



## **Code of Conduct Policy**

This policy was updated: **August 2019**

This policy will be reviewed: **August 2020**

Statutory policy? **Yes**

## **1 Introduction**

**1.1** This policy sets out clear guidance on the standards of behaviour expected from all staff at Nulogic Training. The values underlying the guidance aim to encourage staff to achieve the highest possible standards of conduct and minimise the risk of inappropriate conduct occurring.

**1.2** Nulogic staff are in a unique position of trust and influence as role models for learners/students. Therefore, staff must adhere to behaviour that sets a good example to all learners/students within the provision.

**1.3** Staff also have an individual responsibility to maintain their reputation and the reputation of the company, both inside and outside working hours and work setting.

**1.4** This policy applies to all staff and volunteers throughout our company regardless of their position, role or responsibility. References to 'staff' throughout the policy relate to all of the following groups:

All members of staff

Volunteers

Sub contract workers

Student placements and apprentices.

**1.5** Nulogic require that all staff have read and agree to comply with this policy.

**1.6** Breach or failure to observe this policy will result in action being taken under Nulogic's disciplinary procedures including, but not limited to, dismissal.

**1.7** This code of conduct is not an exhaustive list of acceptable and unacceptable standards of behaviour. In situations where guidance does not exist in this policy, staff are expected to exercise their professional judgement and act in the best interests of the learners and the company.

## **2 Professional Behaviour and Conduct**

**2.1** Staff are expected to demonstrate the highest possible standards of personal and professional conduct and behaviour and consistently act with honesty and integrity. Nulogic expect staff to treat each other, learners, parents and the wider community with dignity and respect at all times.

**2.2** Staff must act in accordance with their duty of care to learners and ensure that the safety and welfare of learners are accorded the highest priority.

**2.3** Staff should show fairness in their treatment of learners and avoid behaviours such as embarrassing or humiliating, making jokes at the expense of learners, discriminating against or favouring learners and sarcasm.

**2.4** Staff must have regard for the ethos and values of Nulogic and must not do or say anything which may bring the company into disrepute. Staff should act in accordance with the provision's policies and procedures at all times.

### **3 Dress Code**

**3.1** We follow a uniformed dress policy at all times, within your contracted hours and designated casual dress days. However, on these days, it is important that our staff dress in such a way that colleagues are not offended. Staff in client facing roles, or who will be meeting clients on a particular day, will be required to dress in professional attire. Your line manager, who is in charge of personnel, will be able to give employees guidance on what is appropriate dress for their particular role. Hair must be kept clean and tidy. Hair styles should be conservative and appropriate for the standards of a professional working environment.

**3.2** If an employee has specific dress requirements which fall outside this policy (e.g. due to religious or cultural requirements), he/she must inform their manager.

### **4 Smoking, Alcohol and other Substances**

**4.1** Smoking will be permitted only outside the provision but not outside the front entrances of the building or any entrances or areas commonly used by members of the public. Employees who wish to smoke during the working day may be permitted reasonable breaks on agreement with his/her line manager (or a Director if the employee is a line manager) provided that this will not prevent them from satisfactorily undertaking their work duties and responsibilities. Time lost to breaks that are unrelated to work activity should be made up as necessary. This applies equally to smokers and non-smokers.

**4.2** All members of staff should be fit and capable of performing all their duties and responsibilities on arrival at work.

#### **Staff must not:**

**4.3** Bring alcohol or controlled substances onto, or consume alcohol or drugs on, our provision at any time.

**4.4** Drink alcohol or take drugs if they are required to drive in the course of performing their duties.

**4.5** Drink alcohol or take drugs during their working day, whilst on breaks or at lunchtime.

**4.6** Drink alcohol or take drugs whilst they are on operational standby or when undertaking on-call duties.

**4.7** Drink alcohol or take drugs at meetings, conferences, exhibitions or media or social events taking place during the working day whether on our premises or at another site.

### **5 Personal Relationships at Work**

**5.1** We recognise that employees who work together may form personal friendships and, in some cases, close personal relationships. We do not, as a general rule, wish to interfere with such personal friendships and relationships. However, we must also ensure that employees continue to behave in an appropriate, professional and responsible manner at work, and that they continue to fulfil their job duties both diligently and effectively. These rules are therefore aimed at striking a balance between employees' right to a private life, and our right to protect our business interests.

**5.2** The following rules apply to employees embarking on close personal relationships at work, whether the relationship is with a fellow worker, client, customer, supplier or contractor:

**5.3** An employee must not allow his/her relationship to influence his/her conduct at work. Intimate behaviour during normal working hours or on employer or client premises is prohibited. This includes, but is not limited to, holding hands, other close physical contact, discussions of a sexual nature or kissing. If an employee embarks on a relationship with another employee in his/her department, he/she should declare this to his/her line manager as soon as reasonably practicable.

