



Thinking Schools Academy Trust
“Transforming Life Chances”

Code of Conduct

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Code of Conduct for Employees of the Thinking Schools Academy Trust

1. Introduction

1.1. This code of conduct applies to all employees in TSAT Academies and establishments whether they are permanent, temporary or casual. It is also applicable to anyone that may be undertaking supply or agency work for the Trust.

1.2. Where an employee has transferred into the Trust and has enhanced terms that are subject to TUPE then the enhancement will continue.

1.3. The Trust expects the highest standards of conduct from all their employees. This code sets out the minimum standards of behaviour which employees will need to observe. It is intended to help everyone to understand their responsibilities and be clear about what is acceptable conduct and what is not.

1.4 The Trust will foster a culture of the highest professional standards. This Code of Conduct sets out the standards expected and the duty upon staff to abide by it. All staff have a duty to keep students and themselves safe and to protect them from physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and students and behaviour by adults that demonstrate integrity, maturity and good judgment. Following this code of conduct will help to safeguard staff from being maliciously, falsely or mistakenly suspected or accused of professional misconduct in relation to students.

1.5 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general. An individual's behaviour, either in or out of the workplace, should not compromise their position within the work setting or bring the Trust into disrepute.

1.6 All staff must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection. A member of staff who, in good faith, "whistle blows" or makes a public interest disclosure will have the protection of the relevant legislation.

1.7 This code of conduct applies to all settings; including excursions and trips, where normal professional practice and conduct must be adhered to.

1.8 It is important that everyone is aware and understands the following policies and procedures;

- The Teaching Standards
- Disciplinary Policy
- Performance Management & Capability Policy
- Dignity at Work Statement
- Grievance Policy
- Whistle blowing Policy
- Safeguarding & Child Protection Policy
- Data Protection Policy
- Information Security Policy
- Social Media Policy
- Gifts and Hospitality Policy
- Keeping Children Safe in Education

These policies are available on the Trust website- www.tsatrust.org.uk

1.9 This code of conduct cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to students. There will be occasions and circumstances in which staff have to make decisions or act in the best interests of the student where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the students in their charge.

1.10 All policies referenced in the code of conduct have had an equality impact assessment undertaken to ensure that no groups or individuals with protected characteristics are unintentionally disadvantaged by policy or practice. The policy will be applied in line with the Equality Act 2010.

2. General Principles

2.1. If someone is not sure of what is expected of them, then it is their responsibility to raise this matter with their Headteacher/Principal or Line Manager (or Chair of Regional Governing Body in the case of the Headteacher/Principal).

2.2. If someone is unsure as to whether they need to declare anything for the record, it is important that they do not wait until the end of the year, or for their professional growth meeting, or for the Headteacher/Principal to ask them to do so – it is important to declare it immediately by speaking to the Headteacher/Principal or Line Manager.

2.3. Any breach of this code will be investigated appropriately and could lead to disciplinary action and may in some instances constitute gross misconduct. The Trust reserves the right to take legal action against employees where breaches of this code are deemed to warrant such action.

2.4 Where an allegation is made against a member of staff, the Trust will follow the guidance set out in the Trust Management of Safeguarding Allegations Policy which is available on the Trust website.

2.5 The Trust expects all employees to deal with one another, the public, pupils and parents in a courteous and civil manner. Relationships between work colleagues should be supportive, cooperative and respectful. Employees should behave in a way that enhances the performance and wellbeing of others and the effectiveness of the Trust.

2.6. Employees should be aware of Trust Health and Safety policies and local health and safety procedures when exercising their functions. These can be found on the Trust website and school specific websites.

2.7 All staff must be vigilant and share any concerns and report incidents in the appropriate manner. If a member of staff wants to raise their voice, made in good faith without fear or repercussion then this can be done by the Whistleblowing policy which is available on the Trust website.

3. General Conduct

3.1. It is an expectation for all members of staff to conduct themselves in a manner both inside and outside work, which upholds the reputation of the Trust. Employee's behaviour must be in line with the Trust's Dignity at Work Statement. Misconduct at work will be appropriately investigated and dealt with in accordance with the Disciplinary policy.

3.2 Conduct outside of work that may include unlawful or criminal offences may result in disciplinary action if it directly affects the employee's ability to undertake their role or the reputation of the Trust.

