



## Lote Tree Primary Code of Conduct

### Context

The aim of this code is to firstly ensure that it maintains and enhances teaching standards and promotes and regulates the teachers with the profession. The protection of children and young people and their educational wellbeing, along with the reputation of, and the Parents/Carers trust in, the teachers, sits at the heart of our ethos. We expect that all leaders and teachers will act in accordance with the personal and professional behaviours set out in the Teachers' Standards.

We expect all support staff, governors and volunteers to also act with personal and professional integrity, respecting the safety and wellbeing of others. Our school is shaped by the teachings and high character of our beloved Prophet (peace and blessings be upon him) and the RESPECT values we embed across all aspects of life at Lote Tree which encourages a close working relationship between students and staff.

We are working hard to provide an inspirational and secure environment which recognises and celebrates success whilst challenging students sufficiently to realise their full potential. Failure to follow the code of conduct may result in disciplinary action being taken, as set out in our staff disciplinary procedures.

This following code of professionalism and conduct as well as the commentary cannot address every possible circumstance in which teachers might find themselves. However, it is intended that teachers are mindful of the code in relation to the judgements which they will be called upon to make in situations which may occur both within and out with the professional context.

Secondly Islam is founded on the principles of *belief* and *righteous conduct*. This connection between values and practice lies at the very heart of the Islamic way of life. To be a Muslim requires that one's faith be reflected in one's practice and daily moral conduct with other people. As a Muslim educator, being a positive role model is vital. This role model should reflect the best of what being a 'British Muslim teacher' is in the 21<sup>st</sup> Century.

### Its purpose, scope and status

Allah swt has decreed and presented Muslims with a beautiful code of conduct and has perfected Islam as a way of life. He sent our Beloved Prophet SAW to illustrate and show us by example. Our prophet (saw) was an embodiment for us of perfected and noble character and demonstrated to us how to conduct ourselves in our daily lives both personal and professional. We therefore have the Prophet (SAW) as a role model to aspire to and a role model for all mankind.

We already have the Quraan and sunnah to refer to therefore the following code will be easy as Muslims to follow as we know that Islaam ask us to conduct all our affairs carefully and considerately and that when we have been entrusted with an Amaanah ie the pupils who attend our school and come under our care.

As such, employees and volunteers of the school should remember their responsibilities to the local community and adopt a courteous, high quality, efficient and impartial approach to all groups and individuals with whom they come into contact in the course of their work.

Such courtesy and efficiency should be shown to all people with whom employees and volunteers deal, remembering that all opportunities need to be taken to enhance the reputation of the school whether locally or nationally.

Employees and volunteers working within a school would be deemed to be in a position of trust and must conduct themselves in accordance with the statutory requirements of the guidance "Keeping Children Safe In Education" (DfE 2021) and must not engage in a staff/pupil relationship that extends beyond the professional requirements of their role in any circumstance.

Employees and volunteers at the school are required to adhere to the school's safeguarding and child protection policies. It should be noted that communicating with pupils who attend the school over social media could be viewed as developing / attempting to develop an inappropriate relationship.

### **Legislation and Guidance**

In line with the statutory safeguarding guidance 'Keeping Children Safe in Education', we should have a staff code of conduct, which should cover acceptable use of technologies, staff/pupil relationships and communications, including the use of social media.

### **General Advice**

Employees and volunteers of the school must carry out their duties objectively, professionally, to the best of their ability and in an impartial manner. Employees and volunteers of the school are entitled to expect that no other colleague or governor will seek to pressure or persuade them to carry out their duties in any other way. Where it is alleged that such action has taken place, the Head Teacher and Chair of Governors will investigate the allegation if requested to do so.

There may be occasions when employees, carrying out their duties for the school, find themselves at odds with national government advice or guidance. In such circumstances, it is particularly important that they are seen to behave with complete objectivity and impartiality obtaining managerial and professional advice and guidance where appropriate.

