

# **Sophia** **HIGH SCHOOL**

## **CODE OF CONDUCT AND ACCEPTABLE USE POLICY**

**2025 - 2026**

Ownership & Consultation	
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# CODE OF CONDUCT AND ACCEPTABLE USE POLICY

## 1. Introduction

### Key Principles

The key principles below will be more detailed in the document.

### Compliance with the law

Sophia High School, its employees and others to whom this Code applies must observe both the spirit and letter of the laws and regulations that apply to the company.

### Human rights

Sophia High School complies with employment law in every country in which we operate and respects global human rights principles. Sophia High School is committed to upholding the highest standards of human rights. We pledge that:

- Sophia High School does not use child forced labour.
- Sophia High School does not allow or condone physical punishment or abuse.
- Sophia High School respects the freedom of individual employees to join, or refrain from joining, legally authorised associations or organisations.
- Sophia High School fully complies with all applicable laws prohibiting human trafficking.
- Sophia High School does not discriminate.

### Bribery, corruption and fraud

Sophia High School does not permit the bribery of any person involved in Sophia High School business or any employees, parents, students, supply teachers. Sophia High School does not tolerate fraud and defines fraud as any intentional act committed to secure an unfair or unlawful gain. This includes:

- Fraudulent financial reporting.
- Misappropriation of assets (examples include fraudulent expense claims, burglary and property damage, misuse of customer accounts or customer data)
- Theft.
- Bribery or corruption
- Concealing a conflict of interest.

### Gifts and hospitality

No Sophia High School employee or family member should accept, solicit or give (directly or indirectly) any improper gift. Teachers or members of staff who wish to give or receive gifts must speak to the Board of Directors in advance for permission.

### **Confidential information**

Sophia High School 's trade secrets and other sensitive commercial information must be kept confidential subject to any Non-Disclosure Agreements signed by the employee.

### **Conflicts of interest**

Sophia High School 's employees and other personnel must avoid situations where personal interests could conflict, or appear to conflict, with Sophia High School 's interests.

### **Suppliers**

Sophia High School treats its suppliers fairly. We expect the same standards of them as we expect from our employees.

### **Customers**

Sophia High School communicates honestly with customers, charges fair prices and protects customer data.

### **Competitors**

Sophia High School and employees must comply with all competition and antitrust rules in the countries in which they operate.

### **Shareholders and other stakeholders**

Sophia High School is committed to high standards of corporate governance, transparency and responsibility. We will consider the impact of its decisions on all stakeholders and actively and constructively engage with all who are interested in the success of its business, and welcome regular and open dialogue. Our Articles of Association enshrine our commitment to having a positive social and environmental impact, as well achieving financial success, and allow us to consider all stakeholders and not just shareholders when making business decisions. Our Articles of Association were recently updated to meet the legal test requirements for BCorp Certification which was achieved in June 2023.

### **Health and safety**

Sophia High School will provide a safe and healthy working environment and will not compromise the health or safety of any individual.

### **Environment**

Sophia High School commits to understanding and mitigating any negative environmental impacts. We seek to operate in an environmentally sustainable way and to promote biodiversity and habitat protection. Sophia High School will:

- Prevent, or otherwise minimise, any harmful effects of its operations on the natural environment.
- Continually look for ways to reduce the environmental impact of our operations and services.
- Encourage all employees to conduct their work with regard to the highest environmental practices and minimise the waste of natural resources.
- Take active steps to promote biodiversity.

- Look to ways of reducing the environmental impact of our supply chain through conducting a procurement questionnaire to ensure our major suppliers are committed to creating a more sustainable environmental working practice.

In developing projects that may impact the environment, Sophia High School will follow our ethical decision making process and ESG pathways as outlined in our BCorp Certification:

- o Encourage environmental responsibility throughout each step of the project.
- o Be proactive with environmental risk management rather than mere compliance.

Give considerations to:

- Reducing greenhouse gas emissions.
- Protecting nature and local ecosystems.
- Minimising waste.
- Preserving water quality.

- Build partnerships with local communities to encourage and educate on environmental preservation.
- Include the environmental impact in the decision-making process.

### **Employees**

Sophia High School values its employees and their diversity. We will develop our people and reward them fairly.

1.1. Sophia High is required to set out a Code of Conduct for all staff they work with

1.2. This Code of Conduct should be read and understood in the context of:

- appropriate professional standards;
- school and Sophia High policies and procedures; and
- statutory requirements and regulations that apply to Sophia High - in particular safeguarding and promoting the welfare of children in schools.

All employees are required to comply with Sophia High School policies.

A number of the principles in this Code are supported by more detailed policies to guide employees outlined in the Staff Handbook.

We expect our suppliers to adhere to this Code or adopt similar ethical standards.

Many business decisions may involve ethical dilemmas. This Code cannot address every possible situation. It is very important that employees recognise when they are in a difficult ethical situation and that they seek assistance as appropriate.

The principles in this Code are intended to help guide all employees in the normal course of their work but they are no substitute for common sense and proper internal consultation.

If employees find themselves in a situation where they are unsure of the right course of action to take, they may find it helpful to ask themselves the following questions:

- Is it legal?
- Is it ethical?
- Is it consistent with Sophia High School policies and this Code of Conduct?
- Can they explain it to their family and friends?
- Would they feel comfortable if it appeared in a newspaper?

If they still find that they do not know the right course of action to take, if they suspect someone else of acting contrary to this Code, or if they do not understand anything contained in this Code, they should speak with their manager.

Employees should never hesitate to ask questions, raise concerns, or seek the guidance they need. Sophia High School will not tolerate any retaliation or discrimination against anyone who has reported a concern in good faith subject to the Whistleblowing Policy.

1.3. Sophia High School expects the highest ethical standards from employees and other personnel in carrying out its business. This code of ethics outlines our core ethical principles and gives our employees guidelines on how to conduct themselves as a representative of Sophia High School. The values in this code of ethics are integral to the conduct of the business and upholding the integrity, responsibility and reputation of Sophia High School.

All employees should act honestly, fairly and with transparency and should not act in a manner which could discredit themselves or Sophia High School, or put themselves in a position which may result in a conflict of interest. Sophia High School respects the rule of law and requires all employees to conduct its business in a way that ensures compliance with the rules that apply to Sophia High School.

1.4. Adults have crucial roles to play in the lives of children. The welfare of children and young people is paramount: this Code of Conduct helps establish the safest possible learning and working environment which safeguards children and reduces the risk of adults being falsely accused of improper or unprofessional conduct. The purpose of this Code of Conduct is to provide a clear framework of expected and appropriate standards and behaviour to which all staff, volunteers and proprietors are required to adhere and to raise awareness of illegal, unsafe and inappropriate conduct.

This Code is not an exhaustive list of unacceptable or inappropriate behaviours but is designed to provide guidance and raise awareness of issues and situations which may arise. There will therefore be times when staff are required to exercise their professional judgement in situations not covered explicitly by this Code. In such cases, staff are expected to provide the highest possible standards at all times, consistent with this policy.

1.5. The Sophia Educational team must provide this Code to all staff and volunteers on induction and should notify staff of the expectations therein. This document is provided so that teachers and tutors are clear about professional conduct and boundaries. These teachers and tutors are in a unique position of influence and must adhere to behaviour that maintains public trust and sets good examples to other staff and to all the pupils within the school.

1.6. This document is intended to help ensure that Sophia High is a safe place for pupils, provide clarity as regards expectations of staff and avoid any conduct which would lead any reasonable person to question their motivation and intention. Deviation by a teacher or tutor from this guidance may bring into question the staff member's suitability to work with children and young people.

1.7. References made to 'child' and 'children' refer to children and young people under the age of 18 years. However, the principles apply to professional behaviours towards all pupils, including those over the age of 18 years. 'Child' should therefore be read to mean any pupil at the school.

1.8. References to adults and staff refer to all those who work in a paid capacity at Sophia High.

1.9. Staff are reminded that under section 16 of the Sexual Offences Act 2003, it is a criminal offence for a person aged 18 or over to have a sexual relationship with children under 18 where that person is in a position of trust in respect of that child; even if the relationship is consensual or where the person does not teach the child.