**5.4** If an employee is a manager and he/she embarks on a relationship with a more junior member of staff, he/she should declare this to a Director as soon as reasonably practicable. This is particularly important if he/she is the line manager of the employee, because of the risk of the junior employee being afforded more favourable treatment, or less favourable treatment if the relationship subsequently breaks down. In order to avoid a situation where he/she has managerial authority over a junior member of staff with whom he/she is having a relationship, we reserve the right to elect to transfer one or both the employees to a job in another department, either on a temporary basis or permanently. We will first consult with both the employees to try and reach an amicable agreement on transfer.

**5.5** If an employee begins a relationship with a client, customer, supplier or contractor and his/her relationship allows the potential for him/her to abuse his/her level of authority, he/she must declare the relationship to his/her line manager (or a Director if the employee is a line manager) as soon as is reasonably practicable. In these circumstances, we reserve the right to elect to transfer such an employee to a job in another department where he/she will not be able to exert undue influence over the other party, either on a temporary or permanent basis. We will first consult with the employee to try and reach an amicable agreement on transfer.

**5.6** If a personal relationship (or the breakdown of a personal relationship) starts to affect the employee's performance or conduct at work, then his/her line manager (or a Director if the employee is a line manager) will speak to him/her with a view to his/her previous level of performance or conduct being restored. However, if the employee's performance or conduct fails to improve, the matter will become a disciplinary one, and will be dealt with under our disciplinary procedures.

**5.7** If an employee is having, or has had a personal relationship, and he/she is found to have afforded either more or less favourable treatment to the other employee because of this relationship, or he/she has exercised undue influence over a client, customer, supplier or contractor, this is a disciplinary matter and will be dealt with under our disciplinary procedures.

## **6 Relationships with Learners**

**6.1** Staff must maintain professional boundaries with learners appropriate to their position and must always consider whether their actions are warranted, proportionate, safe and applied equitably. Staff should act in an open and transparent way that would not lead any reasonable person to question their actions or intent. Staff should think carefully about their conduct so that misinterpretations are minimised.

**6.2** Staff must not establish or seek to establish social contact with learners for the purpose of securing a friendship or to pursue or strengthen a relationship. If a young person or their parents seek to establish social contact, you should exercise your professional judgement in making a response and be aware that such social contact could be misconstrued.

**6.3** Staff must not develop personal relationships with learners or their parents/guardians that are known to them solely through their professional life.

**6.4** Working Together to Safeguard Children defines sexual abuse as ... 'forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)'.

**6.4** Staff should be mindful of section 16 of The Sexual Offences Act 2003.

**6.5** Staff must not make sexual remarks to a learner, discuss their own sexual relationships with, or in the presence of, learners or discuss a learner's sexual relationships in an inappropriate setting or context.

**6.6** Contact with learners should be through Nulogic's authorised mechanisms i.e. company email addresses, ILPs, home/provision books. Personal phone numbers, personal email addresses or communication routes via all social media platforms should not be used and staff should not share their home address with learners or their parents. If contacted via an inappropriate route the member of staff must inform a Director immediately.

**6.7** Nulogic Training staff must not accept friend invitations or become friends with any learner or parents/guardians on any social media platform unless they know them personally and not through their professional life. Staff should also refrain from following them on Twitter or other similar social media accounts of learners or their parents. Staff must read the provision's e-safety policy carefully and follow all advice and guidance contained within it.

## **7 Infatuations**

**7.1** It is not unusual for learners or, sometimes, their parents to develop infatuations towards members of staff. All such situations must be responded to sensitively to maintain the dignity of those concerned.

**7.2** Staff should also be aware that such circumstances carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. Any indications of an infatuation towards yourself or another member of staff must be reported to a Director.

## **8 Gifts/Hospitality**

**8.1** Staff need to take care that they do not accept any gift/offer of hospitality that might be construed as a bribe by others or lead the giver to expect preferential treatment. However, there may be occasions where learners or parents wish to give a small token of appreciation to staff, for example at religious festivities or at the end of the year.

**8.2** It is unacceptable to receive gifts on a regular basis or to suggest to learners that gifts are appropriate or desired. Money must not be accepted as a gift. If you are unsure whether to accept a gift you should consult your line manager

**8.3** Staff must not accept significant gifts or hospitality from learners, parents, carers, actual or potential contractors or outside suppliers. All such gifts/offers of hospitality should be reported to your line manager and recorded.

**8.4** Personal gifts must not be given by staff to learners and any reward to learners should be in accordance with Nulogic's behaviour policy, recorded and not based on favouritism.