Staff set an example to pupils. They will:

- Maintain high standards in their attendance and punctuality
- Actively support diversity and inclusion within the school community and the organisation
- Never use inappropriate or offensive language in school

- Treat pupils and others with dignity and respect
- Show tolerance and respect for the rights of others
- Not undermine fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
- Not influence pupils, and will not exploit pupils' vulnerability or might lead them to break the law
- Understand the statutory frameworks they must act within • Adhere to the Teachers' Standards

### **Narrated by Hudhaifa**

Allah's Apostle said to us, "Honesty descended from the Heavens and settled in the roots of the hearts of men (faithful believers), and then the Quran was revealed and the people read the Quran, (and learnt it from it) and also learnt it from the Sunna." Both Quran and Sunna strengthened their (the faithful believers') Honesty.

#### **Part 1: Professionalism and maintaining trust in the profession as a teacher:**

- 1.1 You should have knowledge of and maintain the key principles within the professional Standards and codes.
- 1.2 You must maintain appropriate professional boundaries, avoid improper contact or relationships with pupils and respect your unique position of trust as a teacher
- 1.3 You should avoid situations both within the professional context which could be in breach of the criminal law, or may call into question your fitness to teach
- 1.4 You must uphold standards of personal and professional conduct, honesty and integrity so that the public have confidence in you as a teacher and teaching as a profession
- 1.5 You should be professional, honest and act with integrity in your dealings and correspondence with regulatory (or similar) bodies and employers (including prospective and past);
- 1.6 You should maintain an awareness that; as a teacher you are a role model to pupils.
- 1.7 Parents and carers in particular, and the public in general, place a very high degree of trust in those who are educating pupils, and rely upon teachers to interpret what is right and what is wrong.
- 1.8 Teachers are often called upon to make difficult decisions regarding pupils and therefore, in exercising judgement, you should think very carefully of the implication and potential consequences of the options open to you.
- 1.9 As a teacher, you should also bear in mind how your decision and subsequent action may appear or be interpreted by others; not fully aware of all of the circumstances.

## 2. Relationships

Staff will observe boundaries with pupils that are appropriate to their professional position. They will act in a fair and transparent way that could not lead anyone to reasonably assume they are not doing so. Teachers should establish professional boundaries, and recognise the negative impact that actual or perceived breaches of these would have upon pupils and the confidence of the Parents/Carers.

With regard to relationships with pupils,

### • In managing behaviour you should:

2.1 be aware of and adhere to behaviour management protocols and strategies highlighted in the relevant school policies. Not harm or use physical violence against a child or pupil in or out of the educational establishment context

2.2 take into account reasonable norms and best practice when conducting interviews with pupils, in a disciplinary context, and have due regard to their age, stage and individual circumstances

2.3 You should appreciate fully that the onus is upon you as the teacher and not the pupil to distance yourself from any potentially inappropriate situation;

2.4 You should avoid sexual contact with or remarks towards a pupil of school age, regardless of the apparent consent of the individual concerned;

2.5 You should be mindful that professional boundaries can be perceived to extend beyond a pupil's educational establishment leaving date; therefore, in situations of this nature, you should exercise great care and professional judgement, taking into account all the factors involved;

2.6 As a general rule staff and volunteers should not engage in communication with pupils of the school over Social Media unless explicitly agreed by the school and for the purpose of fulfilling their professional duties. Any communication should remain professional in nature. If staff are unsure of the appropriateness of any communication, they should discuss this with the Head Teacher.

2.7 You should not attempt to establish an inappropriate relationship with any pupil by means which might include (but are not limited to):

- communication of a personal nature;
- engaging in an inappropriate way through the internet or by other means with pupils;
- sending e-mails or text messages to pupils, of an inappropriate nature.

