

CODE OF CONDUCT

Date Drafted:	Autumn 2017
Date Presented by Trust Board:	
Date Adopted by LGB:	
Review Frequency:	
To be Reviewed By:	

Contents

Section 1: Overview	4
1.1 Introduction.....	4
1.2 Compliance with the Code of Conduct	4
1.3 Treating other people with dignity and respect	4
1.4 Background.....	4
1.5 What to do if you are worried a child is being abused.....	5
Section 2: Using this Code of Conduct	5
2.1. Status of the Code of Conduct.....	5
2.2. Purpose of the Code of Conduct.....	5
2.3. Underpinning Principles.....	6
Section 3: Code of Safe Working Practice and appropriate professional conduct	6
3.1 Context.....	6
3.2 'Unsuitability'	6
3.3 Duty of Care	6
4. Confidentiality	8
5. Making a Professional Judgement.....	8
6. Power and Positions of Trust.....	9
7. Propriety and Behaviour	9
8. Dress and Appearance	10
9. The Use of Personal Living Space.....	11
10. Gifts, Rewards and Favouritism.....	11
11. Infatuations	12
12. Communication with Children and Young People (including the Use of Technology)	12
13. Private use of Social Networking, Personal Websites and Blogs by Staff and Volunteers while on School Premises or on Official Duty.....	13
14. Social Contact.....	14
15. Sexual Contact.....	14
16. Physical Contact.....	15
17. Other Activities that require Physical Contact	16
18. Behaviour Management	17
19. Use of Control and Physical Intervention.....	18
20. Children and Young People in Distress.....	19
21. Personal Care	19
22. First Aid and Administration of Medication	20
23. One to One Situations	20
24. Home Visits.....	21
25. Transporting Children and Young People.....	22
26. Educational Visits, Trips, Outings and After-School Activities	23
27. Photography and Videos.....	23
28. Access to Inappropriate Images and Internet Usage.....	24
29. Curriculum	25
30. Public Interest Disclosure (Confidential Reporting)	25

31.	Sharing Concerns and Recording Incidents	26
32.	Children Missing from Education	26
33.	Extremism and Radicalisation.....	26
34.	Female Genital Mutilation (FGM)	27
35.	Tutoring of School Pupils.....	27
35.1	Independent Tutoring.....	27
35.2	One-to-One Tuition	27
36.	Professional Behaviour	28
37.	Criminal Actions	28
38.	Declaration of Interests.....	28
39.	Probity of Records and Other Documents	28
40.	Financial Inducements	28
40.1	Financial Regulations for schools	28
40.2	Business Contacts.....	28
40.3	Declaration of Gifts.....	29
40.4	Gifts or Hospitality to an Employee.....	29
40.5	Gifts or Hospitality to the School.....	29
40.6	Use of School Contacts.....	29
41.	Other Employment.....	30
42.	Health and Safety	30
43.	Use of Alcohol and Illegal Drugs.....	30
44.	Use of School Premises, Equipment & Communication Systems.....	30
45.	Frequently Asked Questions.....	31
	APPENDIX 1.....	33
	REGISTER OF BUSINESS INTERESTS FORM.....	33
	APPENDIX 2.....	34
	REGISTER OF GIFTS AND HOSPITALITY	34

Section I: Overview

I.1 Introduction

All employees of the Northworthy Trust, whether based in a school or at an alternative setting, have personal and legal responsibilities which include:

- treating others with dignity and respect;
- acting honestly;
- using public funds and school equipment appropriately;
- adhering to health and safety guidelines; and,
- practising equal opportunities at all times.

These expectations are set out below and should be fully observed by all staff, including Headteachers, Senior Management teams, staff and volunteers permitted to work within the Trust and its schools.

This staff Code of Conduct highlights the principal areas and responsibilities that employees and volunteers need to be aware of when working in a school and is a framework for appropriate and safe behaviour. Employees and volunteers should ensure they are familiar with other specific policies that underpin these behaviours.

I.2 Compliance with the Code of Conduct

Failure to comply with the Code of Conduct (the Code) and with the associated school policies referred to may result in disciplinary action being taken where breaches of the Code warrant such action.

I.3 Treating other people with dignity and respect

All employees are expected to treat pupils, other colleagues, parents / carers and external contacts with dignity and respect and to comply with all relevant school policies. Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated in the school. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, pupils and parents / carers.

