the breach.
- 1.3. It is important to understand that a breach of the Code of Conduct could lead to disciplinary action, and even dismissal depending on the severity of the breach. Ignorance of the guidelines in the Code of Conduct will not be seen as a valid excuse.
- 1.4. All staff are required to complete the Conflict of Interest form. You will be asked to review your declaration of interest form annually. However, if there is a change in your circumstances and a potential conflict arises, it is your responsibility to inform your manager as soon as possible so the conflict of interest can be considered.

### 2. Safeguarding

All trustees, staff or volunteers working for the Education Futures Trust, whether working directly with children/vulnerable adults or not, shall adhere to the standards set down in the Safeguarding Policy where the safety and welfare of the children, young people and vulnerable adults will be paramount. This includes:

- 2.1 listening and supporting children and vulnerable people;
- 2.2 maintaining confidentiality unless there is a safeguarding concern or disclosure;
- 2.3 not promising to keep secrets and not asking anyone to do so;
- 2.4 being aware of their position of trust;
- 2.5 respecting all service users;
- 2.6 maintaining appropriate professional boundaries and not displaying any behaviour that may be misinterpreted by others;
- 2.7 adhering to the organisation's policy on the use of communications technologies, including the use of mobile phones, cameras or webcams, the internet, including social networking, etc.

- 2.8 prohibiting social contact with children and young people, including prohibiting any physical or sexual contact either inside or outside of the organisation;
- 2.9 avoiding or minimising the occasions when they are alone in a secluded area with a child or young person;
- 2.10 behaviour that should be beyond reproach at all times, including banning the use of insensitive or belittling comments or behaviour;
- 2.11 adhering to the organisation's policy and procedures on transporting children or young people;
- 2.12 reporting any disclosures or allegations against any member of staff or volunteer without delay.

### **3. Standards**

- 3.1. You are expected to give the highest possible standard of service to members of the public observing the standards of conduct which the law and the Trust expects.
- 3.2. In performing your duties, you must act with integrity, honesty, without bias, and objectively.
- 3.3. You are expected, through agreed procedures and without fear of recrimination, to bring to the attention of your immediate supervisor any impropriety or breach of procedure.

### **4. Political neutrality**

- 4.1. You serve the Education Futures Trust, and as such you must remain politically neutral in your role. You must not be involved in advising any political group without the express consent of the Chief Executive.
- 4.2. You must follow every lawful expressed policy of the Trust and must not allow your own personal or political opinions to interfere with your work.
- 4.3. If your duties bring you into contact with elected members at any level, you should keep the Chief Executive informed.

### **5. Use of financial and other resources**

- 5.1. You must ensure that you use the Trust's resources and funds in a responsible and lawful manner, in accordance with EFT's financial operating procedure/financial policy.
- 5.2. Facilities that are provided by the Trust and used by employees as part of their normal duties must not be used by employees for their own private benefits or gain.

### **6. Outside commitments**

- 6.1. Regardless of your role, you must seek the written permission of, and make a written declaration to, the Chief Executive before engaging in any other work or business which might relate or affect in any way your duties within the Trust. This includes paid or unpaid work, and will include one off pieces of work as well as regular employment.

- 6.2. You must declare in writing to the Chief Executive any relatives or partners, or friends who are engaged in a business which either currently provides services to the Trust, or might possibly do so in the future.
- 6.3. You must not work privately for personal gain for a service user for whom you have a service provision role within the Trust, unless you have written consent from the Chief Executive. This includes service users to whom an employee may not personally be giving a service but does receive a service from the Trust. Suitability of such work may depend on the scale of the work, the impact it has on an employee's performance and whether an employee is abusing their position to generate the work.
- 6.4. If you are permitted to engage in any other business or take up any additional employment, you must not undertake any work in connection with your additional employment in Trust time. It is the responsibility of each individual employee to declare any additional personal income to Her Majesty's Revenue and Customs (HMRC).
- 6.5. The Trust is entitled to exclusive ownership of intellectual property e.g. copyright of material created by you in the course of your duties as an employee.