### As a teacher you must:

2.8 Not discuss with pupils your own intimate and personal relationships and be mindful to maintain an appropriate balance between formality and informality when you are dealing with pupils;

2.9 Take care to avoid becoming personally involved in a pupil's personal affairs;

2.10 Be aware of the potential dangers of being alone with a pupil (in particular under 18 years of age) in a private or isolated situation, using common sense and professional judgement to avoid circumstances which are, or could be, perceived to be of an inappropriate nature. If staff members must spend time on a one-to-one basis with pupils, staff will ensure that:

- This takes place in a public place that others can access
- Others can see into the room
- A colleague or senior leader knows this is taking place

2.11 This is also the case in connection with social networking websites, out with the setting of the educational establishment and in subject areas such as physical education and drama;

2.12 Be mindful that the internet and social networking can quickly blur the professional boundary between teacher and pupil. Teachers need to be alert to the risk that actions which might, on the face of it, seem quite innocent, can be misunderstood and misconstrued by others;

2.13 avoid inappropriate communication (including via social networking) with individuals under 18 or in relation to whom you may be in a position of trust or have a professional relationship;

2.14 Not by any means or in any circumstances, make, view or access illegal or inappropriate images of children or protected adults;

2.15 Be mindful of the negative impact of being under the influence of alcohol in the professional setting.

2.16 You must treat sensitive, personal information about pupils with respect and confidentiality and not disclose it unless required to do so by your employer or by law;

2.17 You must be truthful, honest and fair in relation to information you provide about pupils;

2.18 You should aim to be a positive role model to pupils and motivate and inspire them to realise their full potential;

2.19 You must maintain an up-to-date knowledge and understanding of, implement, and comply with, child and protected adult procedures as they may currently apply in your workplace;

2.20 You must at all times be aware of your responsibilities as set out in the **Prevent Duty**. This is covered in depth in the safeguarding policy.

2.21 You must raise any concerns which you may have about the behaviour of any colleague in connection with a child or protected adult, using the appropriate procedures in place;

2.22 You should be aware of the general principles of the UN convention on the rights of the child, regarding equal treatment, the child's best interests, and giving appropriate weight to the views of the child.

2.23 You should display a sensitive and positive attitude towards differences among pupils and identify and respond appropriately to those with difficulties in, or barriers to, learning. When necessary, you should seek advice in relation to their additional support needs.

2.24 You should identify and respond appropriately to indicators of the wellbeing and welfare of pupils, including bullying and discrimination, ensuring that their initiative and independent learning are encouraged and nurtured.

2.25 As a teacher, you should have high expectations of and provide realistic challenges for pupils, ensuring that learning tasks are varied in form, differentiated and devised to build confidence in and promote self-worth for all your pupils.

2.26 Pupils of school age spend a large proportion of their lives within the educational setting, and therefore a teacher plays a pivotal role in child protection as they are well placed to see symptoms and signs.

2.27 The protection of children and protected adults is of the utmost importance. A teacher cannot ignore behaviour of any colleague which he or she may genuinely feel falls short of norms and standards in this regard and such concerns should be raised through the procedures available

### **3. Educational Trips**

Trips have an important part to play in the life of pupils, and can greatly enrich the educational experience of pupils taking part.

Physical safety is of prime importance. However, particularly in the residential setting, relationships tend to be less formal and the environment is very different from that in an educational establishment. You should not allow yourself to overstep the professional boundaries and remember that the professional standard of behaviour expected of you on an educational trip out with the structure of the normal working day is no different from that of the professional norm.

Accordingly you should ensure, for example, that you:

3.1 Have a full knowledge of, and comply with, the procedures and guidelines laid down for these activities by your educational establishment and the requirements of health and safety;

3.2 Are always mindful of the need to maintain an appropriate balance between formality and informality and avoid situations which are or could be reasonably perceived to be of an inappropriate nature.

3.3 Wear professional dress that reflects the expected attire for work. In all other circumstances and depending on the activity undertaken, staff may receive advice on the dress code from a member of the leadership team.

#### **4. Honesty and Integrity**

**"O you who believe! be careful of (your duty to) Allah and be with the true ones."**

Quran 9:119

Staff should maintain high standards of honesty and integrity in their role. This includes when dealing with pupils, handling money, claiming expenses and using school property and facilities.

##### **As a teacher you must:**

4.1 Staff must maintain the highest standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of school property and facilities.

4.2 All staff must comply with the Bribery Act 2010. A person may be guilty of an offence of bribery under this act if they offer, promise or give financial advantage or other advantage to someone; or if they request, agree or accept, or receive a bribe from another person. If you believe that a person has failed to comply with the Bribery Act, you should refer to the Whistleblowing procedure.