I.4 Background

All adults who come into contact with children in their work whether paid or unpaid have a duty of care to safeguard and promote their welfare. 'Children' refers everyone under the age of 18.

The Education Act 2002 (section 175), the Education (Independent School Standards) (England) Regulations 2010 as amended by SI 2012/2962 and the Education (Non-Maintained Special Schools) (England) Regulations 2011 place duties upon all schools and colleges to carry out their duties with regard to safeguarding and promoting the welfare of children.

The Children Act 2004 places a duty on organisations to safeguard and promote the well-being of children and young people. This includes the need to ensure that all adults who work with or on behalf of children and young people in these organisations are competent, confident and safe to do so.

Working Together to Safeguard Children (DfE 2013) and Keeping Children Safe in Education (DfE 2016) define safeguarding as 'protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes'.

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children and young people in their care. However, it is recognised that in this area of work tensions and misunderstandings can occur. It is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be 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. Equally, it must be

recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children. It is therefore essential that all possible steps are taken to safeguard children and young people and ensure that the adults working with them are safe to do so.

The duty to promote and safeguard the wellbeing of children is, in part, achieved by raising awareness of illegal, unsafe and inappropriate behaviours.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this Code cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document or which directly contravene the Code. It is expected that, in these circumstances, staff and volunteers will always advise school leaders of the justification for any such action already taken or proposed.

The Code has due regard to current legislation and statutory guidance.

1.5 What to do if you are worried a child is being abused

Staff and volunteers must be familiar with their main base school's child protection & safeguarding policy and confidential reporting code.

If a member of staff or a volunteer has a concern about a child, they should raise that concern with the school's Designated Safeguarding Lead and follow their main base school's reporting protocol.

Concerns about abuse which may involve staff members must be referred to the Headteacher. Concerns about the conduct of the Headteacher should be referred to the Chair of Governors. Such referrals can also be made directly to the Local Authority Designated Officer (LADO).

If, at any point, there is a risk of immediate serious harm to a child a referral should be made to Children's Social Care or – in extreme circumstances – to the Police immediately. Anybody can make a referral. If the child's situation does not appear to be improving the staff member/volunteer with concerns should press for re-consideration.

Section 2: Using this Code of Conduct

2.1. Status of the Code of Conduct

This Code of Conduct is the Trust's Staff Behaviour Policy (Code of Conduct) as required by Keeping Children Safe in Education (DfE 2014). It is a core component of the school's strategy to fulfil its statutory responsibilities to safeguard and promote the welfare of all pupils/students.

2.2. Purpose of the Code of Conduct

It is important that all adults working with children understand that the nature of their work and the responsibilities related to that work place them in a position of trust. This Code provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities in schools and other education settings. The guidance aims to:

- keep children safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided;
- assist adults working with children to work safely and responsibly and to monitor their own standards and practice;
- support school leaders in setting clear expectations of behaviour in schools;
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken;
- support safer recruitment practice;
- minimise the risk of misplaced or malicious allegations made against adults who work with children and young people;
- reduce the incidence of positions of trust being abused or misused.

The Local Authority Designated Officer (LADO) should be informed of all allegations that a member of staff, or volunteer, has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

2.3. Underpinning Principles

- The welfare of the child is paramount.
- It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people.
- Adults who work with children 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.
- Adults should work and be seen to work in an open and transparent way.
- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
- Adults should continually monitor and review their practice and ensure they follow the guidance contained in this Code.

Section 3: Code of Safe Working Practice and Appropriate Professional Conduct

3.1 Context

All adults who work with children and young people have a crucial role to play in shaping their lives. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring.

This means that this Code:

- applies to all adults working in the school whatever their position, role, or responsibilities
- may provide guidance where an individual's suitability to work with children and young people has been called into question

3.2 'Unsuitability'

The guidance contained in this Code is an attempt to identify what behaviours are expected of staff and volunteers who work with children and young people in or on behalf of the school. Adults whose practice deviates from this Code may bring into question their suitability to work with children and young people.

This means that employees and volunteers will:

- have a clear understanding about the nature and content of this Code
- discuss any uncertainties or confusion with their line manager
- understand what behaviours may call into question their suitability to continue to work with children and young people

3.3 Duty of Care

All adults who work with and on behalf of children are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children and young people.