## **7. Personal interests**

- 7.1. Your off-duty hours are your own personal concern. However, you must not put yourself in a position where your job and personal interests conflict.
- 7.2. You must declare in writing any financial or non-financial interests that could in any way be considered to bring about conflict with the Trust's interests. This includes any relationship, discussions or correspondence over any employment or private interests with organisations that may have a past, current or future business connection with the Trust. If you have any doubt whatsoever you should make a declaration, so that the Trust can make the judgement as to whether a conflict exists or not.
- 7.3. You are required to disclose any personal interest that may conflict with the Trust's interests.
- 7.4. A member of staff should inform the CEO if they are facing significant financial hardship that may have a possible impact upon their work.
- 7.5. You must declare in writing any membership of secret societies. The definition of a secret society is:
  - a) is not open to members of the public who are not members;
  - b) includes an obligation on the part of the member to make a commitment of allegiance;
  - c) includes a commitment of secrecy about the rules, membership or conduct."

The activity of a general recognised religion should not be recognised as a secret society.

## **8. Disclosure of information and confidentiality**

- 8.1. The law requires that certain types of information must be made available to members, auditors, government departments, service users, and the public. In particular, the Freedom of Information Act 2000 gives a legal right of access to information held by the Trust, subject to certain exemptions. If you are in any doubt about disclosing information then you are expected to seek guidance from your manager.
- 8.2. No confidential information, politically or commercially sensitive information, or personal information protected by the Data Protection Act (2018) and the General Data Protection Regulation (GDPR) should be released to anyone, without authorisation from your line manager. If you are in any doubt about disclosing information then you are expected to seek guidance from your manager.
- 8.3. Confidential papers must not be released without the consent of the Chief Executive.
- 8.4. You must not use any information obtained in the course of your employment for personal gain nor pass it on to others who might use it in such a way or for any purpose for which it was not originally intended.
- 8.5. Materials produced during employment at the Trust remain the sole property of the organisation.

## **9. Appointment and other employment matters**

- 9.1. You must not be involved in the appointment, or any other decisions relating to the discipline, promotion or pay or conditions of another employee, or prospective employee, who is a relative, partner or friend. Managers should consider whether their relationship with a colleague may have an impact on their ability to carry out their duties.
- 9.2. If you are responsible for appointing employees, you must ensure that decisions are based on merit and not on anything other than their ability to do the job.
- 9.3. If you have a connection in a private, social or domestic capacity with someone who also works for the Trust or who sits on the Board of Trustees that may potentially create, or be thought to create, a conflict of interest, you need to declare this to the Chief Executive for consideration.
- 9.4. Employees must inform their manager if they are being investigated by any professional body and any sanction imposed.
- 9.5. If you are in doubt about any of the above, please seek advice from your manager.

## **10. Criminal offences**

- 10.1. Employees are expected to conduct themselves at all times (inside and outside of work) in a manner which will maintain public confidence in both their integrity and the services provided by the Trust. In general, what an employee does outside work is his/her personal concern, unless those actions would cause a breakdown in the employment relationship.

- 10.2. Employees must inform their manager if they are arrested/convicted/cautioned for a crime and if arrested, must notify the manager of the development and outcome of the case as soon as it happens. Employees do not need to disclose fixed penalty notices for minor driving offences, such as speeding tickets, defective light etc., except where driving is a requirement of an employee's role or the conviction results in disqualification.
- 10.3. Disclosing all convictions does not necessarily mean disciplinary action will be taken against an employee. The extent to which a criminal offence may affect employment depends on whether the conduct:
  - 10.3.1. makes the employee unsuitable for their type of work; and/or
  - 10.3.2. may reflect adversely on the Trust's reputation or ability to perform its function.
- 10.4. Employees sentenced to immediate imprisonment may be dismissed without notice or compensation in lieu of notice.
- 10.5. Employees should always notify their manager if there is any doubt as to whether or not they need to share information about an arrest or conviction.
- 10.6. Wilful failure to disclose such information, even where no charges are brought against you, may lead to disciplinary action. Where it is deemed that there is an adverse impact on their employment, the Disciplinary Policy will apply.

