

# College Group Policy

## Code of Ethics Policy

**Manager Responsible:** Chair of Governors / Principal

**Version Number:** 1.2

<b>Approval Date:</b>	23 Jul 2020
<b>Approved by:</b>	SMT
<b>Minute number:</b>	
<b>Ratified by:</b>	Board of Governors
<b>Minute number:</b>	
<b>Review Date:</b>	31 Jul 2022
<b>Author / Editor:</b>	SparksA@chelmsford.ac.uk

<b>Intended Audience:</b> <i>(Check appropriate box)</i>			
Staff:	<input checked="" type="checkbox"/>	Governors:	<input checked="" type="checkbox"/>
Students:	<input checked="" type="checkbox"/>	External:	<input checked="" type="checkbox"/>

## **AMENDMENT SUMMARY**

<b><u>Version</u></b>	<b><u>Date</u></b>	<b><u>Remarks</u></b>
1.0	09 Jun 2017	First Issue
1.1	07 Dec 2019	Periodic review – No changes
1.2	23 Jul 2020	Periodic review – No changes

### **Age, Disability, Gender & Race Equality Statement**

Age, Disability, Gender and Race Equality Impact Measures will be set and monitored through analysis of all data related to potential suspected or actual abuse of this policy.

A copy of the Equality Impact Assessment Initial Screening Form is attached as an Annex to this document

## **Introduction**

This Code of Ethics is derived from work undertaken by the Association of Colleges. It does not seek to rehearse the legal framework governing the operation of Colleges, but takes as its starting point the distribution of powers and responsibilities set out in legislation and the Instrument and Articles of Government, as amended. It lays down general principles which can be used to determine action, which will conform to the high standards and values expected in the public sector. It is consistent with the Code of Good Governance for English Colleges, which the College adopted in 2015.

## **The Model**

### **A. Overview of general values**

1. In all College activities it is important to develop and promote a set of core values relevant to its mission statement to provide high quality learning opportunities for students.
2. As an institution funded primarily by public monies (i.e. from the taxpayer), the College accepts that those values must be in conformity with the principles laid down by the Nolan Committee for those holding public office – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
3. The College recognises its obligations to all those with whom it has dealings – students, employees, employers, suppliers, other educational institutions and the wider community – and also to the public generally, and more particularly, the taxpayer.
4. The reputation of the College, including the trust and confidence of those with whom it deals, is one of its most vital assets, the protection of which is of fundamental importance.
5. The College requires and demands the highest ethical standards in carrying out its activities.
6. In its dealings with individuals, the College will adhere to the principles of natural justice and the civil and human rights of individuals.
7. The College will seek to encourage a culture of openness aimed at ensuring that matters connected with the operation of the College can be discussed frankly with staff and students. It will adopt and maintain procedures on whistleblowing which will enable concerns to be raised on a confidential basis, where that is appropriate, both inside and, if necessary, outside the organisation.
8. The College is committed to securing equality of opportunity for staff and students alike, to discharging its legal duties under relevant discrimination legislation and to safeguarding staff and students within the College environment.

### **B. Values relating to Students**

1. The College believes that integrity in dealing with its students or prospective students is a prerequisite for success and an important statement of the values it offers.
2. The College will not deliberately give inadequate or misleading information on its learning programmes or other services.

3. In all advertising and public communications, the College will accurately promote its programmes and achievements.
4. The College will not countenance recruitment or other practices that involve the offer of improper financial or other inducements to students.
5. The College will make all reasonable attempts to deliver learning programmes and support services to meet the particular needs of students efficiently and effectively to accepted quality standards and will take reasonable steps to rectify any shortcomings in the service delivered.
6. Learning support, information, advice and guidance offered to students will be impartial and guided by the best interests of the student, so far as it is practicable to do so.
7. The College will publish a statement setting out what students and others can expect of the College and details of its complaints and appeals procedures. It will deal with all students with equal care and respect.
8. The College will ensure that complaints are dealt with fairly, openly and efficiently and in compliance with laid down, published procedures.
9. Within the requirements of the law and in accordance with the Data Protection Act 1998, the College will maintain the confidentiality of information on individual students.

### **C. Values relating to our Educational Partners**

1. The College is committed to collaborative arrangements that will benefit the institution and its students. Where the College is in competition with others, the College will compete vigorously, but honestly, with other educational providers offering similar learning opportunities.
2. The College will not seek to damage the reputation of competitors or other third parties either directly or by innuendo.
3. The College will provide information on individual students to any Government institutions engaged in providing for the learning needs of the student in accordance with agreed procedures, within the requirements of the Data Protection Act 1998 or any other relevant statute.
4. The College will not seek to acquire information regarding competitors by unfair or disreputable means.
5. The College will not engage in unfair or restrictive practices in regard to the recruitment or retention of students.
6. The College will consult with institutions and/or service providers who might be affected on any significant proposals for change in the learning programmes or services it offers.