1.10. If a member of staff (anyone engaged to carry out teaching work) in the course of their work discovers that an act of female genital Mutilation appears to have been carried out on a girl under the age of 18 the teacher must report this to the police. Other adults should report this to the DSL immediately.

## **2. Conduct outside work**

2.1. Staff must not engage in conduct (including through other employment) outside work which could reasonably be expected to damage the reputation and standing of the school. Staff must exercise caution when using information technology, including social networking sites, and be aware of the risks to themselves and others.

2.2. Staff must inform the Education team immediately if they are arrested or subject to a criminal conviction or caution. Where safeguarding concerns arise, the Education team will inform the designated officer of the Local Authority ("Designated Officer") and carry out a formal risk assessment to identify and mitigate any potential risks to pupils and staff.

## **3. Setting an example**

3.1. All adults who work in schools set examples of behaviour and conduct which may be used as a model by other staff and by pupils. All adults must, therefore, demonstrate the highest standards of conduct. All adults must behave in a way that cannot risk giving rise to allegations of abusive or

unprofessional conduct. This Code is intended to support all adults to understand what behaviour is and is not acceptable.

### **4. Making professional judgements**

4.1. This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight, however, some examples of behaviour that is unlawful, inappropriate or inadvisable.

There will be rare occasions and circumstances in which staff have to make decisions or take action in the best interests of the pupil which are not dealt with within this guidance. Individuals are expected to make professional judgements in order to secure the best interests and welfare of the pupils in their charge. Such judgements should always be shared with a senior member of staff, who may inform the child's parent/carer.

Adults should always consider whether their actions are warranted, proportionate, safe and applied equitably.

4.2. Although this Code of Conduct gives advice and instruction on how to deal with specific situations, it should not replace professional common sense and good judgement. In all matters relating to pupil/staff relationships, adults must bear in mind how an action might reasonably be regarded by a third party.

### **5. Safeguarding children**

5.1. Teachers and other adults are accountable for the way in which they exercise authority, manage risk, use resources, and protect pupils from discrimination and from the risk of harm. All staff, whether paid or voluntary, have a duty to keep children safe and do their utmost to protect them from abuse (sexual, physical and emotional, neglect).

Children have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of pupils. Failure to do so may be regarded as professional neglect or misconduct.

5.2. The safeguarding culture of a school is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrates a duty of care, integrity, maturity and good judgement. All staff and volunteers should be familiar with and adhere to the School's Safeguarding and Child Protection Policy.

### **6. Relationships in school**

6.1. Relationships between staff and pupils should be positive and mutually respectful.

This Code has been formulated in order to help staff to maintain this balance. The purpose of the Code is to:



- confirm and reinforce the professional responsibilities of staff;
  - clarify the legal position in relation to sensitive aspects of staff/pupil relationships;
- and
- set out the expectations of standards to be maintained within the school.

6.2. It is hoped that staff will be reassured by this Code. Its purpose is to promote the highest standards of care for pupils and to protect teachers and other adults from making professional misjudgements and from the potentially devastating consequences of false allegations, without compromising bona-fide school activities.

## **7. Staff/pupil/former pupil contact**

7.1. As a general rule, staff should avoid contact with pupils outside school.

- They must not give pupils their personal contact details (including but not limited to mobile phone numbers and personal email addresses). Thank you letters to pupils or parents should not contain these personal details. If children locate these by any other means and attempt to contact or correspond, the adult should not respond and must report the matter to the DSL.

- They must not make arrangements to meet pupils, individually or in groups.
- They should not contact or visit pupils at home without prior agreement of their Line Manager or DOE They should keep a record of any such occasion and ensure they are never alone with the pupil if they visit the pupil's in person
- They must not attend private pupil parties and should be aware of their professional standing and responsibilities when attending external events at which pupils are also present.

7.2. Some pupils may be reluctant to end the pupil-adult relationship they have enjoyed with members of staff in school. When a pupil leaves school the professional duty of care ends. However, it is important to continue to maintain professional standards of behaviour.

Although current and former pupils may request meetings with staff for help with university applications, gap year advice or references for future careers, these meetings and any associated correspondence should be conducted at school within office hours and in a professional manner.

7.3. If you are in any doubt regarding appropriate contact with a current or former pupil you should seek advice from members of the Education team.

7.4. Members of staff who are parents of pupils, friends with parents of pupils or who, for example, are voluntary workers in youth organisations attended by pupils, will of course have contact with pupils outside school. However, they should still use their professional judgement to respect the spirit of this Code.

7.5. There are occasions when adults deliberately set out to groom children where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. This frequently starts with adults who are known to them in a position of trust. Adults should be aware

that consistently conferring special attention and favour upon a child might be construed as being part of a grooming process and as such would be treated as unacceptable conduct.

7.6. It is accepted that the effective use of technology brings benefits to learning. Adults must ensure that they establish and adhere to safe and responsible practices. All adults must adhere to the stated Acceptable Use Policy. Communication between pupils and adults, by whatever method, should take place within clear and explicit boundaries. This includes the wider use of technology and social networking. Adults should ensure that all communications are transparent and open to scrutiny.

Adults should be circumspect in their communications with pupils so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. Staff should not request or respond to any personal information from children other than that which may be necessary in their professional role. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour'. Emails or text communications between staff member and a child outside agreed protocols may lead to disciplinary and/or criminal investigations.

7.7. Staff and volunteers using social media should be aware of privacy settings and understand that they could easily be identified as employees of the school. Staff who use social media sites should ensure maximum privacy settings. Staff must not be friends with or follow current pupils or parents on social media and should avoid other similar links.

Any invitation to become a friend or similar should be politely declined and the member of staff should remind the pupil of the school rules relating to social media and personal contact details. The incident should be reported to the DSL so that s/he can make a decision as to whether a record should be made and/or any further action taken. If staff have links with parents or former pupils on social networking sites, they should ensure that their privacy settings are such as to prevent friends' friends (who may be current pupils) from accessing their profile or other data.

7.8. Email, messaging or use of social media sites between adults and pupils outside agreed protocols may lead to disciplinary and/or criminal investigations.

## **8. Language**

8.1. Staff must not swear, blaspheme or use any sort of offensive or inappropriate language in front of pupils. They should not use language which is discriminatory or demeaning in relation to gender (including gender reassignment), religion, race, nationality, ethnicity, sexual orientation, disability or age. Staff should not make sexual remarks or innuendos, patronise or humiliate pupils.

Discussion of issues of a sexual nature (other than in the context of the curriculum as specified in schemes of learning) should be kept to a minimum and only conducted where necessary from a pastoral perspective. Any concerns arising from such discussions should be reported to the DSL.

## **9. Isolation and one-to-one working**

9.1. Staff working in one to one situations with children and young people may be more vulnerable to allegations and pupils may be more vulnerable to harm by those seeking to abuse their trust. All staff should recognise this possibility and plan and conduct such meetings or lessons accordingly. 1-1 sessions with students via google classroom should be recorded. Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met. All lessons are recorded at Sophia High. As a result, these can be viewed if any safeguarding issues come up, or any allegations.

## **10. Relationships**

10.1. As a result of their knowledge, position and/or the authority invested in their role, all those working with children in a school are in a position of trust in relation to the pupils on roll. The relationship between a person working with children is one where the adult has a position of power or influence. It is vital for all adults to understand this power; that the relationship cannot be one between equals and the responsibility they must exercise as a consequence. The potential for exploitation and harm of vulnerable pupils means that adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

10.2. We best serve the pupils in our care by a pastoral approach that is concerned, collective and thorough, but professionally detached. We do not serve pupils or parents well by encouraging situations in which pupils develop excessive reliance on individual teachers or members of staff.

10.3. All teachers and adults in school have a relationship of trust with all pupils by virtue of their position and the work they undertake. This relationship of trust must not be distorted by fear or favour and those in positions of trust must exercise responsibility as a consequence of the power they have over those they teach and/or care for. Where a relationship of trust exists, allowing a relationship to develop in a way that might lead to a sexual relationship is wrong and could lead to a disciplinary action resulting in dismissal.