3.3 If a member of staff is in any doubt about the effect of their conduct/behaviour outside of work they should notify the Headteacher/Principal or Line Manager without any delay.

3.4 Personal property of a sexually explicit nature such as books, magazines, DVDs or such material on any electronic media must not be brought onto Trust premises or stored on Trust equipment.

3.5 If an employee is subject to criminal proceedings they must disclose this to the Headteacher/Principal or Line Manager. If any aspect of the information would impact the employee's DBS whilst in employment with the Trust, they are obligated to inform the Head Teacher/Principal or Line Manager immediately.

3.6 It is important that the social media policy is followed when internet use and electronic communication is used. If a member is unsure around any aspects of this, they must refer to their line manager or their headteacher.

4. Attendance and Lateness

4.1 As a Trust, we understand that on occasion employee's may be running late due to unforeseen circumstances which are out of their control, however tardiness is not considered acceptable due to the impact that this has on colleagues and on delivering learning and services across our schools.

4.2 It is an expectation for employees to be at work on time and to undertake their contracted hours at the appropriate and agreed times. If for any reason, an employee is running late then the expectation is that they contact their Headteacher/ Principal or Line Manager, to inform them that they are running late as well as the length of time they are anticipating being delayed.

4.3 The Headteacher/ Principal or Line Manager will raise concerns with the employee regarding their lateness as required. It may be appropriate for the employee to be managed/supported under Managing Absence & Ill Health policy or Flexible Working policy. Both of these policies are available on the Trust website.

4.4 Continued lateness will be considered a breach of this policy and will be managed either through Probation or the Disciplinary process.

5. Statutory requirements, equality and Academy policies

5.1 As employee, must ensure that they know the statutory requirements of their job, and that they work within these at all times. They must also comply with all the policies and procedures within the Trust. All teachers must by law be registered with the Teaching Agency (from April 2012).

5.2 The Trust is committed to equal opportunities and pupil care. It is an expectation that staff will act in a manner that reflects the Trust policies and values by treating all pupils, parents and colleagues courteously and with dignity at all times.

5.3 The Trust will not tolerate discriminatory behaviour, including bullying or harassment, which will be dealt with in accordance with the disciplinary procedure, and may be subject to criminal proceedings.

5.4 All staff working in a school at any time must read part 1 of Keeping Children Safe in Education. All staff who do not work in a school are required to read annex A - <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attach>

6. Training

6.1 The Trust will ensure training is provided to staff to ensure that they are able to undertake their duties in line with statutory requirements and any other recommendations. This is to support staff in having the relevant knowledge and skills to undertake their roles.

6.2 All staff are required to undertake annual training as required for their role, failure to do so may result in the code of conduct being breached which may result in disciplinary actions being taken.

6.3 Any training with an associated deadline, must be completed by the date stated, unless additional agreement has been sought and agreed to. Please note, that anyone that is absent from work due to sickness or due to being on statutory leave will not be subject to these dates. On a return to work, these will be discussed with the member of staff and dates will be agreed at this point.

6.4 If a member of staff requires adjustments due to having a protected characteristic as outlined in the Equality Act 2010, then please ensure you speak to your Headteacher/ Principal or Line Manager so that provisions and support can be put into place for the member of staff.

6.5 Training for teachers will be organised in accordance with Directed Time regulations.

7. Dress Code and Appearance

7.1 A person's dress and appearance are matters of personal choice and self-expression. However, staff must ensure they are dressed in a professional and presentable manner and ensure that their clothing is appropriate for the tasks they undertake.

Please refer to your individual Academy dress code policy for reference.

If you are a member of central services/departments you will be required to follow your departments localised dress code. If you are required to wear a uniform or wear certain PPE for health and safety compliance failure to do so may be considered a breach of the code of conduct.

8. Political Neutrality

8.1 It is important to ensure that employee's personal or political opinions do not unduly or unreasonably interfere with their work. This does not include professional association representative's communication with staff on union policy.

9. Appointments and related employment matters

9.1 The Trust recruits on merit and requires that appointments are made without bias. Anyone that is responsible for appointing employees, must follow the Trust Recruitment & DBS Policy. In order to avoid any possible accusation of bias, employee's should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work. They must not canvas on behalf of any applicant.