## **11. Position of trust**

- 11.1. It is the responsibility of all staff to ensure they maintain professional standards and do not abuse or appear to abuse their position of trust in the way they conduct their relationships with service users/pupils/families/carers/contractors.
- 11.2. Conduct that may be considered in this way may include personal arrangements to see service users/pupils/families/carers/contractors and exchanging personal contact details such as email, texts and social media. Employees must refrain from conduct of this nature unless there is sound reason to do so, and the action is taken with the express approval of the employee's manager, and the decision is officially recorded.
- 11.3. If employees are engaging in activity or associating with individuals or people outside work, whose current or past conduct could raise doubts or concerns about an employee's own integrity or ability to be in a 'position of trust' with regard to children or vulnerable adults, this could have a direct consequence on their employment.

## **12. Sponsorship**

- 12.1. When an outside organisation wishes to sponsor or is being asked to sponsor a Trust activity, the basic conventions concerning the acceptance of gifts and hospitality by staff apply.

## **13. Relationships**

### Trustees

- 13.1. Close personal familiarity between employees and individual trustees can damage the Trust and prove embarrassing to other employees and trustees. It should therefore be avoided.

#### Contractors

- 13.2. You must declare in writing to your manager any current or past relationships of a business or private nature with any outside organisation that has a relationship with the Trust (see [Appendix 1: Making a declaration](#)). You must not canvass on behalf of any outside organisation.

#### The Press and Media

- 13.3. You must not deal directly with the press or the media in relation to anything related to Trust business unless required to do so as part of your duties, or you have been authorised by your line manager in consultation with the Chief Executive.
- 13.4. If you speak as a private individual directly to the press or at a public meeting or other situation where your remarks may be reported to the press, you must take reasonable steps to ensure nothing you say might lead the public to think you are acting in your capacity as a Trust employee.

#### The Local Community and Service Users

- 13.5. You must always remember your responsibilities to the community which you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community.

### **14. Accepting hospitality, gifts, bequests and legacies**

- 14.1. It is a serious criminal offence for you to corruptly receive or give any bribe, gift, loan, fee, reward, or advantage for doing or not doing anything or showing favour or disfavour to any person in your official capacity.
- 14.2. You must not, either directly or indirectly, accept any gift, reward or benefit from any member of the public or any organisation with whom you are brought into contact through your duties, other than small gifts:
  - 14.2.1. of a modest value or of a promotional or advertising nature, e.g. calendars, diaries, mugs, pens or other similar items;
  - 14.2.2. offered during official authorised hospitality, e.g. gifts on the conclusion of any courtesy visit of a type normally given by that organisation;
  - 14.2.3. of less than £10 in value by service users or clients. Where appropriate, such gifts should be shared between teams.
- 14.3. If there is any concern that the donor (for example a parent, supplier or contractor) may be trying to gain favour then gifts should be politely and firmly refused and, if needed, employees should seek guidance from their manager.
- 14.4. The same rules as above apply to bequests which must be refused unless of a token nature or unless there are special circumstances approved in writing by the Chief Executive.

- 14.5. In instances where you wish to accept hospitality, you must seek the approval in advance in writing from the Chief Executive, except either where the hospitality is that of a reasonable common courtesy, or where the hospitality is being offered to all the delegates and forms an integral part of a conference or seminar.
- 14.6. A gift with a value of over £10 or an offer of hospitality has to be declared and approved by the Chief Executive before it is accepted. If approval is not given, the gift or offer of hospitality must be tactfully declined or returned.

## **15. Promoting equality of opportunity and diversity**

- 15.1. All employees are expected to work to eliminate discrimination, promote equality of opportunity and promote good relations, and to work within the Trust's policies.

## **16. Conduct following retirement, resignation or lawful termination of employment**

- 16.1. Following the termination of employment with the Trust, for whatever reason, employees must not disclose sensitive or confidential information about the Trust or any of its activities.
- 16.2. Materials and products created for the Trust remain the property of the Trust (see 5.5 above) and should not be copied or used for any purpose other than to advance the Trust.