4.3 Staff will ensure that all information given to the school about their qualifications and professional experience is correct. Employment with the school may be terminated if it is found that the employee has been dishonest during the recruitment process.

4.4 Not engage in behaviour of a criminal nature, especially related to sex, dishonesty, firearms, misuse of drugs and violence against a person or property or serious public order offences, which would be of particular concern in regard to a teacher's professional status and fitness to teach;

4.5 Be honest and trustworthy, especially avoiding offences such as theft, dishonesty, extortion, fraud or misuse of drugs;

4.6 Have due regard to the trust in you as a teacher and therefore act with integrity and honesty in all your dealings, in making declarations and undertakings in professional applications/submissions, in the writing of references for colleagues or pupils and in the conduct of tasks in connection with examinations and/or assessments;

#### **5. Confidentiality and Openness**

As employees and volunteers of the school, individuals may be privy to information which is confidential. This information will never be:

- Disclosed to anyone without the relevant authority
- Used to humiliate, embarrass or blackmail others
- Used for a purpose other than for that which it was collected and intended. This does not overrule the staff duty to report child protection concerns to the appropriate team where staff believe a child is at risk of harm.

5.1 Any express or implied responsibility to keep information confidential should be respected by employees and volunteers and there should be awareness that such responsibility might arise from

the nature of the information itself, e.g. child protection disclosure. It will, however, be extremely rare that employees and volunteers will be unable to share confidences with either the Head Teacher or the Chair of Governors.

5.2 All staff are likely at some point to witness actions which need to be confidential. For example, where a pupil/student is bullied by another pupil/student (or by a member of staff), this needs to be reported and dealt with in accordance with the appropriate school procedure. It must not be discussed outside the school, including with the pupil's/student's parent or carer, nor with colleagues in the school except with a senior member of staff with the appropriate role and authority to deal with the matter.

5.3 Employees and volunteers should not use information obtained in the course of their time at the school for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

5.4 When employees and volunteers are acquainted with confidential information belonging to the school, they must not disclose that information to any person not authorised to receive it unless such material must by law be made available to specific parties e.g. in child protection cases to the Local Authority Designated Officer (LADO), Police or Social Services and disclosure of financial information to Internal or External Auditors.

## **6. Professional Competence as a teacher:**

You should maintain and develop your professional practice to ensure you continue to meet the requirements of the Standards which comprise:

- professional knowledge and understanding;
- professional skills and abilities;
- professional values and personal commitment.

6.1 You should refresh and develop your knowledge and skills through continuing professional development and maintenance of reflective good practice.

6.2 You should have a detailed knowledge and understanding of the relevant areas of the pre-school, primary or secondary school curriculum and also an understanding of curriculum development. This should include a broad, critical understanding of the principal features of the education system, policy and practice and a detailed knowledge of sector and professional responsibilities within these.

6.3 Be able to show in your day-to day practice a commitment to social justice and inclusion, take responsibility for your own professional learning and development and be an active partner in the communities in which you work.

6.4 Be able to plan and implement teaching programmes that match varying pupils' needs, communicate effectively through different media in varying contexts and use varied teaching strategies and resources;

6.5 Organise and manage resources and pupil behaviour to achieve safe, orderly and purposeful activity;

6.6 Understand the principles of assessment, recording and reporting, and reflect on and act to improve your own professional practice.

### **Narrated by Anas bin Malik**

The Prophet said, "Make things easy for the people, and do not make it difficult for them, and make them calm (with glad tidings) and do not repulse (them )."

## **7. Professionalism towards Colleagues, Parents and Carers as a teacher**

7.1 You should work in a collegiate and co-operative manner with colleagues and members of other relevant professions;

7.2 You must treat all colleagues and parents and carers fairly and with respect, without discrimination;

7.3 You should not make malicious or unfounded criticisms of, or accusations about, colleagues that may undermine them professionally or in the professional judgements they make;

7.4 You should promote good relationships between home and school/college and, as such, respect the role of parents and carers in the learning experience as appropriate;

7.5 You should exercise great care when expressing opinions in public about your employer and be mindful of data protection act requirements concerning handling information about parents, carers and pupils

7.6 Everyone in the workplace should be able to work in an environment which is free from discrimination and harassment. A teacher should work in a collegiate way, treating all colleagues professionally.

