

- The school must take into consideration the reporting restrictions under the Education Act 2011, if an allegation is made by or on behalf of a registered pupil at the school.
- Any messages, whether verbal or in writing, issued to the public and connected to child related allegations should be cleared through the LADO.

#### What are the expectations surrounding conduct?

- Head teachers/managers are expected to:
  - Regularly review the performance of employees, respond to any situations where an employee's conduct is unacceptable and tackle any conduct issues straight away (or as soon as they become aware of it),
  - Give employees regular feedback on how they are doing,
  - Have early discussions with the employee on problems, possible causes and solutions,
  - Be clear about the expected standards of conduct and behaviour.
- Employees are expected to:
  - Maintain good conduct and adhere to expected conduct/behaviour standards i.e. the Code of Conduct for Staff in Educational Establishments,
  - Raise with their head teacher/manager any problems that are affecting their work,
  - Accept responsibility for their work performance,
  - Respond constructively to advice, guidance and development provided by their head teacher/manager,
  - Be flexible and cooperate with changing work requirements,
  - Teachers holding Qualified Teacher Learning and Skills (QTLS) status may be assessed against any professional standards relevant to their performance.

This is an abridged version of the Gloucestershire County Council **Conduct Model Policy**, the full version of this policy can be accessed on Schoolsnet.

# Conduct Pocket Policy

A pocket guide  
to conduct  
and behaviour  
expectations in  
schools



## What is misconduct?

- Misconduct is when expected conduct/behaviour is not achieved or maintained. Examples of misconduct can include (but are not limited to):
  - Not following rules or procedures,
  - Not exercising reasonable care or skill, due to negligence or lack of effort,
  - Failure to carry out reasonable management instructions, direction or guidance,
  - Unacceptable negativity including behaviour that is undermining of managers or colleagues,
  - Behaviour that is undermining of the head teacher/ manager or colleagues,
  - Poor attendance,
  - Breaches in codes of conduct applicable to or adopted by the school,
  - Breaches in professional standards,
  - Dishonesty.

## What is gross misconduct?

- Gross misconduct is defined as action or omission by the employee so serious as to completely destroy the relationship of trust and confidence necessary for an effective employment relationship to be maintained.
- If there are no exceptional mitigating circumstances, offences of gross misconduct may result in summary dismissal (following a full and fair disciplinary procedure).
- The following list (which is not exhaustive) gives examples of situations that could constitute gross misconduct:
  - Theft, fraud or falsification of records,
  - Physical violence, verbal abuse, bullying, harassment or intimidation,
  - Intentional damage to property, or a serious breach of health and safety rules,
  - Serious negligence which causes loss, damage, injury or endangers people or property,
  - Misuse of alcohol or drugs,

- Serious and/or intentional illegal discrimination,
- Inappropriate physical, emotional or sexual contact with a child, or an abuse of trust as defined in the Sexual Offences Act (2003),
- Serious insubordination or serious undermining of school management, or a serious breach of confidentiality,
- Accessing internet sites containing pornographic, offensive or obscene material and/or being in possession of pornographic images of children,
- Inappropriate activities on school site(s) or whilst on school activities e.g. sexual activities with another adult,
- Major breaches of the Code of Conduct for Educational Establishments, or bringing the reputation of the school into disrepute,
- Serious unacceptable use of social media.

## When might informal action be taken?

- When the employee has a previous good record of conduct and the incident is a 'one off' and of a minor nature.
- When the employee has a previous good record and there are mitigating circumstances (for teachers this may be managed through the appraisal process).

## When might formal action be taken?

- When there are repeated incidents of misconduct, or an incident of a serious nature.
- Where an incident has occurred that may be gross misconduct.
- Where there is a previous formal warning on file that is still 'live' and further misconduct occurs.

## What if the allegation of misconduct involves children or young people?

- If the allegation relates to harm or risk of harm to a child or young person a discussion has to be held with the Local Authority Designated Officer (LADO) prior to any investigation.
- The school should refer to the Gloucestershire Safeguarding Children Board website and details on Allegations Management.