Whether working in a paid or voluntary capacity, those adults have a duty to keep children and young people safe and to protect them from sexual, physical and emotional harm and neglect. Children and young people have a right to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of children and young people. Failure to do so may be regarded as neglect.

The duty of care is, in part, exercised through the development of respectful and caring relationships between adults and children and young people. It is also exercised through the behaviour of the adult, which at all times should demonstrate integrity, maturity and good judgement.

Everyone expects high standards of behaviour from adults who work with children and young people. When individuals accept such work, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers also have a duty of care towards their employees, both paid and unpaid, under the Health and Safety at Work Act 1974. This requires them to provide a safe working environment for adults and provide guidance about safe working practices. Employers also have a duty of care for the well-being of employees and to ensure that employees are treated fairly and reasonably in all circumstances. The Human Rights Act 1998 sets out important principles regarding protection of individuals from abuse by state organisations or people working for those institutions. Adults who are subject to an allegation should therefore be supported and the principles of natural justice applied.

The Health and Safety Act 1974 also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. An employer's duty of care and the adult's duty of care towards children should not conflict. This 'duty' can be demonstrated through the use and implementation of these guidelines.

This means that employees and volunteers will:

- understand the responsibilities that are part of their employment or role and be aware that sanctions will be applied if those responsibilities are breached
- always act and be seen to act in the best interests of children
- avoid any conduct which would lead any reasonable person to question their motivation and intentions
- take responsibility for their own actions and behaviour

This means that the Governing Body will:

- ensure that appropriate safeguarding and child protection policies and procedures are adopted, implemented and monitored
- ensure that this Code of Conduct and safer working practices are continually monitored and reviewed
- ensure that, where services or activities are provided by another body, the body concerned has appropriate safeguarding policies and procedures
- foster a culture of openness and support
- ensure that systems are in place for concerns to be raised
- ensure that employees and volunteers are not placed in situations which render them particularly vulnerable
- ensure all employees and volunteers have access to and understand this Code and related policies and procedures
- ensure that all job descriptions and person specifications clearly identify each member of staff's responsibility for safeguarding children in school and the competences necessary to fulfil the school's and the individual's duty of care

4. Confidentiality

Employees and volunteers may have access to confidential information about children and young people in order to undertake their responsibilities. In some circumstances they may have access to or be given highly sensitive or private information. Such information must be kept confidential at all times, should never be used casually in conversation and should only be shared when it is in the best interests of the child to do so and by agreement with a senior member of staff or Designated Safeguarding Lead.

In circumstances where the child's identity does not need to be disclosed, the information should be used anonymously. Confidential information about a child must never be used to intimidate, humiliate, or embarrass the child concerned.

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 in accordance with the school's child protection policy.

Whilst employees and volunteers need to be aware of the need to listen to and support children and young people, they must also understand the importance of not promising to keep secrets that relate in any way to the safety or well-being of any individual. Neither should they request this of a child or young person under any circumstances.

If an employee or volunteer 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 or Designated Safeguarding Lead.

The storing and processing of personal information about children and young people is governed by the Data Protection Act 1998.

Additionally, concerns and allegations about adults should be treated as confidential and passed to the Headteacher (or the Chair of Governors or LADO if the concerns are about the Headteacher) without delay.

There are circumstances in which staff are obliged to release pupil data, e.g. parents seeking information about pupil progress or other colleagues in the school. Staff should be aware that, from time to time, information about employees' salaries is matched with other public sector information in terms of a legal obligation and in order to prevent fraudulent claims.

Everyone has the right to request access to data that is held about them and such requests should be made to the Head teacher.

This means that employees and volunteers:

- should be clear about when information can be shared and in what circumstances it is appropriate to do so
- are expected to treat information they receive about children and young people in a discreet and confidential manner
- should seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them

5. Making a Professional Judgement

This guidance cannot provide a complete checklist of what is or is not appropriate behaviour for employees and volunteers in all circumstances. There may be occasions and circumstances in which employees or volunteers have to make decisions or take action in the best interests of a pupil/student which could contravene this guidance or where no guidance exists. Individual members of staff and volunteers are expected to make judgements about their behaviour in order to secure the best interests and welfare of the pupils/students in their charge. Such judgements, in those circumstances, should always be recorded and shared with a senior manager. In undertaking these actions, staff and volunteers will be seen to be acting reasonably.

Staff and volunteers should always consider whether their actions are warranted, proportionate and safe and applied equitably.