7.7 Avoid undermining a colleague by remarks which are or could be perceived as being malicious, unfounded or unprofessional. This is of particular importance when in contact with parents, carers and pupils;

7.8 Guard against inappropriate communication with, or behaviour towards, colleagues which is or could be perceived as being of an unprofessional, discriminatory or harassing nature.

## **Parents and Carers**

7.9 Be professional in dealings with parents and carers and avoid making comments, being drawn into inappropriate discussions or divulging confidential information about other pupils, colleagues, or the educational establishment;

7.10 Encourage the involvement of parents and carers as appropriate in the learning experience, welcoming them as active participants in the life of the educational establishment, and working in partnership with it.

## 8. Equality and Diversity

**"And among His signs is the creation of the heavens and the earth, and the variations in your languages and colours; verily in that there are Signs for those who know." (Surah 30:22)**

**O mankind, We created you from a single pair of a male and a female, and made you into tribes and nations that you may know each other (not that you may espies each other). Verily the most honoured of you in the sight of Allah is he who is the most righteous of you. (Surah 49:13)**

**All mankind is from Adam And eve, an Arab has no superiority over a non-Arab nor a non-Arab has superiority over a n Arab; also a white has no superiority over black nor a black has nay superiority over white except by piety and good action. Learn that every Muslim is a brother to very Muslim and that the Muslim constitute one brotherhood. (The Prophet SAW's Last sermon 9<sup>th</sup> Zul Hijjah 632)**

We want to promote an inclusive profession that incorporates people from a range of diverse backgrounds. Through respecting the principle of equal treatment, this will benefit both the teaching profession and pupils alike.

The school is committed to ensuring equal opportunities in employment and provision of education and believes that an effective equal opportunities policy is an essential means of increasing the value of its personnel by developing the potential of all its individual employees.

The school's equal opportunities policy is designed to ensure that no employee or job applicant should receive less favourable treatment than another because of a protected characteristic as defined by the Equality Act 2010 i.e. age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, religion or belief, sex or sexual orientation. All employees and volunteers must comply with both the spirit and letter of the Equality Act and the school's equal opportunities policy and treat all members of the public and work colleagues with respect and fairness.

Employees and volunteers should be fully aware of the school's commitment to equal opportunities and the employment of disabled persons.

Employees should note that the following acts may be unlawful as well as constituting misconduct liable to disciplinary action (which could in some cases include summary dismissal):

- Discriminating improperly in the course of their employment against members of the public, clients, stakeholders, fellow employees, job applicants or in respect of job transfer or promotion applications, because of a protected characteristic as listed above.

- Instructing, causing or inducing, or attempting to induce, staff, volunteers and governors to practice unlawful discrimination.
- Verbal or physical harassment of a nature that is offensive to the victim.
- Victimising individuals who have made allegations or complaints of discrimination or harassment or who have provided information about such discrimination or harassment. For its part, the school will investigate any allegation of discrimination or harassment and will take action as appropriate.

**As a teacher you should:**

8.1 Engage and work positively with pupils, colleagues, parents and carers in an open, inclusive and respectful way, in line with the law and with a non-judgemental approach whatever their background, personal circumstances, cultural differences, values and beliefs;

8.2 Help pupils to understand different views, perspectives, and experiences and develop positive relationships both within the educational establishment and in the local community;

8.3 Recognise that you are a role model and therefore should be aware of the potentially serious impact which any demonstration by you of intolerance or prejudice could have upon your standing as a teacher and your fitness to teach.

## **9. Health & Safety**

The school has a legal obligation to protect the health, safety and welfare at work of all its employees and others in the workplace. Equally, employees should at all times be aware of and fulfil their legal responsibility to protect their own and others health, safety and welfare at work.