9.2. Similarly, they must not be involved in decisions relating to discipline, promotion or pay adjustments for another employee who is a relative, partner, close friend, or where they have some other close personal relationship.

9.3. It is important to notify the Headteacher/Principal or Line Manager (or Chair of Regional Governors) if the above circumstances arise.

10. Confidential and other information

10.1. The Trust expects all employees to safeguard confidential information, including when they leave employment. The Trust expectations are outlined in the Trust Information Security Policy.

10.2. All Trust staff must not use any information obtained in the course of their employment for personal gain or benefit. They must not pass on such information to others who they believe or should reasonably believe might use it in a similar way. All employees are under an obligation not to access or attempt to access information which they are not authorised to have.

10.3. Any deliberate breach of confidentiality, improper disclosure of information or misconduct in relation to official documents may be treated as a serious matter and may lead to disciplinary action.

11. Use of Academy resources

11.1 Any Academy funds entrusted to an employee is responsible for ensuring value for money to the Academy and avoiding legal challenge to the Trust. All employees must observe financial regulations.

12. Academy property and facilities

12.1 The resources of the Academy, including secretarial services, vehicles, premises, stationery and photocopiers must only be used for business purposes unless permission for private use has been obtained from the Headteacher/Principal or Line Manager.

12.2 If the employee ceases employment with the Academy they must return all Trust property including (but not limited to) any identity cards, passes, keys, materials, lease car, laptop computer or other electronic or mechanical equipment.

13. Electronic Media

13.1 Employee's must comply with the Trust IT Policies at all times together with any other relevant Academy policies and procedures in force at the time. Policies can be found on the Trust Website:

13.2 Staff must only access the classroom management tool within the Academy and during the school day. Under no circumstances are staff to attempt to use the classroom management tool at any other times.

14. Intellectual property copyrights and lecture fees

14.1 The Trust retains intellectual property rights for work undertaken by employees. Research, reports, designs, drawings, software 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 the Academy premises or passed on to a third party by an employee acting in a private capacity without the express consent of the Headteacher/Principal /Head of Service and the Deputy CEO .

14.2 Employee's may only retain fees for giving lectures or writing articles where these activities are not integral to your employment with the Trust, and are conducted in your own time.

15. Whistleblowing

15.1 The Trust expects employees who witness, or have their suspicions raised, or are approached to become party to potentially fraudulent, corrupt, radicalisation and extremist views, dangerous or improper behaviour, to report these incidents or concerns using the whistleblowing reporting procedure.

15.2 The whistleblowing reporting procedure can be found in the Whistle blowing policy on the Trust website: www.tsatrust.org.uk or obtained from the Headteacher/Principal or Line Manager.

16. Other Employment

16.1 All staff are required to declare any secondary employment to the Headteacher/Principal or Line Manager including private tutoring. If they do take any form of secondary employment they must ensure that this does not adversely affect their performance in their role, conflict with the interest of the Trust or bring the Trust into disrepute.

16.2 Employees do not need approval to undertake voluntary work provided this does not conflict with the interests of the Trust.

16.3 If there is any doubt as to the implications of taking up employment elsewhere, please seek the approval of the Headteacher/Principal or Line Manager before doing so.

16.4 Where a second employment takes someone over 48 hours per week they must sign the working time directive opt out.

17. Tendering and contracting

17.1 All orders and contracts must be awarded on merit in accordance with the Trust policy. It is important to not show favouritism to businesses run, for example, by friends, partners, relatives or ex-employees, nor discriminate against any part of the community.

17.2 It is important to declare any private or domestic relationships with contractors or potential contractors to your Headteacher/Principal or Line Manager.

17.3 If an employee is involved in the tendering process and dealing with contractors, they must make sure that they are clear about the need for separation of client and contractor roles. If they are part of the senior management team with both a client and contractor responsibility, they must be aware of the need for accountability and openness. If they are in any doubt they must consult the Headteacher/Principal or Line Manager.

17.4 If they are privy to confidential information on tenders or costs for either internal or external contractors they should not disclose that information to any unauthorised party or organisation.

18. Financial Interests (Personal and Business interests)

18.1. Under the Local Government Act 1972, there are statutory provisions and penalties that apply to financial interests of local government employees. All employees must declare in writing to the Headteacher/Principal or your Line Manager any financial or non-financial interests which might possibly conflict with the Trusts interests or the interests of the stakeholders of the Trust.

