

**Kingsgate Workshops Trust
Staff Code of Conduct
June 2023**

1. Introduction

KWT's Code of Conduct has been developed to ensure that KWT staff (as defined in section 2) are clear about the general standards of behaviour and performance required. It clarifies issues of conduct and the standards of behaviour required of KWT staff. It builds on the previous Code (2009) which aimed to promote a positive work environment, protect the physical and mental health of all employees, and ensure respect and support for colleagues

This Code of Conduct is designed to help staff understand their working environment, encourage staff retention, protect staff from exploitation and abuse or physical injury or harm, safeguard KWT's reputation and ensure the smooth day to day running of the organisation on behalf of licensees and sharers as well as staff. The Code of Conduct provides a set of minimum standards which forms part of our commitment and responsibility to the welfare and personal security of everyone and, alongside our Health and Safety policy, aims to protect staff, licensees, sharers and others we work with from potential risks at work.

KWT staff are personally and collectively responsible for upholding and promoting the highest standards of ethical and professional conduct. All KWT staff should therefore, at all times and in all circumstances, during and outside working hours refrain from acts of misconduct, respect the organisation's standards and work productively and respectfully with colleagues, licensees, sharers and others with whom they have contact when on KWT business.

KWT staff must be familiar with the organisation's policies on **Safeguarding** (which covers more areas than are covered in detail here), **Bullying and Harassment**, and **Whistleblowing**.

2. Scope and purpose

This Code applies to all employees, volunteers, consultants, interns, and any other individuals working for or representing KWT (hereinafter referred to as “staff”). The Code also applies to KWT board members and any related committees.

This Code of Conduct refers to all KWT staff wherever they are based, board members, and any other operations/activities that are legally or organisationally included in the present or future structure. There is a separate Code of Conduct for licensees and sharers which mirrors this document where appropriate.

The Code of Conduct will take immediate effect and will be signed by staff. All staff are responsible for ensuring that that they themselves, and those they line manage, comply with this Code of Conduct. Staff should be aware of the mechanisms to report any breach of the Code of Conduct.

The Code of Conduct covers the following areas:

- Integrity and Commitment
- Individual and Collective Responsibilities
- Relationship with other staff, licensees, sharers and external partners
- Misconduct of any kind
- Prevention of Sexual Exploitation and Abuse
- Drug and Alcohol in the workplace
- Receipt of Business Gifts and Giving of Business Gifts
- Conflict of interest
- Security breaches
- Representation and representational breaches
- Disciplinary procedures
- Implementation

3. Integrity and Commitment

The work and reputation of KWT depends on the performance and behaviour of its staff. KWT staff are recruited on the basis of their competence, integrity and commitment to the mission and mandate of KWT. KWT expects its staff to:

- respect the conditions in the contracts KWT has with licensees and sharers.
- conduct all duties with integrity and strive towards attaining a high standard of professional responsibility and achievement.
- maintain an unimpeachable standard of integrity in all business relationships both inside and outside KWT.
- optimise the use of resources for which the staff member is responsible.
- minimise negative impact on the environment.
- foster the highest standards of professional competence among those for whom the staff member is responsible.
- respect all people, taking into account the sensitivities of their customs, habits, and religious beliefs.
- recognise the richness of the diversity of the Workshops and value the perspectives of every individual, including those of different cultural and educational backgrounds.
- positively represent KWT in all work areas.
- declare any potential conflict of interest or bias.
- adhere to the responsibilities and obligations set out in any contractual agreements they have entered into with KWT or on behalf of KWT.

Where disregard for these expectations has a negative impact on KWT's mission or staff, disciplinary action may be taken in line with KWT Policies.

4. Individual and collective responsibilities

4.1 Individual staff responsibilities

As a member of staff you are expected to:

- attend work in a fit and capable state to work and not be “under the influence of” alcohol or any illegal substance.¹
- not be in possession of any kind of weapon or ammunition whilst at work.
- attend work appropriately dressed for the office or for an external event.
- adhere to the terms and conditions of employment as outlined in your Contract of Employment.
- follow all organisation policies and procedures in force.

¹ “Under the influence” in the context of this Code refers to the injection of alcohol or illegal drugs to the degree that the person is rendered incapable of discretion and sound judgement in the workplace.

- perform to a satisfactory standard the duties and responsibilities of your job as outlined in your job description or by an appropriate manager, and ensure that all procedures relating to your area of responsibility are adhered to at all times.
- carry out any reasonable instructions given to you in relation to the performance of your job by an appropriate manager.
- adhere to the pattern of daily working hours as agreed under your contract and with your manager.
- deal with others with respect and courtesy at all times, not using aggressive or offensive language.
- be responsible and accountable for your words and actions at all times.
- have appropriate authority to act or commit KWT in what you write, say or e-mail to others.
- express yourself appropriately and carefully in all your interactions.
- listen to others respectfully and actively and deal with disagreements professionally.
- value and welcome diversity and ensure that KWT's work is available to those with any form of disability
- use language appropriately and not behave in a way which may offend, alienate or patronise others.

4.2 Responsibilities towards colleagues

As a member of staff you are expected to:

- support colleagues in achieving organisation standards and targets.
- listen to feedback and be prepared to discuss it.
- take an active part in all team or work-related meetings.
- refrain from any acts of misconduct.
- not engage in bullying or harassing behaviour towards any colleagues.
- contribute towards the creation and maintenance of an environment that prevents sexual exploitation and abuse, and fraud and corruption.
- declare any potential conflict of interest or bias.
- follow all health and safety regulations (further information can be found in our Health and Safety policy, available at <https://www.kingsgateworkshops.org.uk/policies>).
- not abuse or misuse your position, power or influence for personal benefit or to benefit another person, or cause harm to another person.

4.3 Relationships with licensees and other stakeholders

- Staff must maintain professional relationships with each other and with licensees and sharers.
- Differences in culture, religion and politics should be respected and relationships between staff members must not interfere with organisational objectives.
- Staff must know and understand KWT's policies which help contribute towards a fruitful relationship with licensees, namely Safeguarding, Health and Safety, Whistleblowing, Bullying and Harassment, Complaints. Others may be added to this list.

5. Prevention of Abuse of Power, Fraud, Corruption, and Sexual Exploitation and Abuse

5.1 Misconduct of any kind

All staff shall refrain from all acts of misconduct and especially those noted in this Code. The sections below set out the general categories of prohibited acts and include examples of specific acts which KWT considers as misconduct or gross misconduct depending on the severity of the act. Generally, any act of “abuse of power” will be considered gross misconduct.

Staff have a responsibility to bring any matters of concern to the immediate attention of their manager or Director, in alignment with KWT’s **Whistleblowing Policy**. We will guarantee that whatever staff report will be treated with the utmost confidentiality as far as is practicable within the line management structure. However, if any disclosure is made in bad faith, or concerns information which staff do not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure may constitute gross misconduct.

5.2 Abuse of Power

Abuse of power is defined as “The abuse or misuse of position or influence or failure to use proper discretion for personal benefit or to benefit another person. Abuse of power includes but is not limited to: favouritism,² nepotism,³ cronyism,⁴ corruption,⁵ bribery and all forms of exploitation, including sexual.”

Acts that will be considered abuse of power include:

- Any act which could be considered harassment, mobbing, bullying, discriminatory, racist or an illegitimate use of authority.
- Use of position to commit KWT legally, financially or morally without authorization.
- Stealing or misappropriation of funds, property or human resources from KWT.

5.3 Fraud and Corruption

KWT is committed to promoting and maintaining the highest level of ethical standards in relation to all of its business activities.

² This is a mechanism of power abuse implying "privatization" and a highly biased distribution of common resources, no matter how these resources have been accumulated in the first place.

³ Staff who show preference to his or her own friends and family members, irrespective of their qualifications and without due process.

⁴ Favouritism shown to friends and associates (as by appointing them to positions without regard for their qualifications).

⁵ Corruption is about money and using organizational, public or private power to steal from those who have less power. Corruption is a complex concept that includes bribes, embezzlement, fraud, extortion or kickbacks.

We have a zero-tolerance policy towards fraud and corruption and recognise that fraud is contrary to fundamental values of integrity, transparency and accountability, and undermines organisational effectiveness.

Negligent treatment of KWT property and theft of any kind is a serious disciplinary issue.

KWT staff shall never take advantage of their position when working with licensees, sharers or other KWT stakeholders.

5.3.1 Conflict of interest and gifts

The rules in relation to conflicts of interest and gifts are that business interests, directorships, board members and other employment or voluntary work must not conflict with KWT interests. Notwithstanding the part-time employment of all KWT staff, KWT reserves the right to call for the staff member's resignation of any outside offices or employment, if it believes that continuation of employment/membership is against the best interests of KWT or the individual involved.

Corrupt business practices are prohibited, including failure to disclose or show full transparency of any potential conflict of interest with a supplier, any service provider or business partners (including close family relations, shareholder arrangements and the like).

To avoid conflicts of interest, staff should not accept any gift or favour or promise any gift or favour in connection with their work that could be construed as being inappropriate or an attempt to influence either your own or the recipient's judgement.

Where a small gift such as chocolates, flowers or modest hospitality is offered this can be tactfully accepted provided the value is no more than a maximum of £50. When, however, the gift is to the value of more than £50 acceptance must be deferred until it has been checked with the line manager, in line with the procedure below.

If you're in doubt, for example over the offer or receipt of a token seasonal gift, you should seek the advice of your manager before accepting.

Infringement of the above policy will result in the instigation of KWT's disciplinary procedure. Serious abuse of any guidance may result in summary dismissal. Any allegation regarding Fraud and Corruption will be systematically investigated and if substantiated the management reserves the right to refer to the police and take legal action.

5.4 Sexual Exploitation and Abuse⁶

Staff must behave according to accepted standards and laws regarding sexual conduct. KWT's Safeguarding policy is an essential reference for this section.

⁶ This section draws from the UN Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)

KWT will take all appropriate measures to prevent sexual exploitation or abuse of anyone by any of its staff. For these purposes and regardless of local laws or lack of such laws, KWT staff shall while on duty and off duty:

Understand that sexual exploitation and abuse by staff constitute acts of gross misconduct and are therefore grounds for termination of employment.

- Never engage in any sexual activity with children (persons under the age of 18) regardless of the age of majority or age of consent locally. Sexual activity with children is prohibited within KWT. Mistaken belief in the age of a child is not a defence.
- Know that the exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited.
- Never abuse a position to withhold assistance or give preferential treatment; in order to solicit sexual favours, gifts, payments of any kind, or advantage.
- When working with children, avoid actions or behaviour which may constitute poor practice and never act in ways that may place a child at risk of abuse.

Where a KWT staff member develops concerns or suspicions regarding sexual abuse or exploitation by a fellow member of staff, he or she must report such concerns to their line manager, or via KWT whistleblowing procedure.

All staff should create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of the Code of Conduct.

Any allegation regarding Sexual Exploitation and Abuse will be systematically investigated and if substantiated, will result in disciplinary action. In addition, the management reserves the right to take legal action for non-compliance with the Code of Conduct section on Sexual Exploitation and Abuse.

5.5 Bullying and Harassment

KWT is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect. This applies to colleagues as well as licensees and sharers.

We do not tolerate any form of workplace violation such as bullying or harassment (including sexual, gender and racial harassment) or discrimination, that is, any unwelcome comment or behaviour that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behaviour that fails to respect the dignity of an individual. All allegations of bullying and harassment will be investigated and, where appropriate, disciplinary action will be taken. We will also not tolerate victimisation of a person for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint. Victimisation is a disciplinary offence.

See the full KWT Policy on the prevention of **Bullying and Harassment**.

6. Drugs and Alcohol in the workplace

The KWT has a duty to ensure a safe and healthy working environment for all its staff. Staff also have a duty to be competent and to take care during working time.

- All staff are expected not to be under the influence of illegal, non-prescribed drugs or alcohol while at work, or on KWT business.
- If staff are attending events on KWT business and representing KWT outside the workplace they are expected to be able to remain professional.
- Staff must not possess non-prescribed or illegal drugs at work. If they are found to be in possession, the management reserves the right to formally report them to the police.
- If someone is found or suspected to be under the influence of non-prescribed or illegal drugs or drunk at work, colleagues are expected to report this immediately to the staff member's line manager or if they are not available to the Director.
- Staff should let their managers know if prescribed drugs have side-effects which may impact on their work.

Non-compliance with the policy above will be treated as a serious disciplinary offence.

7. Representation and Representational breaches

It is the responsibility of all staff of KWT to ensure that publications and communications bearing KWT name should not contain material that is inaccurate or detrimental to the good reputation of KWT. It is important to note that disclaimers are not effective in absolving an organisation of responsibility or in protecting its reputation.

When producing publications or communications on behalf of KWT, it is the responsibility of staff to check with the colleague responsible for external communications. Speaking to any media about KWT also requires permission from the Director if it is not in the staff member's job description.

This is to prevent:

- a) Improper use of KWT logo.
- b) Any acts or omissions that could discredit KWT.
- c) Involving KWT in political or other discussions which are not relevant to KWT or may jeopardise our duty of care to staff and studio holders.
- d) Any intentional false and malicious statements, misrepresentation or false accusation of another staff member or studio holder.

8. Confidentiality and Security

Computers, laptops, networks and paper documents must be kept secure at all times. KWT requires its staff to abide by software licensing agreements into which it has entered.

Downloading potentially offensive material via or onto KWT resources is prohibited and may result in the staff member being reported to the police.

It is prohibited to divulge any confidential information acquired while carrying out duties with KWT, particularly in relation to Data we hold on individuals. Unnecessary disclosure of confidential information concerning the work of KWT or its staff as outlined in your employment contract.

9. Civil or penal responsibility

Any action taken under these disciplinary procedures does not preclude further administrative, civil or penal responsibility or action.

10. Implementation of this Code of Conduct

Awareness raising

All staff have a responsibility to familiarise themselves with the Code of Conduct, its purpose and the mechanisms of reporting non-compliance of it. The Code of Conduct will be part of induction.

Overall responsibility

All persons to whom this Code applies, especially managers, are obliged to ensure and maintain an environment that prevents power abuse and promotes the implementation of these standards of behavior.

This document automatically forms part of all contracts of employment or contractual conditions of service.

Code of Conduct June 2023

STATEMENT OF RECEIPT:

I _____, declare that I have received, read and understood the Code of Conduct dated June 2023 for all staff of KWT and all policies noted in the Code. I understand that this Code forms an integral part of my employment contract or conditions of service with KWT and agree to abide by its terms and conditions.

Signature _____ Place _____ Date _____