10.4. It is unacceptable for a member of staff to have any kind of sexual or intimate relationships/contact with a pupil of any age or to encourage such relationships/contact.

Such relationships/contact are a serious breach of trust and professional standards even where the pupil is over 18. The Sexual Offences Act 2003 makes it a criminal offence for a teacher to involve a pupil under 18 in a sexual activity regardless of whether or not the pupil consents to that activity. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material. Keeping Children Safe in Education (2016), 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”.

## **11. Sanctions**

11.1. All staff must follow the agreed School Behaviour Policy and Anti-Bullying Policy. As Sophia High is an online school, students can never be physically punished. So, none of the following can occur:

Corporal punishment, or the threat of corporal punishment, is not acceptable and is unlawful. Staff may not smack, strike or otherwise physically punish a pupil; deprive a pupil of food or drink; enforce food or drink; prevent contact by telephone to parents or any independent listener or helpline; use sarcasm or demeaning comments towards children; withhold any aids or equipment needed by the pupil or impose any punishment which is intended to distress or humiliate a pupil.

11.2. Staff should try to diffuse situations before they escalate (e.g. by distraction) and should not shout at children other than as a warning in an emergency situation.

## **12. Confidentiality and Data Protection**

12.1. Staff must respect the privacy of pupils, parents and colleagues and must not pass confidential or sensitive information to any third parties (including addresses or telephone numbers), without checking first with the person concerned for expressed consent, except where safeguarding concerns arise.

12.2. In some circumstances staff may have access to confidential information relating to pupils. These details must be kept confidential at all times and only shared when legally permissible and in the interests of the child.

12.3. Information about pupils, parents or colleagues must never be disclosed to telephone enquiries. Staff should ask the enquirer to put the request in writing so that it can be dealt with appropriately.

12.4. If a staff member is in any doubt about whether to share information or keep it confidential, he or she should seek guidance from the DSL. Any actions should be in line with locally agreed information sharing protocols. Staff should never use confidential or personal information about a pupil or his/her family for their own, or others advantage.

Information must never be used to intimidate, humiliate or embarrass the child. Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know basis.

12.5. There are circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have responsibility to pass information on without delay, but only to those with designated safeguarding responsibilities.

The school's Safeguarding and Child Protection Policy and Procedures must always be followed. Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

### **13. Comments and discussions with pupils**

13.1. Staff must avoid comments to or about pupils which could be taken to have sexual overtones. It is equally unacceptable for staff to encourage debate and discussion between groups of pupils, which could be interpreted as having sexual overtones, which are not justified in the context of the teaching programme. Schemes of Learning should highlight particular areas of risk and sensitivity. Specific guidance may be needed to assist newly qualified or other staff who are new to this area of work. This will call for the exercise of careful judgement in responding to questions raised by pupils.

13.2. Notwithstanding the advice given above it is recognised that, in order to discharge particular pastoral responsibilities, staff may from time to time need to engage in conversation with pupils which cover sensitive matters. Teachers and other adults must use their professional judgement to ensure that they are not drawn into areas inappropriate to their duties or their relationship with the pupils concerned. Staff must also use their discretion to ensure that, for example, any probing for details cannot be construed as unjustified intrusion.

13.3. Staff must respect the rights of others and respect those with different beliefs. Staff must not express extreme views without balance on sensitive topics such as sexual orientation or religious belief. The use of sarcastic, demeaning or insensitive comments towards young people can also be potentially very damaging and must be avoided. In particular staff must not make any racist, sexist, homophobic or otherwise discriminatory comments. Where an adult is suspected of promoting extreme political, religious or extremist views either formally through the curriculum or informally, advice will be sought from the Prevent officer in the local authority.

### **14. Infatuations and crushes**

14.1. These can involve pupils and adults of both sexes on both a heterosexual and homosexual basis. They need to be handled sensitively. Careless and insensitive reactions may cause distress to those involved and have been known to provoke false accusations.

14.2. It is in the interests of all parties to avoid adding to the problem. Anyone finding themselves in this situation should not do or say anything which could be construed as encouraging the crush or making jokes about the situation. In such situations the advice of the DSL or Board / Director must be sought.

14.3. Other members of staff have a part to play in alerting a colleague to the possibility of an infatuation in order that appropriate steps can be taken to minimise hurt and distress and the risk to the adult concerned.

14.4. Whilst the risk of infatuation is not limited to any particular group of members of staff, new staff and volunteers must recognise their particular vulnerability to adolescent infatuation. If a

member of staff is concerned that he/she is developing a friendship with a pupil which would have the potential to become an unacceptable relationship, he/she must seek guidance from the DSL or Board and must ensure that the relationship does not develop further.

### **15. Out of school and Enrichment activities**

15.1. Staff must take particular care when supervising pupils in the less formal atmosphere of a residential setting, field trip, Enrichment activity or Esports tournament. The more relaxed adult-pupil relationships that may promote successful activities that can be misinterpreted by young people. It is important to emphasise that the standards of professional conduct and behaviour expected of staff outside and after school are no different from those which apply within school. Staff should be aware of the particular care which should be taken with older, more mature pupils in these circumstances.

### **16. Personal letters, gifts and electronic communication**

16.1. Staff should only write letters or send emails to individual pupils about routine matters of academic study or pastoral care, congratulations on recent achievements or other purely professional issues.

16.2. Adults should not give/send presents to an individual pupil (as opposed to small gifts to a whole group) outside of the school rewards system. If an adult believes it to be necessary to write a personal note or give a present to an individual pupil, s/he should discuss the purpose and context with a senior colleague, who should refer to the Board / Education Directors if they require further advice.

16.3. Adults need to be aware that the giving of gifts can be misinterpreted by others as a gesture either to bribe or groom a young person.

16.4. All staff using e-mail should be aware of the less formal style that can characterise this form of communication and should ensure that emails do not convey an inappropriate or overly familiar tone. There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank you and this is acceptable although if the member of staff feels that this may indicate a crush or infatuation he/she should refer this matter to the DSL or Board of Directors. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

### **17. Socialising, alcohol and drugs**

17.1. Adults have a professional duty to set a responsible example to pupils. Adults should not put themselves in a position which may compromise their professional status. Adults should bear in mind that most pupils have mobile recording and photographic technology to hand, and the potential this has for comments or actions to be recorded out of context.

17.2. On occasions when adults are socialising in groups, in public locations, it is important that professional standards are maintained and no opportunity is given to pupils to compromise these. If adults become aware that pupils are socialising in the same venue, staff are encouraged to consider changing their plans. There may be times when this is difficult, for example at a restaurant, and in these circumstances, staff are strongly advised to moderate their behaviour accordingly.

17.3. Adults must maintain the highest professional standards at school social events and they must not continue to socialise with pupils after the official finishing time or at alternative locations. Adults must not drink alcohol on school premises, unless at an approved school function.

17.4. Use of or being under the influence of illicit drugs is strictly prohibited and will render the user liable to dismissal for gross misconduct. Use of or being under the influence of alcohol during school is strictly prohibited, including on school trips (whether a day trip or residential visit). Smoking is not permitted in any online setting. Any breach of these rules or of the Anti-Drugs, Alcohol and Smoking Policy may result in disciplinary action.

### **18. Use of images**

18.1. There are no circumstances that will justify adults making, downloading, possessing or distributing indecent images or pseudo-images of children (child abuse images). Accessing these images, whether using the school or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

18.2. If indecent images of children are discovered at the establishment or on the school's equipment an immediate referral will be made by the DSL or Board of Directors to the (Local Authority) Designated Officer and reported to the police.

18.3. Under no circumstances should any adult use school equipment to access pornography. Personal equipment containing pornography or links to it should never be brought into or used in the workplace. This would raise serious concerns about the suitability of the adults

### **19. Photography, videos and other images**

19.1. Staff should not be expected or allowed to use their own personal equipment to take images of pupils at or on behalf of the school. Staff access the controlled and secure Google Classroom environment to engage with students in live lessons and access submitted resources and project work. All lessons are recorded by the School for Safeguarding purposes and materials shared on the Sophia High School Admin Google Drive Account. Recordings, images and student work are not stored on personal devices.