This means that where no specific guidance exists employees and volunteers must:

- discuss the circumstances that informed their action, or their proposed action, with a senior manager
- report any actions which could be misinterpreted to their senior manager
- always discuss any misunderstanding, accidents or threats with a senior manager
- always record discussions and reasons why actions were taken.
- record any areas of disagreement about a course of action taken and if necessary referred to a higher authority

6. 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 in school are in positions of trust in relation to those children. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power this can give them over those they teach, work with or provide services for and the responsibility they must exercise as a consequence of this relationship.

A relationship between an adult and a child or young person cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Employees and volunteers have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Employees and volunteers should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

Where a person aged 18 or over is in a specified 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 child to engage in or watch sexual activity.

This means that employees and volunteers must not:

- use their position to gain access to information for their own or others' advantage
- use their position to intimidate, bully, humiliate, threaten, coerce or undermine pupils/students
- use their status and standing to form or promote relationships which are of a sexual nature or which may become so

7. Propriety and Behaviour

All adults working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that employees and volunteers will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.

This includes the way in which staff and volunteers speak to pupils/students. A positive, respectful and encouraging tone should be used at all times. Where it is necessary to challenge inappropriate behaviour or to get pupils/students' attention, it is reasonable for staff and volunteers to raise their voices and/or use an authoritative tone. However, it is not appropriate for staff to shout at pupils/students habitually or speak to them disrespectfully. Admonishments should focus on behaviour rather than the pupil/student's personality or character and targets for desired behaviour should be described by the member of staff or volunteer.

Staff and volunteers should refer to pupils/students by name. Disrespectful nicknames, words and terms should be avoided. Staff and volunteers should exercise caution in referring to pupils/students by affectionate nicknames and more general terms of endearment or familiarity such as 'Dear, Love, Petal, Mate, Dude'.

Staff and volunteers should be aware that use of such terms might cause some pupils/students to feel confused and/or uncomfortable, could be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

If members of staff or volunteers choose to speak to pupils/students using such informal language, they should ensure it is not reserved for particular individuals in order to avoid any allegations of favouritism or concern about grooming behaviour.

Staff and volunteers should be particularly careful not to refer to pupils/students using words that are specifically associated with grooming such as 'Sweetheart, Princess, Angel, Darling'.

There may be times when an employee or volunteer's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in the school or indicates an unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Employees and volunteers should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting. That includes behaviours on social media websites and other online behaviours.

The behaviour of a member of staff or volunteer's partner or other family members may raise similar concerns and require careful consideration by the Headteacher as to whether there may be a potential risk to children and young people in school.

This means that employees and volunteers must not:

- behave in a manner which would lead any reasonable person to question their suitability to work with children or act as a role model.
- make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such

This means that employees and volunteers will:

- be aware that behaviour in their personal lives including online behaviours may impact upon their work with children and young people
- understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to work with children and young people

8. Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However, employees and volunteers should dress in ways that are appropriate to their role and those may need to be different to how they dress when not at work.

Employees and volunteers should ensure they take care to ensure they are dressed appropriately for the tasks and the work they undertake.

Those who dress in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations.

This means that employees and volunteers should wear clothing which:

- is appropriate to their role
- is not likely to be viewed as offensive, revealing, or sexually provocative
- does not distract, cause embarrassment or give rise to misunderstanding
- is absent of any political or otherwise contentious slogans
- is not considered to be discriminatory
- is culturally sensitive

9. The Use of Personal Living Space

No child or young person should be in or invited into the home of an employee or volunteer unless the reason for that has been firmly established and agreed with parents/ carers and the Headteacher.

The school does not expect or require that employees or volunteers use their home or private living space for work with children.

Under no circumstances should pupils assist with chores or tasks in the home of an employee or volunteer. Neither should they be asked to do so by friends or family of any employee or volunteer.

This means that employees and volunteers will:

- be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations
- challenge any request for their accommodation to be used as an additional resource for the school
- be mindful of the need to maintain professional boundaries
- refrain from asking pupils/students to undertake personal jobs or errands

10. Gifts, Rewards and Favouritism

The giving of gifts or rewards to pupils/students should be part of an agreed policy for promoting and rewarding positive behaviour and/or recognising particular achievements. In some situations, the giving of gifts as rewards may be accepted practice for a group of children, whilst in other situations the giving of a gift to an individual child or young person will be part of an agreed plan, which is recorded and discussed with a senior manager and parents/carers.