## **9 Physical Contact with Learners**

**9.1** There are occasions when it is entirely appropriate and proper for staff to have physical contact with learners, but it is crucial that they only do so in ways appropriate to their professional role. A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with learners it should be in response to their needs at that time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background.

**9.2** Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and, so far as is possible, use a level of contact which is acceptable to the child for the minimum time necessary.

**9.3** It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should therefore, use their professional judgement at all times.

**9.4** Staff should be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described. Staff should never touch a child in a way which may be considered indecent. Always be prepared to explain actions and accept that all physical contact be open to scrutiny. Staff must not engage in rough play, tickling or fun fights with learners.

**9.5** Extra caution should be exercised where a child is known to have suffered previous abuse or neglect. Such experiences may sometimes make a child exceptionally needy and demanding of physical contact and staff should respond sensitively by deterring the child through helping them to understand the importance of personal boundaries.

**9.6** Staff supervising physical activity and games should demonstrate the use of a particular piece of equipment/instrument on another member of staff if possible. However, they may be required to initiate physical contact with learners to support a child to perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or to assist them with an exercise. Contact under these circumstances should be done with the learner's agreement, for the minimum time necessary and in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the learner/student.

**9.7** Physical contact must never be secretive, for the gratification of the adult or represent a misuse of authority.

**9.8** If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be reported to the Academy Manager, recorded and, if appropriate, a copy placed on the child's file.

## **10 Child in Distress**

**10.1** There may be occasions when a learner is in distress and in need of comfort as a reassurance. This may include age appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

**10.2** If you have a particular concern about the need to provide this type of care and reassurance you should seek further advice from your line manager.

## **11 Changing**

**11.1** Learners are entitled to respect whilst they are changing before or after practical sports sessions. However, there needs to be an appropriate level of supervision in order to safeguard young people and meet health and safety requirements. The supervision should be appropriate to the needs and age of the learners and sensitive to the potential for embarrassment.

## **12 One to One Situations**

**12.1** Staff working individually with learners should be aware of the potential vulnerability of learners and staff in such situations. Staff should manage these situations with regard to the safety of the learner and to themselves.

**12.2** Individual work with learners should not be undertaken in isolated areas or rooms where there is no external viewing panel. Where it is necessary to close doors for reasons of confidentiality a colleague should be made aware of this and asked to remain vigilant.

## **13 Transporting Learners**

**13.1** In certain circumstances it may be appropriate for staff to transport learners offsite, for example sports fixtures, outings or other out of provision activities. Your Academy Manager must oversee the plan and provide oversight of all transport arrangements and to respond to any difficulties that may arise.

**13.2** The Academy Manager should ensure that the transport arrangements and the vehicle meet all legal requirements. Staff should ensure that the driver has the appropriate license for the vehicle, that the vehicle is roadworthy, has a valid MOT certificate and is appropriately insured and that the maximum capacity is not exceeded.

**13.3** Staff should ensure that the driver is not distracted while the vehicle is in motion for any reason other than an emergency and should also ensure all passengers are wearing correctly fastened seatbelts.

**13.4** Prior to transporting learners offsite, consent must be obtained from learner parent/guardian and staff should be aware that the safety and welfare of the learners is their responsibility until this is safely passed back to their parent/guardian.

**13.5** No learner should sit in the front seat of the travel arrangements and there should be 2 members of staff in the vehicle when transporting learners.

## **14 E-Safety**

**14.1** Staff should follow Nulogic's E-Safety policy for staff at all times and have regard for Nulogic's E-Safety policy for learners.

**14.2** Staff must not engage in inappropriate use of social network sites which may bring themselves, the provision or the provision community into disrepute. Staff should adopt the highest security settings on any personal profiles they have.

**14.3** Staff should remain mindful of their digital footprint and exercise caution in all their use of social media or any other web-based presence they have. This includes written content, videos or photographs and views expressed either directly or by 'liking' certain pages or posts or following certain individuals or groups. Staff should exercise care when using dating websites where staff could encounter students.

**14.4** Staff must not make contact with learners, must not accept or initiate friend requests nor follow learners' or their guardians' accounts on any social media platform. Staff must not communicate with learners or their guardians via social media, websites, instant messenger accounts or text message. The only acceptable method of contact is via the use of company email accounts or telephone equipment.

**14.5** Staff should not make contact with learners' family members, accept or initiate friend requests or follow learners' family member's account on any social media platform.

**14.6** However, Nulogic acknowledges that staff who are also parents may wish to make contact with other parents, who are friends, over social media. Staff must exercise caution and professional judgement in these circumstances and should not have any contact with learners' family members via social media if that contact is likely to constitute a conflict of interest or call into question their objectivity.