9.1 This legal obligation is supported by the school's health and safety policy.

## **10. Post-Employment**

10.1 The duty of fidelity which each employee owes to the school and which requires an employee to act in an honest fashion and not in a manner which will harm the school may, in certain respects, continue following the end of the employee's employment. For example, even though they are no longer employed by the school, a former employee must not disclose confidential information which belongs to the school.

10.2 Certain employees may have access to intellectual property (such as copyright and materials which belong to the school). An employee might even have contributed to the creation of that intellectual property during a period of employment. However, where part or whole of that property belongs to the school it cannot be used by a former employee for any purpose without the agreement of the school as appropriate.

## **11. Conduct Outside Work**

11.1 Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the school or the employee's own reputation or the reputation of other members of the school community. Any such conduct could lead to dismissal.

11.2 In particular, criminal offences that involve violence or possession or use of illegal drugs or sexual misconduct are likely to be regarded as unacceptable and could lead to dismissal.

11.3 Staff must exercise caution when using information technology and be aware of the risks to themselves and others.

11.4 Staff must not use social media e.g. Facebook, Snapchat, Instagram with pupils or former pupils.

11.5 Staff must not engage in inappropriate use of social network sites which may bring themselves, the school, school community or employer into disrepute.

11.6 Staff must only use their school email account when communicating electronically with pupils, parents and colleagues.

11.7 Staff may undertake work outside school, either paid or voluntary, provided that it does not conflict with the interests of the school and is not to a level which may contravene the working time regulations or affect an individual's work performance.

11.8 All members of staff must declare any business interests outside of school that may be connected either to the supply of goods / services to the school or be rewarded through association with the school.

## **12. Acceptable Use of Technology**

12.1 Staff should always abide by the Lote Tree Online Safety Policy & Acceptable Use of Technology Agreement when using ICT and processing sensitive data.

12.2 Staff will not use technology in school to view material that is illegal, inappropriate or likely to be deemed offensive. This includes, but is not limited to, sending obscene emails, gambling and viewing pornography or other inappropriate content.

12.3 Staff should not use personal mobile phones, laptops or school equipment for personal use, in school hours or in front of pupils. If staff use personal devices in work, the same expectations of behaviour apply as if using school equipment.

12.4 Staff should not take or store images of pupils on any personal devices

12.5 The employer retains the right to monitor emails and internet use on the school IT system.

## **13. Political Neutrality**

13.1 All employees and volunteers of the school are required to be politically neutral and must not allow their own personal or political opinions to interfere with the way in which they carry out their work or duty to implement the policies. Under the Education (No 2) Act 1986 the Governing Body and the Head Teacher are required to ensure that where political issues are brought to the attention of pupils, they are offered a balanced presentation of opposing views.

#### **14. Additional Requirement**

Although this code of conduct highlights overall expectations, staff are also expected to be aware of, and adhere to, other key legislation, professional standards, policies, procedures and guidance in order to effectively carry out their duties during the course of their employment.

Of particular importance we would highlight the following documents and advise staff and volunteers to familiarise themselves with them where appropriate to their role: Keeping Children Safe in Education (DfE 2021):

Safeguarding Policy

Whistleblowing Policy

No Platform for Extremism Policy

Equal Opportunities Policy

Health & Safety Policy

National Standards of Excellence for Head Teachers

Teachers' Standards Professional Standards for Teaching Assistants (Non-Mandatory, Non-Statutory)

ICT Acceptable User & Social Media Policy

# Appendix 1: Further Guidance on Professional Conduct

## Unacceptable professional conduct

"unacceptable professional conduct" is defined as "conduct which falls short of the standard expected of a teacher ... and is behaviour which involves a breach of the standards of propriety expected of the profession".

Whether a teacher is guilty of unacceptable professional conduct is a matter for the committee to decide in relation to the facts of the given case, taking into account the provisions of this

Code as appropriate.