19.2. Whilst images are regularly used for very positive purposes, adults need to be aware of the potential for these to be taken and/or misused or manipulated for pornographic or 'grooming' purposes. Particular regard needs to be given when images are taken of young or vulnerable children who may be unable to question why or how the activities are taking place.

19.3. Images must not be used in the public domain unless parental permission has been given.

## **20. Dress and appearance**

20.1. Adults should dress and present with appearance appropriate to their professional role; this may be different to that adopted in their personal life. Staff should ensure they are dressed smartly, decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be viewed as offensive or inappropriate will render themselves vulnerable to criticism or allegation.

## **21. Acceptable use of ICT**

21.1. The Digital Policy defines and describes the acceptable use of technology and mobile devices for all staff. Its purpose is to establish clear expectations about the safe use of technology for staff and pupils.

## **22. Curriculum**

22.1. The use of teaching resources of an explicit or sensitive nature, particularly in relation to language or sexual behaviour, or culturally sensitive topics or issues, must be given careful consideration to ensure that its selection is not subsequently misinterpreted. There must always, therefore, be a clear link with the scheme of work. A conversation about the use of such resources should take place beforehand with a member of the school's leadership team.

22.2. Some areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the scheme of work or lesson plan. This can be supported by developing ground rules with pupils to ensure sensitive topics can be discussed in a safe environment. The plan should highlight particular areas of risk and plans for how to address them should be noted.

22.3. The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political or otherwise sensitive nature. Responding to children's questions requires careful judgement and staff should take guidance from the DSL.

22.4. Care should be taken to comply with the school's PSHE policy which will make explicit reference to the adoption of our core values of democracy, the rule of law, individual liberty, mutual respect for and tolerance of those with different faiths and beliefs and for those without faith.

## **23. Reporting of concerns**

23.1. If a staff member has any concerns about a child s/he should complete a 'Cause for Concern' form and hand it to the DSL or in their absence to the DDSL. Where an adult has a concern (whether low level or allegation) about another adult or wishes to self-report, they should follow the



procedure set out in the Safeguarding Policy. As set out in this policy, all low-level concerns and self-reports should be made to the DSL or Board / Director of Education.

23.2. Staff should recognise their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies and that to not do so may result in charges of serious neglect on their part where the welfare of children may be at risk.

### **24. Whistleblowing (see Whistleblowing Policy for more detail)**

24.1. All adults have a responsibility to report any concerns about poor or unsafe practice, including in relation to the care and protection of a pupil or pupils. If a member of staff believes that best practice in this area is not being adhered to or that practice may put a pupil or pupils at risk, they should in the first instance report their concern to the Chair of the Board, unless their concern relates to the Chair which case they should report their concern to the Board of Directors

24.2. Concerns raised under this policy are distinct from concerns or allegations about an adult's suitability to work with or have access to children, which should be reported in accordance with the Safeguarding Policy.

24.3. No member of staff will suffer a detriment or be disciplined for raising a genuine concern about unsafe practice, provided that they do so in good faith and following the whistleblowing procedures.

24.4. Where an adult feels unable to raise a concern about poor safeguarding practice with the Education Team, or where they feel that their concern is not being addressed, they can raise their concern externally:

General guidance can be found at - <https://www.gov.uk/whistleblowing>

The NSPCC whistleblowing helpline is available for adults who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00am to 8:00pm, Monday to Friday or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

### **25 Disciplinary Policy and Procedure**

Any breach of this Code may be considered a disciplinary matter and could result in disciplinary action up to and including dismissal. It is therefore very important that all employees read and understand this Code and seek clarification from their manager if anything is unclear.

#### **25.1 Statement of Policy**

1. The aim of Sophia High School Ltd. Disciplinary Policy is to help and encourage employees to improve, achieve and maintain standards of conduct, attendance and job performance. It also enables management to deal effectively with those employees who do not comply with the Company standards of conduct, attendance and performance in the workplace. Equally, the policy and procedure are designed in a manner which is non-discriminatory and which is fair, consistent and effective. It must also be applied in a timely manner and without undue delay.

2. All Managers have a responsibility for ensuring that employees are made aware of the Disciplinary Policy and Procedure. All employees are to be informed of the standards of conduct and work performance expected of them and Managers should ensure that these standards are fully understood by those who work for them. Action taken under this policy must reflect fully the process detailed in the Procedural Appendix attached to this policy.

3. Matters relating to or arising under the Disciplinary Policy and Procedure must be treated as confidential at all times. Failure to do so may itself constitute grounds for initiating disciplinary action.

### 25.2 Key Principles

1. At each stage of the Disciplinary Procedure attached to this policy, the employee has a right to be accompanied by an accredited Trade Union representative or work colleague.

The employee will also be informed in writing of:

- The nature of the complaint or allegation against them; and
- The stage at which the matter is being considered.

2. The employee will also be reminded that they will be given a full opportunity to state their case and if action is taken, what improvement is required. They will also be reminded of their right of appeal.

3. Managers whose responsibilities require them to participate in or hold disciplinary meetings will be given appropriate training to enable them to undertake their role effectively and dispassionately.

4. Employees should make every effort to attend meetings or interviews relating to the application of the Disciplinary Procedure. If an individual is unable to attend, they will need to give notice and the reasons why they are unable to attend. The meeting will then be rescheduled to a mutually convenient time. Unless the reasons are exceptional, the re-arranged meeting must take place within 10 working days.

However, where an employee fails to attend such meetings more than once without compelling reasons, then meetings may be held in the employee's absence. Where this measure is invoked, the employee will be informed of this in writing.

5. Those responsible for making arrangements under the Disciplinary Policy and Procedure must ensure that any necessary, reasonable adjustments required by the employer or other attending have been addressed. This may relate to disability or to the requirements of religious beliefs.

6. Should an employee have an objection to the person or persons appointed to investigate or hold meetings in connection with the disciplinary matter they must raise this objection in writing, clearly stating the reasons to the Board of Directors / Head Office. Such objection must be made within two

working days of the notification about the matter under investigation being brought to their attention.

7. The nature of the disciplinary action taken will be determined according to the nature and seriousness of the alleged misconduct and a dispassionate assessment of the facts based on the balance of probabilities. Where misconduct is established and the sanction is a warning then subsequent misconduct within the currency of the warning may result in further and potentially more serious action which may ultimately result in dismissal.

However, no employee will be dismissed for a first instance of misconduct but summary dismissal may occur where gross misconduct is established. Employees have a right of appeal against any disciplinary warning or sanction.

8. The Company's Disciplinary Policy and Procedure will not apply to any employee who is in their period of probation. Also, any proposed application of this policy to accredited Trade Union representatives must be the subject of prior consultation with Human Resources / senior management who will notify a senior full-time official of the Trade Union concerned.

9. Should an employee raise a complaint under the Company's Grievance Policy, or any other related policy, whilst the subject of action under the Disciplinary Policy and Procedure and the complaint relates directly or indirectly to the matter under investigation, then action under the Disciplinary Policy will be adjourned whilst an urgent enquiry into the complaint is carried out. If the grievance or complaint is rejected or found to have no bearing on the matter being investigated under the Disciplinary Policy, then the disciplinary proceedings will continue from the point at which they were adjourned.

10. Data relating to the application of this Policy and Procedure will be held and destroyed in accordance with the provisions of current data protection regulations (including the General Data Protection Regulations) and any Company policy which derives from those regulations.

11. In accordance with the current equality legislation, this procedure will not discriminate, either directly or indirectly, on the grounds of gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background or any other personal characteristics.