## **17 Use of personal digital/social media**

- 17.1 It is accepted that employees might use on occasions the Trust's and/or their own devices (computers, smartphones, tablets, etc) to make use of their personal social media platforms in the course of or away from their work.
- 17.2 The personal use of social media in work time, e.g. for messaging purposes, must not interfere in any way with work. Where any reference is made to a work situation or work in general on personal platforms, e.g. in a blog or diary, employees should make sure that they are expressing their views in a personal capacity and not as a representative of their organisation by providing a suitable disclaimer, e.g. "The views I express here are mine alone and do not necessarily reflect the views of my organisation/employer."
- 17.3 Staff are advised to discuss any possible areas of confusion with their manager. They should avoid posting any significant work-related material and information, particularly where there are possible breaches of data protection and confidentiality.



17.4 Staff members must not:

- 17.4.1 breach confidentiality by referring directly to service users on personal social media;
- 17.4.2 post images, photographs or videos of colleagues without their knowledge or consent;
- 17.4.3 give away confidential information that they have obtained about any service user, colleague or person with whom they have met in the course of their work;
- 17.4.4 discuss the business of the Trust or information about it that they know should be treated as confidential information;
- 17.4.5 do anything that could be considered discriminatory against, or bullying or harassment of, any individual; make offensive or derogatory comments relating to the sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief or age of any individual;
- 17.4.6 bring their employer into disrepute;
- 17.4.7 use the Trust's devices to post images that are inappropriate;
- 17.4.8 disclose confidential intellectual property or breach copyright

**17. If in doubt**

It is not possible to cover every situation you may face as an employee of the Trust. Just because a particular action may not be addressed within the Code of Conduct, this does not condone that action by omission. If you are in any doubt about anything contained within this document, or are concerned about anything relating to your personal position, you should speak to your line manager immediately. Where necessary, line managers should seek advice from the Chief Executive.

The Code of Conduct has been read and understood.

Signed:

Name (printed)

Date:

## Appendix 1: Declaration form



### CONFLICT OF INTEREST DECLARATION FORM

<b>Name of trustee/employee/volunteer</b>		
<b>Role within the Trust</b>		
<b>Details of organisation/individual(s) with whom trustee/employee/volunteer is involved</b>		
1	Name and address of organisation	Nature of involvement
Possible Conflict		
How to mitigate against the conflict*		
2	Name and address of organisation	Nature of involvement
Possible Conflict		
How to mitigate against the conflict*		
3	Name and address of organisation	Nature of involvement
Possible Conflict		

How to mitigate against the conflict\*

**Please continue overleaf, if necessary.**

<b>DETAILS OF ROLE AS A GOVERNOR</b>	
1 Name and address of school/academy/college	Nature of involvement
Possible Conflict	
How to mitigate against the conflict*	
2 Name and address of school/academy/college	Nature of involvement
Possible Conflict	
How to mitigate against the conflict*	

**Please continue overleaf, if necessary.**

\* to be completed by Chair/Chief Executive (as appropriate)

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signature ..... Date .....

## Frequently Asked Questions

### What is a conflict of interest?

A conflict of interest arises when a person's private or personal interests are substantial enough to be able to influence or potentially influence a person's official responsibilities. Please see the Conflict of Interest Policy for more information.

### What should I do if I think there is a potential conflict of interest?

Inform your manager of the potential conflict.

If the conflict concerns relationships between members of staff **all** parties must complete the declaration form.

### What action should my manager take?

Your manager should ensure that:

- You do not directly supervise or that you are not directly supervised by anyone where there may be a potential conflict of interest.
- Any claim forms you may submit e.g. travel, additional hours etc. are not authorised by anyone where there may be a potential conflict of interest.
- Any specific one-off requests are agreed by a neutral party.

### What if someone I know applies for a job?

If you receive a job application from someone who is known to you, you should:

- Ensure you are not involved in any part of the selection process. This includes short listing, interview process, reference requests and decisions to appoint.
- If the person is successful you must declare the conflict and ensure any necessary measures are put in place, ideally prior to their commencing employment.

### What should I do if I'm not sure whether there's a conflict of interest?

If you have any doubts as to whether a potential conflict of interest exists always inform your manager.