

ST FRANCIS OF ASSISI CATHOLIC PRIMARY SCHOOL



Code of Conduct Policy

Scope

This document applies to all employees of West Sussex County Council, including those employees on temporary and fixed term contracts and employees of West Sussex Fire and Rescue Service.

County Council Employment Standards

As a local government employer, West Sussex County Council is accountable to the public in the way it conducts its business. All employees are expected to act honestly and fairly and abide by the County Council policies and codes of conduct. They should not behave in any way that might give rise to a reasonable suspicion that they could be influenced by improper motives, or obtain improper personal advantage through their work.

In your employment with the County Council, you are expected to observe all reasonable standards of conduct.

This document sets out these standards in broad terms, and it is supplemented by a range of other policies which describe in more detail the County Council's expectations for behaviour and conduct.

For example:

- the "Acceptable Use of IT" policy relates to the use of computers, phones and other technology, and
- The "Employee Conduct and Propriety" policy sets out rules relating to the ways in which employees carry out their activities in work.

In addition, some employees are also bound by particular rules of conduct relating to their profession or job.

Purpose of disciplinary procedure

The County Council has a disciplinary procedure to provide a fair and consistent method of dealing with any failures to observe the required standards and to bring about an improvement in conduct. Minor breaches of these standards will normally be dealt with informally and there will be no need for formal disciplinary action. However, in cases where there is a repetition of minor misconduct, or where the misconduct is viewed as being of a more serious nature, it may be necessary to take formal disciplinary action without any previous informal stages.

The formal disciplinary procedure allows for different sanctions to be given, depending on the severity of the misconduct.

The factors which influence the seriousness with which an offence may be viewed are:

- The type, degree and frequency of the misconduct
- The consequences or potential consequences arising from the misconduct
- The level of responsibility of the employee concerned
- The employee's previous disciplinary record

Following a formal disciplinary meeting, misconduct which is regarded as:

- 'minor' will usually result in first written warning.
- A more serious breach, or a repetition of a minor breach, will usually result in a final written warning.
- 'Gross' misconduct may result in the employee being dismissed without notice, even if no previous warning has been issued.

Each case will be treated on its merits and any mitigating factors will be taken into account. The Human Resources Management Advice Team (HRMA) will advise managers on the level of action that may be appropriate. The process of investigation, consideration, determination and representation of any disciplinary matter is set out in detail in the Disciplinary Policy.

Examples of 'Misconduct'

Any acts or omissions that give rise to doubts about an employee's suitability for the job could be the subject of disciplinary action. The following examples are not intended to be exclusive or exhaustive, but are intended to explain the types of matters that will be viewed as misconduct justifying disciplinary action.

Where such acts or omissions appear to be caused by ill health, disability or lack of capability, they may be addressed through alternative County Council procedures.

Breaches of Standards relating to carrying out your job:

- Failure to comply with a reasonable instruction or contractual requirement
- Sleeping on duty
- Failure to account for/making false claims for County Council funds, assets or property
- Falsifying records or documents
- Failing to report or to record information where such reporting or recording is required within the job.
- Unauthorised alteration or destruction of records or documents
- Failure to take proper care of a child or adult in the care or charge of the County Council
- Disclosure of confidential information

Breaches of County Council Policies, Procedures, Codes of Practice or Statutory Regulations

- Failure to comply with a Health and Safety requirement or Code of Practice.
- Failure to observe any requirement of the Behaviour in the workplace policy.
- Failure to observe the requirements of any of the County Council policies or procedures or statutory regulations
- Abuse of the County Council's IT systems.

Attendance at Work

- Repeated lateness
- Absence without cause or authorisation
- While absent through sickness, working or carrying out activities which will either not aid the recovery, or which appear to be inconsistent with the reason for absence
- False self-certification of absence as sick leave.

Breaches of standards of behaviour

- Conduct likely to bring discredit to the County Council
- Committing an act outside work, or being convicted of a criminal offence, which is liable to affect suitability for the job
- Improper conduct at, during, when arriving for, or leaving work, or at work related events e.g. Christmas parties
- Dishonesty
- Corrupt or improper practice
- Bullying, harassment, victimisation or any conduct likely to create an intimidating, hostile or humiliating working environment.

Gross misconduct

Gross misconduct is characterised as a very serious breach of the above standards, which goes to the heart of the contract, and would lead to a complete loss of trust and confidence in an employee, for which dismissal without notice and without any previous warning, is justified.

In particular, the following will be viewed as gross misconduct:

- Unauthorised acceptance of money or a bequest from a service user or exerting pressure on a service user to obtain money or a bequest.
- For night care workers, falling asleep on duty or putting yourself in a position likely to induce sleep. For other staff, falling asleep on duty where service users, staff or members of the public might thereby be put at risk.
- Failure to observe correct procedures or to take proper care of a vulnerable person where the consequences or potential consequences are serious.

- Defrauding the County Council of expenditure; falsifying records for personal gain; acceptance of bribes; theft.
- Physical violence or threatening behaviour.
- Behaviour at work, or in connection with work, resulting from drinking alcohol or using drugs that affects the safety or wellbeing of others or would bring the County Council into disrepute.
- Serious insubordination.
- Wilful act or omission that seriously endangers self or others or may result in action against the County Council for negligence.
- Deliberately discriminating or instructing others to discriminate unlawfully on grounds of race, sex or disability, sexual orientation, religion or belief or age.
- Serious bullying or harassment or other serious breach of the County Council's Behaviour in the workplace policy.
- Use of computerised systems to access or send pornographic, illegal or overtly offensive material.
- Deliberate damage to property or equipment.
- Acting against the County Council's interests for personal gain.
- Unauthorised and unjustified absence from work.

This list is not intended to be exclusive or exhaustive.

Reviewed Date: May 2017

Date to be reviewed: May 2018