12. This policy and procedure will be reviewed periodically giving due consideration to any legislative changes.

### 25.3 Disciplinary Procedure

1. The purpose of the Disciplinary Procedure is the achievement of positive improvements by employees where shortcomings or failures are identified. Any failure to attain required standards will be brought to the attention of the employee concerned at the earliest opportunity wherever possible via the informal procedure detailed below. The attention of managers is, however, drawn to the Key

Principles above where the employee whose performance or conduct has given rise to concern is an accredited Trade Union representative or is a new employee still within their probationary period.

### *Informal Procedure*

2. This procedure should be used where the lapse in performance or conduct can reasonably be said to be minor and an isolated instance. Such matters should be addressed promptly by managers by way of an informal advisory discussion. The objective will be to ensure the employee recognises and accepts their shortcomings, offers encouragement and help to improve and secure a commitment to do so. A note of the discussion should be made for reference purposes and there should be no recourse to the formal procedure.

3. Examples where the Informal Procedure may be appropriate include, infrequent lateness, carelessness, lack of effort, minor insensitive behaviour toward colleagues. The use of the Informal Procedure is simply an aspect of normal day to day management. The line manager should make it clear that if the required improvement does not take place, consideration will necessarily be given to the use of the Formal Procedure.

### *Formal Procedure*

4. The Formal Procedure will be applied where an employee does not respond appropriately or adequately to informal action or the manager considers that the breach of conduct that is believed to have occurred is too serious to be dealt with informally. Examples of behaviour that may constitute misconduct resulting in disciplinary action are set out at

Annex A to this Appendix, as are examples of behaviour which may constitute gross misconduct. In using the Formal Procedure and determining whether the employee has committed 'misconduct' or 'gross misconduct', the burden of proof required on a dispassionate and objective assessment of the facts is the balance of probability.

### *Investigation*

5. Before disciplinary proceedings can take place, a wholly impartial investigation must be undertaken to collect information relating to the allegations and to determine whether the case should proceed to a disciplinary meeting. An Investigating Officer will be appointed by the relevant line manager. The Investigating Officer should where possible meet the following criteria:

- Be wholly independent and have no connection whatsoever to the matter under investigation;
- Be able to undertake the investigation promptly and unless there is particular complexity or non-availability of key interviewees, complete enquiries and provide a report within 15 working days, indicating what action, if any, should be considered.

6. Upon receipt of the Investigating Officer's report, the relevant line manager must decide what action, if any, should be taken. Three courses of action are available:

- There is no case to answer. In such circumstances, the employee concerned must be told immediately should that be the case;
- That the matter can be resolved through guidance, counselling or further training;
- That there is a case to answer and that a disciplinary meeting requires to be convened.

*The Disciplinary Meeting (See also Annex B - Management).*

7. Before the disciplinary meeting the employee will be advised in writing of the purpose of the meeting and details of the complaint or allegation being considered, covering all issues to be discussed. The individual will be given a minimum of 5 working days notice of the disciplinary meeting. If the individual's representative or work colleague is not available to attend on the date proposed, the Company will endeavour to offer an alternative reasonable date within 5 working days of the original date. Note: This meeting will normally only be re-arranged once, except in exceptional circumstances.

8. Should either party wish to call any witnesses to the disciplinary meeting they must give at least 3 working days' notice to the Disciplinary Panel, and have full responsibility for arranging the attendance of these witnesses.

9. All relevant facts and evidence will be made available to the employee at least 5 working days prior to the disciplinary meeting. Additional information gathered by the employee that they wish to present at the meeting, must also be made available to the disciplinary panel at least 1 working day prior to the meeting. Either party may present evidence including details of previous relevant warnings, witness statements, call witnesses and have the opportunity to ask questions. An adjournment must be held in order that there can be a period of dispassionate reflection by the Disciplinary Panel to consider what action, if any, is to be taken. Where possible, both parties will be verbally informed of the outcome after the adjournment.

10. The employee will be advised in writing of the outcome of the disciplinary meeting within 7 working days unless a longer period is specified and can be justified. If disciplinary action is taken, the employee will be informed of the required improvements which are necessary and if applicable details of timescales for achievement, the duration of the warning and the consequence of a failure to improve performance as required. The letter must include the date of the disciplinary meeting, the reason for issuing the warning as well as details of any sanctions which may be imposed. It should also be noted whether the employee invoked their right to be accompanied. The right of appeal will also be included.

### Warnings and Penalties

11. The outcome of the disciplinary meeting will generally fall into one of the following categories:

- Case dismissed - no further action required
- The employee is required to attend counselling or retraining
- Verbal warning
- First written warning

- Final written warning
- Dismissal

12. Other possible sanctions may involve demotion, transfer to another post or location, or the right to self-certificate sickness absence.

13. The above sanctions may be applied as follows:

14. Verbal Warning: In cases of an initial or minor issue, the verbal warning is appropriate.

15. First Written Warning: If the issue is more serious or if there is still an active Verbal Warning in place and insufficient improvement has been made or further misconduct occurs, a First Written Warning will normally be issued. A first written warning will normally be valid for 6 months from the date of the disciplinary meeting.

16. Final Written Warning: If the issue is even more serious or if there is still an active First Written Warning in place and insufficient improvement has been made or further misconduct occurs, a Final Written Warning will normally be issued. A final written warning will normally be valid for 12 months from the date of the disciplinary meeting. In exceptional cases validity may be longer.

17. Dismissal with Notice: If within 12 months of the issue of a Final Written Warning further misconduct occurs or insufficient improvement has been made, the employee will normally be dismissed with notice.

18. The employee will be provided with written reasons for dismissal, the date on which the employment will terminate, their entitlement to pay, and the right of appeal. Sophia High School Ltd. reserves the right to make a payment in lieu of notice.

19. Summary Dismissal: Where behaviour or misconduct is sufficiently serious to constitute gross misconduct, the employee will normally be summarily dismissed - i.e. without notice. The employee will be provided with written reasons for dismissal, the date on which the employment will terminate and the right of appeal.

#### *Expiry of Warnings*

20. A record of any disciplinary sanction will be placed on the employee's personal file. A sanction will be considered to be spent and the record removed from the file provided that the employee's conduct has been considered to be satisfactory throughout the period following the imposition of the sanction.

#### *Dismissal*

21. The decision to dismiss an employee may only be taken by a person designated by Sophia High School Ltd. to have such authority or the instruction of a person so designated. No dismissal may take place without consultation with and the involvement of a senior manager / Board of Directors or Chair of the Board / Owner

22. Where dismissal occurs, whether with notice or summary, following the establishment of gross misconduct, the employee and their representative will be provided with a letter setting out the Company's decision. The letter, which must be sent to the employee by recorded delivery, must give details of those present at the disciplinary meeting, excluding witnesses, details of the allegation(s) and the evidence presented, the terms of the decision to dismiss and the reasons and the date on which the employment will terminate and if a dismissal with notice, the notice period. In all cases, the right of appeal will be specified.

### *Appeals*

23. Any employee who receives a disciplinary warning, other sanction or notice of dismissal has the right of appeal. Appeals must be lodged in writing with the Head Office (contact point to be specified in the letter of notification) within 10 working days of the date of the written notice of the sanction. This period may be extended only in exceptional circumstances. The notice of appeal must state the grounds of the appeal.

24. Appeals will be heard within 15 working days of the receipt of the notice of appeal by a more senior manager than the person taking the action at first instance. Where possible, all appeal panels will include a senior manager / representative of Human Resources. Both parties to the appeal must provide a full written statement of the case including the grounds upon which the appeal is made/resisted together with copies of any documents to which reference will be made. All documents and the details of witnesses, if any must be notified to all parties, 5 working days before the hearing takes place. The Appeal Hearing will follow the procedure set out in Annex C to this Appendix.

25. The decision of the Appeal Hearing is final.

### *Criminal Offences*

26. Disciplinary action should not be taken automatically against an employee because he/she has been arrested, charged or convicted of a criminal offence, as the matters may not be work-related and may have no relevance or impact within the workplace. Each case must be carefully considered by managers according to the particular circumstances.

27. Disciplinary action may be considered in circumstances where, for example, the employee has been convicted and the nature of the conviction or sentence or both:

- Impairs the business or reputation of Sophia High School Ltd. and/or;
- Make the individual unsuitable for continued employment given the nature of the business of the Company or the employee's role;

- Would be unacceptable to other employees.