18.2 All employee's must declare to the Headteacher/Principal or Line Manager any financial, personal or social interests that could conflict with the Trust's interests or cause their conduct to be questioned. The interest may be advantageous or have a detrimental effect on them (an example of a detrimental interest may be a situation where they experience threats or pressure from family or friends to act in a particular way in their official capacity). Employees should not normally have managerial responsibility for those with whom they have close private relationships (e.g. partners and family). If such relationship exists or arises during the course of your employment, it must be declared to their Headteacher/Principal or Line Manager.

18.3 If an employee is attending a meeting as an employee of the Trust at which decisions are to be taken in which they have a personal interest, they must also declare their interest during the meeting.

18.4 The Trust holds a confidential register of interests. They must declare possible conflicts of interest, as set out in this policy, in writing to the Headteacher/Principal or Line Manager they will provide a declaration form on request.

18.5 If there is any doubt, it is always better to declare a potential conflict of interest. It does not imply that they intend to act improperly but could protect them from claims or the appearance of doing so.

18.6 Where an outside organisation wishes to sponsor or is sought to sponsor an Academy 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.

18.7 Where the Academy wishes to sponsor an event or service, neither an employee nor any relative or close friend must benefit from such sponsorship in a direct way unless they make a full declaration of interest to their Headteacher/Principal or Line Manager for the register of interests (see section 19-Declaration of interests). Similarly, where the Academy through sponsorship, grant aid, financial or other means gives support in the community, they should ensure that impartial advice is given and that there is no conflict of interest involved.

19. Gifts and Hospitality

19.1 If an employee is offered a gift or hospitality whilst undertaking their role or in line with the procurement of goods then they must ensure that they act in line with the Gifts and Hospitality Policy.

20. Reasonable Expenses

20.1 When working away from home and staying overnight staff can claim a £25 overnight allowance. Please refer to the Expenses Policy that is on the Trust website for further details.

Part 2: Code of Conduct for working with Children and Young Adults

1. Principles of Professional Practice

All staff as appropriate to the role and/or job description of the individual must:

- Place the well-being and learning of students at the centre of their professional practice.
- Have high expectations for all students, be committed to addressing underachievement and work to help students progress regardless of their background and personal circumstances.
- Treat students fairly and with respect, take their knowledge, views, opinions and feelings seriously and value diversity and individuality.
- Model the characteristics they are trying to inspire in students, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people.
- Respond sensitively to the differences in the home backgrounds and circumstances of students, recognising the key role that parents and carers play in students' education.
- Seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of Academy.
- Reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues.

2. Safeguarding and Child Protection

All staff must ensure that they follow the correct processes and signpost appropriately when there are concerns relating to children or young people's safety. In some cases, some concerns will require signposting to multiple policies. If for any reason you are not sure, please speak to the Designated Safeguarding Lead (DSL) or the central safeguarding team.

If any of the following occur, please ensure that the safeguarding policy for the designated school is applied:

- Any concerns relating to **sexual contact with children and young people and abuse of trust**.
- Any concerns of potential **Infatuations and crushes**.
- Concerns relating to **social networking**
- Concerns regarding **social contact** (online or in person)
- **Physical contact** or concerns relating to **personal privacy** (please note that in some cases this may be appropriate but it is important to raise any concerns).

If any of the following occur please signpost to the Trust Social Media policy:

- Concerns relating to **social networking**
- Any concerns relating to **social contact online**

Any Low-Level concerns, please ensure that Managing Safeguarding Allegations (available on the website)

is followed. Examples of concerns, whilst not exhaustive can be noted as per section 2 – point 425 of KSCIE. It is everyone's responsibility to ensure that any concerns however small are reported to safeguard children.

3. Student Confidentiality

3.1 Members of staff may have access to confidential information about students in order to undertake their responsibilities. In some circumstances the information may be highly sensitive. Confidential or personal information about a student or their family must never be disclosed to anyone other than on a need to know basis. In circumstances where the student's identity does not need to be disclosed, the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass a student.

3.2 There are some circumstances in which a member of staff may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated student protection responsibilities. Failure, in these circumstances, to pass on information will result in disciplinary action.

3.3 Confidential information about students must be held securely. Confidential information about students must not be held off the Academy site other than on security protected Academy equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.