Teachers may be found to be guilty of unacceptable professional conduct

Where they:

1. Seriously demean or undermine pupils, their parents, carers or colleagues, or act towards them in a manner which is discriminatory in relation to gender, marital status, religion, belief, colour, race, ethnicity, class, sexual orientation, disability or age

Where they fail to:

2. Take reasonable care of pupils under their supervision with the aim of ensuring their safety and welfare
3. Comply with relevant statutory provisions which support the wellbeing and development of pupils, including where these require co-operation and collaboration with a range of agencies, as well as teacher colleagues and other adults
4. Observe confidentiality in a manner consistent with legal requirements
5. Comply with the requirements of statutory bodies relating to the examination, assessment and evaluation of pupil achievement and attainment.

## Other conduct

Teachers may be found to be guilty of unacceptable professional conduct

Where they fail to:

6. Maintain appropriate standards of honesty and integrity in management and administrative duties, including in the use of school property and finance

Where they:

7. Misuse or misrepresent their professional position, qualifications or experience
8. Otherwise bring the reputation and standing of the profession into serious disrepute.

## **Conviction of a relevant offence**

The school may also take disciplinary action where a teacher has been convicted of a relevant criminal offence or has accepted a caution in relation to such an offence.

## **Serious professional incompetence**

1. Teachers may be found guilty of "serious professional incompetence" where they demonstrate "a level of competence which falls seriously short of that expected of a teacher, taking into account the relevant circumstances".
2. In assessing whether a teacher has demonstrated "serious professional incompetence", hearing committees will take into account the extent to which a teacher has failed to maintain a level of professional competence consistent with the standards outlined by the DFE Teachers Standards.

## **Notes and some examples relating to the above:**

Unacceptable professional conduct

**Demeaning or discriminatory behaviour refers to but not an exhaustive example of:**

- Swearing at pupils and calling them by offensive names
- Making a racist remark to pupils.

## **Reasonable care**

- Endangering pupils through instructing them to undertake inappropriate manual handling
- Failing to safeguard the health and safety of pupils by not taking reasonable steps to ensure they remained on school premises
- Intimidating a child with special educational needs.

## **Co-operation and collaboration**

- Acting to the detriment of newly qualified and junior teachers
- Deliberately undermining the authority of the head teacher and staff colleagues.

## **Confidentiality**

- Sending a letter to parents of children in a class, which
  - was in breach of the school's policy and guidelines with regard to communications with parents and children
  - misrepresented a confidential discussion between the teacher and the head teacher
  - invited an involvement of parents in defence of a refusal to undertake contractual obligations.

## **Professional competence**

- Altering, adding to or completing scripts for Sats
- Persistent failure to co-operate with arrangements for furthering the educational progress of pupils with special educational needs
- Providing unauthorised photocopies of forthcoming examination papers to students at a private tutorial college.

## **Honesty and integrity**

- Failure to comply with school financial and accounting procedures
- Misrepresenting the true state of school trip funds
- Theft of school property
- Submission of false petty cash receipts
- Using school administrative staff and facilities for private interests
- Using school equipment to view pornography.

## **Professional position**

- False claims to possess qualifications
- Falsifying a reference for a teaching post
- Misrepresenting the pattern of past employment on a teaching application form.

## **Bringing the profession into serious disrepute**

Conduct in this category would include behaviour which was seriously detrimental to the standing of the profession but where no criminal offence was committed.

### **Conviction of a relevant offence**

All criminal behaviour is a serious matter and under the provisions of Home Office Circular 45/86, teaching is a notifiable occupation. This means that the police report any conviction or caution by a teacher to the Department for Children, Schools and Families.

Criminal offences which have been determined as relevant

include:

- Benefit fraud
- Indecent assault
- Inflicting grievous bodily harm
- Manslaughter

- Possession of prohibited firearms and ammunition
- Threatening or disorderly behaviour
- Unlawful wounding.

### **Serious professional incompetence**

Serious professional incompetence has been found where there is a serious and persistent pattern of failure in terms of:

- Subject knowledge
- The ability to establish learning objectives and set appropriate activities
- The ability to operate effective assessment procedures and to mark student work
- The ability to manage pupil behaviour and thereby to ensure the safety and welfare of pupils
- The ability to follow policies and procedures and to work effectively with teacher colleagues
- The ability to adequately lead and manage a curriculum area.