28. Should disciplinary action be progressed, the normal investigative policy and procedure of investigation is to be followed to address the issue, as described in the Policy and Procedure.

29. Where an employee is unable to attend work because they are under arrest or remanded in custody, disciplinary action should not be commenced as the employee may ultimately be innocent. The position should be addressed by consideration of special or unpaid leave until the position is clarified.

### *Suspension*

30. Suspension is not in itself regarded as a disciplinary action and does not involve any prejudgement, or imply that any misconduct has taken place. It is a neutral act to enable an investigation of the allegations made. A short period of suspension with full pay may be helpful or necessary, although it should only be imposed after careful consideration. It should also be kept under review and brought to an end as quickly as possible allowing for full investigation.

31. In cases of alleged gross misconduct or when other circumstances dictate that it is inappropriate for the employee to remain at the normal place of work, the relevant manager will consider whether suspension is appropriate in the circumstances. Where it is found there is a case to answer, a formal disciplinary meeting will be convened. Examples of circumstances that may warrant suspension include, fighting or violence between colleagues, alleged criminal offences or sensitive situations, e.g. alleged sexual assault.

32. An employee suspended from duty will be given written confirmation of the suspension and the reason for this action. Whilst on suspension, an employee must remain contactable and must be available to attend for any investigation/disciplinary meeting during normal working hours, unless mutually agreed otherwise. An employee who is suspended from duty shall, throughout the period of suspension, continue to receive full pay.

33. Whilst an employee is on suspension, they should not attempt to contact colleagues connected to the case with the exception of their Trade Union representative, work colleague (who is to accompany them at any subsequent meeting, if proven that there is a case to answer) or their line manager.

### 25.4 NEW STAFF: PROBATION

#### *Process*

Probation lasts for 1 Term of continuous employment at Sophia High School for all staff.

At the end of that period, the teacher will meet with a member of the Leadership Team (SLT/Director of Education) to discuss the work they have done. This will be evidenced in their work, Digital Notebooks, lesson observations (scheduled and unscheduled), book scrutiny and other required documents which should be updated regularly to reflect development as an online teacher at Sophia High School.



At this meeting, both parties should agree that the Probation Period is now complete, or evidence should be shared which will allow for extension of this period, and the Probation Letter signed with an agreement statement by the school and the teacher.

### *Extension*

If it is agreed that a teacher requires more time to show their work at the expected standard, then a process of support will be put in place to ensure the teacher has the best possible opportunity to be successful.

This will include identifying a mentor, and developing a schedule of regular meetings with that mentor over the period of the extension.

The meeting schedule will be agreed by both the mentor and teacher. This should be a minimum of twice over the term of extension, but long enough between meetings for change to be implemented and observed.

The mentor meetings will follow the flow shown in the Probation Extension Meeting Record, and at the end of the meeting both mentor and mentee will sign in agreement of the contents of these notes.

Goals agreed upon for the teacher will align with two factors:

- The School Development Plan
- Teacher standards related to salary grade.

The teacher will evidence growth and development related to these goals. The mentee will observe in live and recorded lessons, both scheduled and unscheduled, and access student Digital Notebooks as well as the mentee's file of evidence to determine if progression has been made according to agreed outcomes. This will be discussed in the next scheduled meeting.

At the end of the Probation Extension Period, the mentor will discuss the progress made by the teacher with the Co-Leaders, Director of Education, and CEO to determine if they have passed this additional period successfully.

- If yes, the teacher will be informed in writing and this will be added to her professional record.
- If no, the Board will determine next steps, which may include an additional period to give clarity of progress, removal of responsibilities from that teacher to ensure work is completed to the expected standard with additional targeted CPD and support, or to terminate the contract of the teacher.

### *Expected Teacher Standards*

Sophia High School does not employ newly qualified teachers. All teachers have several years of experience teaching, with additional leadership responsibilities. As such, when a teacher commences employment at SHS, their salary reflects this stage in their career. This is generally classed as equivalent to M5/M6, which is the top of the teacher scale according to the government pay scales.

For our Teacher Standards, we refer to NHCC Career Related Standards. Teacher standards related to this scale, which will be referenced in the Probation Extension Meeting Notes, are shown below:

PROFESSIONAL AREA	M4-5 Extending	M6 Advancing
<b>PROFESSIONAL PRACTICE</b> <b>1.1(1);1.2(2,3,5)</b> <b>1.3 (1,3) 1.4(1,2,3) 1.5 all</b> <b>1.6 (1) 1.7 (1,2,3)</b> <b>1.8 (3) 2.1 (2,4)</b>  * Effective use of TEEP Planning Cycle  * Effective use of TEEP Underpinning elements  * Specialist Subject Knowledge  Data Analysis to inform planning	All teaching is good and has some outstanding features. Lessons which show an extended understanding of the TEEP model.  Extending subject knowledge to contribute to schemes of work and resource materials.  Confident use of data to inform planning.	All teaching is good with some outstanding.  Lessons which show an advanced understanding of all aspects of the TEEP model.  Advancing subject knowledge to make a substantial contribution to schemes of work, resource materials, programmes of study by working collaboratively.  Confident use of data to inform planning.
<b>PROFESSIONAL OUTCOMES</b> * Student Progress  * Work Scrutiny and feedback to students	Almost all pupils achieve in line with school targets.  Expectations; some exceed them.  All work scrutiny is good with some outstanding features.	Almost all pupils achieve in line with school targets.  Expectations; some exceed them.  All work scrutiny is good with some outstanding features.
<b>PROFESSIONAL RELATIONSHIPS</b> <b>1.1(1) 1.6(4)</b> <b>1.7(4) 1.8(2,3,5)</b> <b>2.1 (1,3,4)</b>  * Effective Teacher Behaviours  * Effective Learning Behaviours including attendance and punctuality.	Relationships are securely focused on improving provision for pupils.  Extending the repertoire of effective teacher and learner behaviours.	Professional relationships with pupils, colleagues and staff lead to excellent class provision.  Show advances understanding and application of effective teacher and learner behaviours.

<p><b>PERSONAL AND PROFESSIONAL CONDUCT</b>  <b>1.1(3) 1.7(1)</b>  <b>1.8(1) 2.1(all)</b>  <b>2.2 2.3</b></p> <p>* Attendance and punctuality.</p> <p>* Positive contribution to community including co-curricular activity, etc.</p>	<p>Meets all standards.</p> <p>Extend understanding and make a significant contribution to the values and ethos of the college beyond the faculty.</p>	<p>Meets all standards.</p> <p>Advanced understanding making a contribution to the development of values and ethos of the college.</p>
<p><b>PROFESSIONAL DEVELOPMENT</b>  <b>1.2(4,5)</b>  <b>1.3(1,2,4,5) 1.4(5) 1.5(2,3,4)</b>  <b>1.6(1) 1.8(4)</b>  <b>2.1(2) 2.3</b></p> <p>* PD journey          * Reflective Journal</p>	<p>Extending involvement and proactively accessing relevant support and professional development from colleagues.</p> <p>Participation in CPD as appropriate.</p>	<p>Advanced practitioner, fully competent and able to keep up-to-date with changes and adapt practice accordingly.</p> <p>Participation in CPD as appropriate.</p>

**PROBATION EXTENSION MEETING RECORD**

- All goals should relate to the SDP or Teacher Standards. Evidence will be stored on the Drive at an agreed location.
- The Mentor will observe lessons (scheduled and unscheduled), refer to Digital Notebooks and discuss with students and colleagues as appropriate to evidence successes.