3.4 If a member of staff is in any doubt about the storage or sharing of information they must seek guidance from a senior member of staff. Any media or legal enquiries must be passed to senior management.

4. Behaviour Management and Physical Intervention

4.1 All students have a right to be treated with respect and dignity. Corporal punishment is unlawful in all Academies. Staff must not use any form of degrading treatment to punish a student. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation. Shouting aggressively or hectoring

is not acceptable in any situation. Deliberately intimidating students by physical presence is not acceptable in any situation.

4.2 The circumstances in which staff can physically intervene with a student are covered by the Education Act 1996. Staff may legitimately intervene as a last resort, and with the minimum force necessary, to prevent a student from:

- (a) *committing any offence*
- (b) *causing personal injury to, or damage to the property of any person ... or*
- (c) *engaging in any behaviour prejudicial to the maintenance of good order and discipline*

Positive handling should only be used when all other strategies which do not employ force have been tried and found unsuccessful **or in an emergency situation**. Staff will use the minimum degree of force necessary to accomplish positive handling. The Trust does not support positive handling; therefore, the Headteacher/ Principal will work strategically with the Head of Safeguarding to ensure training is provided only where it is considered to be an absolute necessity. Accurate records of incidents where positive handling (including restraint) has occurred must be completed using the TSAT Positive Handling form.

Staff should have regard to the health and safety of themselves and others. Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force may constitute a criminal offence.

4.3 All Academies must have trained first aiders/appointed persons. Staff must have had the appropriate training before administering first aid or medication except in an emergency.

5. One to One Situations and Meetings with Students

5.1 Staff working in one to one situations with students are more vulnerable to allegations. Staff must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and students are met. Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker and student. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas of the Academy and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any arrangements should be reviewed on a regular basis.

5.2 Pre-arranged meetings with students away from the Academy premises or on the Academy site when the Academy is not in session are not permitted unless approval is obtained from their parent/ guardian and the Principal or other senior colleague with delegated authority.

6. Transporting Students

6.1 In certain situations e.g. out of Academy activities, staff may agree to transport students only with appropriate insurance and parental consent. Wherever possible transport arrangements should be made in advance by a designated member of staff. Wherever possible and practicable transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.

6.2 Adults should ensure that their behaviour is safe, ensuring that the high way code and speed limits are adhered to. They must ensure that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

7. Curriculum Including Photography, Videos and other Creative Arts

7.1 Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

7.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to students' questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff.

7.3 In some curriculum areas extremism or radicalisation may be raised. Staff should enable discussion to happen in a balanced way. If staff have concerns about intent to engage in criminal activity they must report it to the Academy Prevent leader.

7.4 Many Academy activities involve recording images. These may be undertaken as part of the curriculum, extra Academy activities, for publicity, or to celebrate achievement. The Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child for any images made such as those used for Academy web sites, productions or other purposes.

7.5 Staff are prohibited from using their own cameras or devices to take photographic, video or other media of students or staff.

7.6 Staff need to be aware of the potential for such images to be misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable students who may be

unable to question why or how the activities are taking place. Students who have been previously abused in this way may feel threatened by the use of photography, filming etc. in the teaching environment.

7.7 Staff should remain sensitive to any student who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

7.8 Using images of students for publicity purposes will require the age-appropriate consent of the individual concerned and their legal guardians. Images must not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the Academy have access.

7.9 When using a photograph/videos the following guidance must be followed;

- if the photograph is used, avoid naming the student
- if the student is named, avoid using the photograph unless parental consent is given
- images must be securely stored and used only by those authorised to do so
- be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
- ensure that all images are available for scrutiny in order to screen for acceptability
- be able to justify the images made
- do not make images in one to one situations
- do not take, display or distribute images of students unless there is consent to do so.
- videos material shown in class must be age and content appropriate.

7.10 The Academy has additional guidance on the use of images which includes a consent form. The guidance forms part of this Code of Conduct.

8. Risk by Association

All employees are required to disclose prior to the start of their employment, at the start of their employment or during the course of their employment, any change in their circumstances or any information which may affect or is likely to affect the suitability of the Employee to undertake their job role or work with children/ young people or in a School setting

All employees are required to disclose close personal relationships outside of the workplace which present a risk by association to the safeguarding of children or which

are fundamentally incompatible with their job role or suitability to work with children or in a school setting.