**14.7** Mobile phones and personally-owned devices may not be used during provision hours or formal day time. They should be switched off (or silent) at all times. The Bluetooth functionality of a mobile phone should be switched off during the provision time and may not be used to send images or files to other mobile phones. Mobile phones and personal devices are not permitted to be used in certain areas within the provision's facilities such as classrooms and toilets.

**14.8** Mobile phones and personally-owned mobile devices brought in to the provision are the responsibility of the device owner. Nulogic accepts no responsibility for the loss, theft or damage of personally-owned mobile phones or mobile devices.

## **15 Photography, Video and Images of Children**

**15.1** Many of Nulogic's activities involve recording images as part of the qualification/training programme, to celebrate an achievement or to record evidence. In accordance with The Data Protection Act 1998 the image of a learner is personal data. Therefore, it is a requirement under the Act for consent to be obtained from the parent/guardian of a learner for any images made. It is also important to take into account the wishes of the learner, remembering that some learners do not wish to have their photograph taken or be filmed.

**15.2** Using images for publicity purposes will require the age-appropriate consent of the individual concerned and their parent/guardian. Images should not be displayed on websites, in publications or



in a public place without their consent. Staff should also be clear about the purpose of the activity and what will happen to the photographs/images/video footage when the lesson or activity is concluded.

**15.3** Photographs/stills or video footage of learners should only be taken using provision equipment for purposes authorised by the provision and should be stored securely and only on provision equipment.

**14.4** Staff should ensure that the Academy Manager or Line Manager is aware of the proposed use of photographic/video equipment and that this is recorded in lesson plans. All photographs/stills and video footage should be available for scrutiny and staff should be able to justify all images/video footage made.

**15.5** Staff should remain aware of the potential for images of learners to be misused to create indecent images of children and/or for grooming purposes. Therefore, careful consideration should be given to how activities which are being filmed or photographed are organised and undertaken. Particular care should be given when filming or photographing young or vulnerable learners who may be unable to question how or why the activities are taking place. Staff should also be mindful that learners who have been abused through the use of video or photography may feel threatened by its use in a teaching environment.

## **16 Confidentiality**

**16.1** Members of staff may have access to confidential information about learners, their parents/guardians or their siblings. Staff must not reveal such information except to those colleagues who have a professional role in relation to the learner on a need to know basis.

**16.2** Staff should never use confidential or personal information about a learner or her/his family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the learner.

**16.3** All staff are likely at some point to witness actions which need to be confidential. For example, where a learner is bullied by another learner, this needs to be reported and dealt with in accordance with the appropriate procedure. It must not be discussed outside the provision, including with the learner's parent or guardian, nor with colleagues in the provision except by a senior member of staff with the appropriate authority to deal with the matter.

**16.4** Staff have a statutory obligation to share with Nulogic's Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding Lead (Deputy DSL) any information which gives rise to concern about the welfare or safety of a learner/student or that might suggest a learner/student is in need or at risk of significant harm. Staff should pass on information without delay in accordance with Nulogic's safeguarding policy and procedures and this should be recorded. Staff must never promise a learner that they will not act on or pass on any information that they are told by the learner.

**16.5** Staff should refer to the safeguarding document for information sharing: advice for practitioners providing safeguarding services for further guidance on information sharing. If you are in any doubt about whether to share you should seek guidance from the DSL or Deputy DSL.

**16.6** Any media or legal enquiries should be passed to the Academy Manager and only approved staff should communicate to the media about the company.

## 17 Complaints and Whistle Blowing

**17.1** Any complaint by learners or parents/guardians should be forwarded to one of the Directors of Nulogic for any disputes with staff and their performance or any other problems/issues for resolution. See complaints policy. All complaints that are received about the conduct or behaviour staff will be dealt with according to Complaints policy.

**17.2** If any complaint is identified as a potential Safeguarding concern or issue/risk then it will be referred directly into Safeguarding Procedures and forwarded to the DSL. Under no circumstances will safeguarding reports be delayed whilst waiting for a client to make a formal written complaint.

**17.3** All Safeguarding concerns raised via the 'whistle-blowing' pathway must be referred to the DSL for consideration and assessment. Nulogic's whistle blowing helpline is its Designated Safeguarding Lead whose telephone numbers will be made available to all staff for this purpose.

## 18 Compliance

**18.1** All staff must complete the form in appendix 1 to confirm they have read, understood and agree to comply with this policy. This form should be signed and dated, and a copy retained on the member of staff's file.

### **Appendix 1**

Confirmation of compliance

I hereby confirm that I have read, understood and agree to comply with Nulogic's Code of Conduct Policy.

Name .....

Position/Post Held.....

Signed .....

Date .....

*Once completed, signed and dated, please return to your Academy Manager*