Meeting No:		
Date:		
Name of Mentor:		
Name of Teacher:		
Agreed period of extension:		
	Timeline and Success Criteria	Support/CPD needed
Agreed Goal:		
Agreed Goal:		
Agreed Goal:		
Additional Meeting notes:		
AOB:		

Signed:  
Name:  
TEACHER  
Date:

Signed:  
Name:  
MENTOR  
Date:

## **ANNEX A**

### **MISCONDUCT LIKELY TO RESULT IN DISCIPLINARY ACTION**

1. When conduct is unsatisfactory this is usually referred to as 'misconduct' and can vary in its degree of seriousness. Where an incident is very serious it is known as 'gross misconduct', and one incident can be sufficient to warrant dismissal. The following list illustrates behaviour likely to constitute misconduct and gross misconduct, but it is neither exclusive nor exhaustive and there may be other matters, which are sufficiently serious to warrant inclusion.

#### **Misconduct**

2. Misconduct is defined as behaviour which, in the view of Sophia High School Ltd., would not normally destroy the relationship of trust between employer and employee; however, the behaviour is serious enough to warrant action short of dismissal. The following list illustrates conduct likely to amount to misconduct, but again this list is neither exclusive nor exhaustive:

- absenteeism and lateness, e.g. frequent late arrival at work; failure to comply with requirements to notify sickness absence; unauthorised absence from the workplace;
- dishonesty, e.g. making unauthorised private phone calls (either excessive or inappropriate), sending personal mail at the Company's expense;
- refusal to obey a lawful and reasonable instruction of a manager or supervisor;
- failure to carry out the normal duties of the post;
- unauthorised copying of copyright or licensed material, e.g. software;
- unreasonable or unacceptable conduct, e.g. abusive language or behaviour;
- misuse of facilities, loss, damage or misuse of Company property or equipment through wilfulness, negligence or carelessness;
- threatening violence whilst at work to a colleague, service user or provider or members of the public;
- breach of Company regulations, e.g. financial regulations, health and safety, confidentiality of personal records;
- accepting significant gifts (i.e. a series of presents) or hospitality from contractors, service users, service providers or members of the public without authorisation;
- driving whilst using a mobile phone;
- incapability as a result of being under the influence of alcohol or illegal drugs at work;
- incurring any motoring offences whilst on Sophia High School Ltd. business;
- abuse of the email, social media and/or other online systems.

3. The distinction between misconduct and gross misconduct is often a matter of degree and some of the examples under misconduct may be of such an extreme nature that they amount to gross misconduct. Alternatively, there may be instances when examples demonstrated under Gross Misconduct, depending upon all of the circumstances, may amount to misconduct.

### Gross Misconduct

4. Gross misconduct is defined as behaviour, which in the view of Sophia High School Ltd. fundamentally destroys the trust between employer and employee and thereby warrants immediate dismissal. The following list illustrates conduct likely to amount to gross misconduct, but this list is neither exclusive nor exhaustive:

- theft or misappropriation or malicious damage to property of the Company, fellow employees, service users or providers; this includes intentionally deletion of google drive folders and materials
- falsifying records or expenses claims which result in gain to the individual, e.g. registers, time sheets, car expenses, overtime, flexitime, sickness claims;
- physical violence towards colleagues, service users, service providers or other members of the public;
- serious incapability as a result of being under the influence of alcohol or illegal drugs at work;
- discriminatory behaviour relating to sexual orientation, race, gender, disability, religion or belief against other employees, service users and providers or members of the public. Sophia High School Ltd. operates a zero-tolerance approach;
- fraudulent or false claims of harassment or victimisation;
- Bribing or attempting to bribe another individual, or personally taking or knowingly allowing another person to take a bribe;
- serious breach of Company regulations, e.g. financial regulations;
- serious negligence which causes substantial loss, damage or injury;
- non-compliance with health and safety rules and regulations where it endangers the well-being of the employee or others;
- unauthorised use of Company vehicles, materials, equipment, facilities or labour for private purposes and/or personal gain;
- unauthorised deliberate access to information held by the Company whether held on electronic or manual systems;
- unauthorised disclosure of information classified as confidential by the Company;
- falsification or omission of information for personal gain, for example, on an application form, medical questionnaire, etc.;
- downloading inappropriate information from the internet, e.g. pornography
- victimisation or bullying (either in person or via email, etc.); and
- improper use of position as a Sophia High School Ltd. employee for personal gain.

## **ANNEX B**

### **CONDUCTING A DISCIPLINARY MEETING**

5. A disciplinary meeting will normally be held by a panel consisting of a manager, who has not been previously involved in the matter, who will act as the Panel Chair. They will where possible be accompanied by another appropriate manager / representative of Human Resources.

6. The Disciplinary meeting follow the following stages:

- Opening the meeting by Panel Chair
- Summary of allegation by the investigating officer, including calling of any witnesses
- Employee, then the Disciplinary Panel, will have the opportunity to ask questions
- Employee to present their answer to the allegations including calling of any witnesses
- Opportunity to ask questions
- Consideration of the facts
- Opportunity for employee to make a final statement
- Adjournment
- Action to be taken (if any)
- Establishment of a review date (if appropriate)

Opening the Disciplinary meeting

7. All employees are entitled to be accompanied by their Trade Union representative or a work colleague. Where an employee is not accompanied, the employee must be reminded of this right, and if declined, this must be recorded.

8. Those 'hearing' the disciplinary must introduce those present and outline the reasons for the disciplinary meeting taking place (the reason/s outlined in the invite to disciplinary letter) and the format the meeting will take.

#### **Summary of Allegations**

9. At this stage the investigating officer(s) should summarise their findings. The investigating officer(s) should adhere to the facts and not introduce opinions, hearsay or issues that have not previously been mentioned. All documentation that will be used as evidence (including previous relevant warnings and witness statements where applicable) will already have been made available to the individual prior to the disciplinary meeting taking place (copies will have been sent with the invite to disciplinary meeting letter).

10. Should a new matter arise during the course of the disciplinary meeting then the Disciplinary Panel should adjourn in order that consideration may be given to the privateness of the introduction of this new matter. To avoid unnecessary duplication of the process as well as ensuring fairness, it may be more beneficial to adjourn the disciplinary meeting in order that further investigations may be carried out in relation to the new matter.

11. The aim of the disciplinary meeting is to seek verification and clarification about the issues of concern, through questions. Where it is appropriate to call witnesses, either party may call and question them.

12. After the investigating officer has stated the outcome of their investigation the employee will be given the opportunity to ask questions and respond. The employee's representative will also be able to ask questions for clarification purposes.

13. If the disciplinary meeting is dealing with multiple issues, each issue should be addressed in turn and the employee and/or their representative be allowed to respond in relation to each issue as it is addressed.

14. The investigating officer may remain present during the disciplinary meeting to allow for any questions.

### **Adjournment**

15. Before any decision is taken, it is necessary to adjourn the disciplinary meeting to give adequate consideration to the facts as they have been presented and the responses that have been given to the allegations, including any mitigating circumstances. At this stage all parties will be asked to leave the room and the panel must decide the facts of the case, with advice from Human Resources, where appropriate, and whether the behaviour requires disciplinary action to be taken and if so, at what level.

16. The disciplinary meeting may also be adjourned to consider other issues, e.g. to direct further investigations to take place or to investigate new information/facts that have been brought to light.

17. There is no set time for an adjournment and adjournments can be called at any time during the disciplinary meeting, by either party.

18. Taking disciplinary action is not a matter to be taken lightly and should only be taken if it is to be constructive in attempting to produce the desired behaviour. Managers will also need to consider, if disciplinary action is to be taken, whether any other sanctions will be attached to the warning.

19. When the disciplinary meeting is reconvened the Panel Chair should explain that consideration has been given to all of the issues raised at the beginning of the meeting, and all of the facts and issues raised during the course of the meeting. The Panel Chair must then outline what action, if any, will be taken including any sanctions.

20. It is important that where a warning/sanction is given, the employee is informed of the length of time it will remain on their record, their right of appeal, the procedure that will be followed in relation to confirming the action in writing and any arrangements for the review of sanctions imposed.



**Disciplinary Meeting Notes**

21. The notes of the meeting will be held on a private / secured file in Human Resources / Head Office Dive. . All of the documentation in relation to a Disciplinary meeting will be marked confidential.