## **D. The Corporation**

1. The Corporation will adopt a Code of Conduct for itself consistent with the principles laid down by the Nolan Committee and the requirements of its Instrument and Articles of Government.
2. The College will maintain a Register of Members' Interests which will be open to inspection by the public. Members required to register those interests, which are of relevance to the work of the College, insufficient detail to allow the nature of those interests to be understood by enquirers and those interests will be reviewed and updated annually.
3. The Corporation will seek to ensure that its members are appointed on merit, after an open selection process, and are drawn widely from the community it serves, having regard to the need for continuity and freshness, and for a range of skills and interests.
4. The Corporation is responsible for determining the educational character and mission of the College and for oversight of its activities; for the effective and efficient use of resources; the solvency of the Corporation and the safeguarding of its assets; for the approval of annual estimates of income and expenditure; for the appointment, grading, suspension, dismissal and determination of the pay and conditions of the holders of senior posts and, if a member of staff, the Clerk; for setting a framework for the pay and conditions of service of all other staff, in accordance with the Articles of Government.
5. The Corporation will adopt procedures which ensure sound financial decision making, control and monitoring to meet the requirements of the funding bodies and public audit.
6. The Corporation will ensure that information on its decisions and the work of the College is made publicly available, having regard to proper confidentiality as determined by the Corporation (and regularly reviewed) and any legal requirements.

## **E. Management and Staff**

1. The College will adopt a Code of Conduct for its employees, based on similar principles to that for Members.
2. The staff Code of Conduct will forbid employees from soliciting or accepting inducements in respect of any matter connected with the operation of the College
3. The staff Code of Conduct will be consistent with the College Code of Practice on Freedom of Speech in respecting the freedom within the law of academic staff to question and test received wisdom, and to put forward new ideas or controversial or unpopular opinions without placing their employment in jeopardy. This includes the right of staff to speak freely and without being subject to disciplinary sanctions or victimisation about academic standards or related matters, provided that they do so lawfully, in confidence, without malice and in the public interest.
4. Where the College includes confidentiality clauses in severance contracts or agreements, this will not prevent staff who have legitimate concerns about malpractice raising these concerns with the appropriate authority.

5. As Accounting Officer for the College under the Financial Memorandum, the Principal and Chief Executive will be responsible for the propriety of financial decision making and will advise the Corporation of any requirements in respect of matters before it.

## **F. External Relationships**

1. The College recognises that it is responsible to the community it serves and will take steps to ensure that information on its external activities is made publicly available, noting any requirements for confidentiality that may be applicable and which shall be explained as necessary.
2. The College will be responsive to its community and within the framework of its own Mission Statement will seek to provide programmes and services relevant to the needs of individuals and employers.
3. The College will provide timely and accurate information to the best of its abilities on individual students to employers or others providing sponsorship, within the confines of the Data Protection Act 1998 and any other relevant contractual or general legal requirements.
4. The College will ensure that its contracts with organisations comply with acceptable ethical standards and any legal duties, for example, the general duty under the Equality Act 2010 to eliminate discrimination, to promote equality of opportunity and to promote good community relations.

## **G. Compliance and Verification**

1. The College will require all its employees, officials and sub-contractors to adhere to its Code of Conduct for staff.
2. The College will create mechanisms by which employees and students can express genuinely held concerns about behaviour or decisions they perceive to involve serious impropriety, and have them investigated, with every reasonable assurance of confidentiality as appropriate.
3. The Clerk will be responsible for monitoring adherence to the Members' Code of Conduct by Members of the Corporation, investigating alleged breaches and reporting to the Corporation. The Corporation will decide on any action to be taken to ensure compliance with the Code.
4. The Principal and Chief Executive will be responsible for initiating and supervising investigations into alleged breaches of the Code of Conduct by members of staff, and for ensuring that appropriate action is taken.
5. The College auditors (internal and external) may be asked to report on any practice that appears to breach the Code.
6. The College will ensure that its Codes are published and made publicly available, and that they are regularly reviewed.

**Equality Impact Assessment (EIA) Initial Screening Form**

Name of the Policy, Procedure, Practice or Proposal being screened:

Code of Ethics

Provide a brief description of its purpose:

The Code of Ethics lays down general principles which can be used to determine action, which will conform to the high standards and values expected in the public sector. It is consistent with the Code of Good Governance for English Colleges, which the College adopted in 2015.

Are there controls in place to monitor the uniform application of this practice? (if no please explain below)

Yes

~~No~~

Does the policy or process have the potential to affect a particular group disproportionately in either a positive or negative way? Please provide comments with supporting evidence:

No

If you have identified a medium or high equality impact please complete the following, otherwise leave blank. Add additional comment below the questions as necessary.

Are there any other policies or practices that need to be assessed alongside this screening?

Yes

No

Should the policy or practice proceed to a full Equality Impact Assessment?

Yes

No

If the answer to the above question is no, please give the reasons for this decision:

If a full impact assessment is required, please give the date by which it will be completed

**(Note – If you have assessed a negative impact as high, you must seek advice and conduct a full EIA on a high priority basis)**

**Declaration:**

We are satisfied that an initial screening has been carried out and a full Equality Impact Assessment [~~is~~ / is not] required at this time.

(If a full EIA is required, a template form is available within the EIA Guidance Notes which must be read before completing a full EIA).

**Manager:**

Signature: 

A Sparks

Date: 

09 Jun 2019

**Countersigned**

Signature: 

E Oddie

Date: