



# SIR THOMAS RICH'S

## Staff Code of Conduct

This policy was drawn up in accordance with the Area Child Protection Committee and the Education (prohibition from teaching and working with children) Regulations 2003; the Gloucestershire Safeguarding Children policies (all maintained up-to-date online at [www.gscb.org.uk](http://www.gscb.org.uk)); *Working Together to Safeguard Children (DfE, March 2015)* and *Keeping Children Safe in Education (DfE, March 2015)*. Together with *Information Sharing, Advice for practitioners providing safeguarding services to children, young people, parents and carers (DfE, March, 2015)* and *What to do if you're worried a child is being abused, Advice for practitioners (DfE, March 2015)*. This policy should be read in conjunction with these DfE statutory guidance documents *and in conjunction with the Gloucestershire Safeguarding Staff Code of Conduct Guidance for Safer Working Practice for Adults who work with Children and Young People (August 2014)*

**Date reviewed:** March 2018

**Status:** Non - Statutory

**Responsibility:** It is the responsibility of the School's Senior Management Team (SMT) to draw up and implement the Staff Code of Conduct.

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## 1. Principles

The vast majority of adults who work with children in education settings act professionally. They seek to provide a safe and supportive environment, which secures the well-being and very best outcomes for children and young people in their care. It is recognised that achieving these aims is not always straightforward. Much relies on pupil and staff interactions where tensions and misunderstandings can occur. It is here that staff behaviours can give rise to allegations being made against them. Allegations may be genuine, malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

The basic principles which underpin this policy are:

- The welfare of the child is paramount (Children Act 1989).
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work, and be seen to work, in an open and transparent way.
- Staff should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident, which may give rise to concern.
- Records should be made of any such incident and of decisions made/further actions agreed.
- Staff should apply the same professional standards regardless of gender or sexuality.

- All staff should understand their responsibilities to safeguard and protect children and young people.
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

## **2. Duty of Care**

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement.

## **3. Exercise of Professional Judgement**

This document highlights behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge and in so doing, will be seen to be acting reasonably.

## **4. Power and Positions of Trust**

As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Wherever possible, staff should avoid behaviour, which might be misinterpreted by others, and report and record any incident with this potential.

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that that child to engage in or watch sexual activity.

## **5. Confidentiality**

Members of staff may have access to confidential information about pupils in order to undertake their everyday responsibilities. In some circumstances, staff may be given additional highly sensitive or private information. They should never use confidential or personal information about a pupil or her/his family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the pupil.

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

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff. Any media or legal enquiries should be passed to senior management.

## **6. Propriety and Behaviour**

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and the public in general.

Part 2 of Teachers' Standards states that, "A teacher is expected to demonstrate consistently high standards of personal and professional conduct". It goes on to give examples of ethics and behaviour expected of teachers both inside and outside School.

## **7. Dress and Appearance**

A person's dress and appearance are matters of personal choice and self-expression. However, staff should consider the manner of dress and appearance appropriate to their professional role, which may be different from that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner, which could be considered as inappropriate, could render themselves vulnerable to criticism or allegation.

## **8. Gifts**

It is against the law for public servants to take bribes. Staff need to take care that they do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when children or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. If a member of staff is unsure whether they can accept a gift or if the gifts are becoming regular then they should take advice from a senior colleague.

Similarly, it is inadvisable to give such personal gifts to pupils. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a young person should be agreed practice within the establishment, consistent with the school's behaviour policy, recorded and not based on favouritism.

## **9. Infatuations**

Staff need to be aware that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop a heterosexual or homosexual infatuation. All situations should be responded to sensitively to maintain the dignity of all concerned. Staff should also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

A member of staff, who becomes aware that a pupil may be infatuated with themselves or a colleague, should discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

## **10. Social Contact and Communication with Pupils**

Staff should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement in making a response and be aware that such social contact could be misconstrued.

Staff should not normally give their personal details such as home phone number; home or e-mail address to pupils and should avoid any contact on social networking sites and similar, unless the need to do so is agreed with senior management.

See ICT policy, Staff Acceptable Use.

## **11. Home Visits**

All work with pupils and parents should, wherever possible, be undertaken in the School. However, there are occasions, in response to urgent or specific situations, where it is necessary to make one-off or regular home visits. A home visit would take place following a discussion with a member of Senior Management Team who will assess the need and make any necessary arrangements to safeguard staff and pupils during the visit.

No child or young person should be in or invited into the home of a member of staff nor should they assist with chores or tasks in the home of a member of staff unless the reason for this has been agreed with parents and a member of the Senior Management Team. Staff whose children are pupils of the school should be mindful of the need to balance professional boundaries with the personal and social development of their child.

## **12. Physical Contact**

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should therefore use their professional judgement at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible.

Physical contact, which occurs regularly with an individual child or young person, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the child for the minimum time necessary.

Extra caution may be required where it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to staff being vulnerable to allegations of abuse. It is recognised that many such children are extremely needy and seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively by helping them to understand the importance of personal boundaries.

The general culture of 'limited touch' should be adapted, where appropriate, to the individual requirements of each child. Children with special needs may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.

## **13. Physical Education and other activities which require physical contact.**

Some staff, for example, those who teach PE and games or who offer music tuition will on occasions have to initiate physical contact with pupils in order to support a child so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise.

Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment (see section 18, one-to-one situations, below). Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child.

## **14. Showers and Changing**

Young people are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard young people, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

Staff therefore need to be vigilant about their own behaviour and be mindful of the needs of the pupils. They should normally not change in the same space as pupils nor should they shower or bathe alongside pupils.

## **15. Pupils in Distress**

There may be occasions when a distressed pupil needs comfort and reassurance. This may include age - appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a senior member of staff.

## **16. Behaviour Management**

All pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Equally, staff should not use any form of degrading treatment to punish a pupil. The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation.

## **17. Care, Control and Physical Intervention**

The circumstances in which staff can intervene with a pupil are covered by the Education and Inspections Act 2006. Staff may use reasonable force to prevent pupils from hurting themselves or others, from damaging property or causing disorder. School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.

The DfE document, "Use of reasonable force" gives further details.

## **18. Sexual Contact with Young People**

*See Child Protection and Safeguarding Children policy*

Any sexual behaviour by a member of staff with or towards a child or young person is both inappropriate and illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether the child or young person consents or not. This includes the prohibition on adults in a position of trust (see Section 4).

The sexual activity referred to does not just involve physical contact, it may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material. 'Working Together to Safeguard Children', 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. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images,

watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children'.

Staff should be aware that conferring special attention and favour upon a child might be construed as being part of a 'grooming' process, which is an offence.

## **19. One to One Situations**

Staff working in one to one situations with children and young people may be more vulnerable to allegations. Teachers and others should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs of both staff and pupils are met.

It is recommended that sensitive meetings are conducted with a colleague present, if appropriate and possible. It can be helpful to leave a door open, to minimise the risk of later allegation.

Pre-arranged meetings with pupils away from the school premises are not permitted unless approval is obtained from their parent and the Headmaster or other senior colleague with authority.

## **20. Transporting Children**

In certain situations e.g. out of school activities, staff or volunteers may agree to transport children. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort.

Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

## **21. Educational Visits and After School Clubs, etc.**

Staff should take particular care when supervising pupils in the less formal atmosphere of a residential setting or after-school activity.

During school activities that take place off the school site or out of school hours, a more relaxed discipline or informal dress may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Pupils, staff and parents should be informed of these prior to the start of the trip.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of school activity. Staff must be aware of and follow guidance.

See *Offsite Visits Policy*

## **22. First Aid, Administration of Medication, Intimate and Personal Care**

See *Pupils with Medical Needs policy*.

## **23. Curriculum**

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff.

Care should also be taken to abide by the governing body's required policy on sex and relationships education and the wishes of parents. Parents have the right to withdraw their children from all or part of any sex education provided (but not from the biological aspects of human growth and reproduction necessary under the science curriculum).

## **24. Photography, Videos and other Creative Arts**

Many school activities involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement.

Staff need to be aware of the potential for these aspects of teaching to be misused for pornographic or 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable pupils who may be unable to question why or how the activities are taking place.

Children who have been previously abused in this way may feel threatened by the use of, for example, photography or filming in the teaching environment.

Staff should remain sensitive to any children who appear uncomfortable and should recognise the potential for misinterpretation.

Using images of children for publicity purposes will require the age - appropriate consent of the individual concerned and their legal guardians. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the school have access.

It is recommended that when using a photograph the following guidance should be followed:

- if the photograph is used, avoid naming the pupil
- if the pupil is named, avoid using their photograph
- images should be securely stored and used only by those authorised to do so.

## **25. Internet Use and Access to Inappropriate Images**

*See ICT policy, Staff Acceptable Use*

There are no circumstances that will justify adults possessing indecent images of children. Accessing, making and storing indecent images of children is illegal.

Staff should not use equipment belonging to the School to access adult pornography; neither should personal equipment containing these images or links to them be brought in to the workplace. This will raise serious concerns about the suitability of the member of staff to continue to work with children.

Where indecent images of children or other unsuitable material are found, the Headmaster should be informed. Staff should not attempt to investigate the matter themselves; neither should staff view or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

*See Child Protection and Safeguarding Children policy*

## **26. Whistleblowing**

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or Governors. This is particularly important where the welfare of children may be at risk.

*See Staff Whistleblowing policy*

## **27. Sharing Concerns and Recording Incidents**

All staff should be aware of the school's child safeguarding procedures, including procedures for dealing with allegations against staff, details of which are included in Part four of the DfE document "Keeping children safe in education". Staff who are the subject of allegations are advised to contact their professional association.

In the event of an incident occurring, which may result in an action being misinterpreted and/or an allegation being made against a member of staff, the relevant information should be clearly and promptly recorded and reported to senior staff. Early discussion with a parent or carer could avoid any misunderstanding.

Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with pupils so that appropriate support can be provided or action can be taken.

**All staff have a duty to always act in the interests of the child and report any child protection/safeguarding concerns to the Designated Safeguarding Lead - Mr M Morgan or to the Deputy Designated Safeguarding Lead - Miss D Brake.**