## **ANNEX C**

### **APPEALS PROCEDURE**

22. Appeals will normally be heard by a more senior manager to the person taking the first instance disciplinary action. An employee may choose to appeal if, for example:

- They think a finding or penalty is unfair
- New evidence comes to light
- They think the Disciplinary Procedure was not used correctly

23. An appeal may be heard as a paper-based exercise where the manager hearing the appeal will consider the circumstances of the case and the details of the employee's appeal (which must be submitted in writing). However, the employee may request an Appeal Hearing to present their case in person.

24. The procedure for an Appeal Hearing is as follows:

- The manager hearing the appeal will arrange a suitable date and venue
- The manager will outline the circumstances of the disciplinary action first, explaining the reasons for the actions that have been taken.
- The employee will then be able to explain the reasons for their appeal
- The manager may then wish to ask the appellant any questions about their appeal case.
- There will then be an adjournment while the manager considers the information they have heard and reached their decision.

25. The decision of the panel will be communicated to the employee verbally, wherever possible, and in any case will be confirmed in writing no later than 5 working days after the Appeal Hearing date.

## **Acceptable Use Policy**

### **1 Purpose**

1.1 This policy defines and describes the acceptable use of ICT (Information and Communications Technology) and mobile phones for school-based employees. Its purpose is to outline the standards staff must observe when using school ICT systems, minimise the risk to pupils of inappropriate contact from staff, to protect employees and schools from litigation and to minimise the risk to ICT systems.

### **2 Scope**

2.1 This policy deals with the use of Technology and Digital Learning Environment via Google Classroom in the Sophia High Group

### **3 School responsibilities**

3.1 Sophia High is responsible for ensuring that its employees act in a lawful manner, making appropriate use of school technologies for approved purposes only.

3.2 Sophia High is responsible for adopting relevant policies and the Education Team is responsible for ensuring that the school adopts the policy and staff are aware of its contents.

### **4 User responsibilities**

4.1 By logging on to the school's ICT systems, users agree to abide by this Acceptable Use policy and other policies that relate to the use of ICT.

4.2 All users are expected to act in a responsible, ethical and lawful manner. Users should uphold privacy and confidentiality, especially the privacy and confidentiality of school pupils, in accordance with data protection legislation (as amended, extended or re-enacted from time to time). Care must also be taken not to breach another person's copyright, trademark or design, nor to publish any defamatory content.

4.3 No one may use ICT resources in violation of licence agreements, copyrights, contracts or national laws.

4.4 Users of the ICT system are required to protect and keep confidential their password and not share their account details with others for their use, nor utilise another user's account or misrepresent their identity for any reason. Users must not under any circumstances reveal their password to anyone else.

4.5 No user shall use (e.g. read, write, modify, delete, copy, move) another user's personal electronic documents (including email) without the owner's permission or as allowed by this policy or by law.

4.6 Users must not take personal data (in particular, any data relating to pupils) away from the school without authorisation from the DOE. Any electronic data that is taken off site must be password

protected and encrypted. This includes data held on portable equipment (laptops, USB drives) and Internet based file synchronisation tools, such as Google Drive, Dropbox. You must be particularly vigilant if you use the school's IT equipment outside the workplace and take such precautions as we may require from time to time against importing viruses or compromising system security. The system contains information which is confidential and/or subject to data protection legislation.

4.7 Any device connecting to the school network must have school approved anti-virus software installed and activated. Users may not turn off anti-virus software. All users of ICT resources have the responsibility to take precautions to prevent the initial occurrence and subsequent spreading of a computer virus. No one may knowingly create, install, run, or distribute any malicious code (e.g. viruses, Trojans, worms) or another destructive program on any ICT resource.

4.8 No one may knowingly or willingly interfere with the security mechanisms or integrity of ICT resources. No one may use ICT resources to attempt unauthorised use, or interfere with the legitimate use by authorised users, of other computers on internal or external networks. Access to networks will be monitored.

4.9 Sophia High may record or inspect any information transmitted through or stored in its computers, including e-mail communications and individual login sessions, without notice in certain circumstances including, but not limited to, the following:

- there is reasonable cause to believe the user has violated or is violating this policy, any guidelines or procedures established to implement this policy;
  - an account appears to be engaged in unusual or unusually excessive activity;
  - it is necessary to do so to protect the integrity, security, or functionality of ICT resources or to protect Sophia High or its partners from liability;
  - establishing the existence of facts relevant to the business;
  - ascertaining or demonstrating standards which ought to be achieved by those using the ICT facilities;
  - finding lost messages or to retrieve messages lost due to computer failure;
  - preventing or detecting crime;
  - investigating or detecting unauthorised use of ICT facilities;
  - ensuring effective operation of ICT facilities;
  - determining if communications are relevant to the business (for example, in the last resort where an employee is off sick or on holiday and business continuity is threatened);
- or
- it is otherwise permitted or required by law.

4.10 Do not send private, sensitive or confidential information by unencrypted email – particularly to an external recipient - as accidental disclosure could lead to significant harm or embarrassment.

Anonymise personal data where possible, e.g. by using initials. Use passwords on sensitive documents

4.11 No one may use ICT resources to transmit abusive, threatening, or harassing

material, chain letters, spam, or communications prohibited by law, or may impact the image or reputation of Sophia High. No one may abuse the policies of any newsgroups, mailing lists and other public forums through which they participate from a school account.

4.12 Users should adhere to the 'good practice guidelines for email communication', contained within the Digital Safety Policy

4.13 The following content must not be downloaded from, created or accessed on ICT equipment at any time:

- pornographic material (that is, writing, pictures, film and video clips of a sexually explicit nature);
- material that gratuitously displays images of violence, injury or death.
- material that is likely to lead to the harassment of others;
- junk email;
- material that promotes intolerance and discrimination because of race, sex, disability, sexual orientation, religion or age;
- material relating to criminal activity;
- music or video files or other material in breach of copyright; or
- material that may generate security risks and encourage computer misuse.

4.14 It is possible to access or be directed to unacceptable Internet sites by accident. These can be embarrassing and such sites can be difficult to get out of. If staff have accessed unacceptable content or are in receipt of unacceptable material via email, they must inform the DOE. This may avoid problems later should monitoring systems be alerted to the content.

4.15 Remote access to school-based systems must be authorised by the Director of Education / Chair of the Board and configured by the ICT Support Team. Examples of remote access methods include: Google Classroom & Google Meet, webmail or other mobile email solution (Blackberry, Windows Mobile), email forwarding to a personal account, Virtual Private Network (VPN) connection, LogMein or other remote desktop connection, web portals, and file synchronisation tools such as Google Drive. Any member of staff authorised for remote access must sign-up to its specific terms of use.

4.16 Digital recording equipment e.g. cameras may be available for staff to use as part of delivering ICT and the broader curriculum. Safe and appropriate use of recording equipment must be discussed with the pupils as part of the curriculum and referred to whenever recording is to take place

4.17 Staff must not use images and recordings for activities and purposes beyond school endorsed projects. The materials are not to be circulated in the public domain and are not to be used for personal gain.

## **5. Mobile phone communication and instant messaging**

5.1. Staff must not give their home telephone number or their mobile phone number to pupils. Mobile phone communication should be used sparingly and only when deemed necessary.

5.2. Photographs and videos of pupils must not be taken with mobile phones or any other device.

5.3. Staff are advised not to make use of pupils' mobile phone numbers either to make or receive phone calls or to send to or receive from pupils' text messages other than for approved school business.

5.4. Staff should only communicate electronically with pupils from school accounts on approved school business, e.g. coursework.

5.5. Staff should not enter into online messaging communications with pupils other than via the school and ICT System and for approved school business.

5.6. Staff should not make or take personal calls or engage in personal texting when they are on duty.

## **6. Social networking sites**

6.1. Staff must not communicate or connect with any current pupil or former pupil under the age of 18 on any social networking site without the written permission of the Education Team.

6.2. Staff should not create any social networking group that links directly to Sophia High without the written permission of the Board / Chair.

6.3. Staff should not use social networking sites to discuss work related issues or to use their position at the school to further their own interests.