It is acknowledged that there are specific occasions, such as when a pupil/student suffers a serious illness or accident, when staff or volunteers may wish to give a child or young person a gift. This is only acceptable practice where, in line with the agreed policy, the adult has first discussed the giving of the gift and the reason for it with a senior manager and/or parent or carer and the action is recorded.

Gifts should be given openly and not be based on favouritism. However, staff and volunteers need to be aware that the giving of gifts can be misinterpreted by others as a gesture either to bribe or groom a young person. It is therefore recommended that when gifts are given in specific circumstances, they should be given by the whole staff group or by groups of staff (e.g. a vocational department) or on behalf of the whole school.

Staff and volunteers should exercise care when selecting children and/or young people for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be transparent and subject to scrutiny.

Care should also be taken to ensure that staff and volunteers 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, young people or parents may wish to pass small tokens of appreciation to staff and volunteers, e.g. as a thank you or to mark a special achievement or occasion, and this is

acceptable. However, it is unacceptable for staff or volunteers to receive gifts on a regular basis or that are of any significant value.

See 40.3 for declaration of gifts.

This means that employees and volunteers will:

- be aware of the school's policy on the giving and receiving of gifts
- ensure that gifts received or given in situations which may be misconstrued are declared
- generally, only give gifts to an individual child as part of an agreed reward system
- where giving gifts other than as above, ensure that these are of insignificant value
- ensure that all selection processes which concern children and young people are fair and that wherever practicable these are undertaken and agreed by more than one member of staff

11. Infatuations

Occasionally, a child or young person may develop an infatuation with an adult who works with them. Staff and volunteers should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. However, they should remain aware that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort with reference to this Code to ensure that their own behaviour is above reproach.

Any member of staff or volunteer who becomes aware that a pupil or student is developing an infatuation, should discuss this at the earliest opportunity with a senior manager so appropriate action can be taken to avoid any hurt, distress or embarrassment. Senior managers will make a judgement about whether it is necessary and appropriate to discuss the issue with the pupil/student's parents/carers.

This means that employees and volunteers will:

- report and record any incidents or indications (verbal, written or physical) that suggest a pupil/student may have developed an infatuation with a member of staff or volunteer
- always acknowledge and maintain professional boundaries

12. Communication with Children and Young People (including the Use of Technology)

Staff and volunteers should be circumspect in their communications with pupils so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should therefore ensure that all communications with pupils are transparent, open to scrutiny and compliant with school policies.

Communication between staff/volunteers and pupils/students, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile telephones, text messaging, social networking, e-mail, instant messaging, web-cams, websites and blogs.

Staff/volunteers who communicate with pupils/students using e mail, telephone, text or social networking should only do so for professional purposes and by use of school accounts and school owned ICT equipment. E mail should only be sent to the pupil/student's school e mail address.

Staff and volunteers should not request any personal information from pupils/students and should not respond to any requests from or share any personal information with pupils other than that which might be appropriate as part of their professional role. They should not seek contact with or respond to requests for contact from pupils/students via personal telephone, text, e-mail or social networking accounts and should not therefore give their personal contact details to pupils/students including e-mail, social networking, home or mobile telephone numbers.

Any exception for any reason must be agreed in writing both by senior management and parents/carers.

E-mail, text or social networking communications between a member of staff or volunteer and a pupil/student outside this Code and agreed protocols may lead to disciplinary and/or criminal investigations.

School e-mail and social networking accounts should only be used in accordance with the school's policy.

This means that the school will:

- continually review the school's E safety policy and practice in the light of new and emerging technologies

This means that employees and volunteers will:

- never use or access social networking sites of pupils or their parents/carers.
- not give their personal contact details to pupils/students
- only use equipment, e.g. mobile phones, provided by the school to communicate with children and their parents/carers, making sure that parents/carers have given permission for this form of communication to be used
- only make contact with children for professional reasons and in accordance with this Code and other school policies
- recognise that text messaging should only be used as part of an agreed protocol and when other forms of communication are not possible; and recognise that text messaging is rarely an appropriate response to a child in a crisis situation or at risk of harm
- not use internet or web-based communication channels to send personal messages to a child/young person

13. Private use of Social Networking, Personal Websites and Blogs by Staff and Volunteers while on School Premises or on Official Duty

School employees and volunteers must only access social networking websites for personal use (i.e. non-job related use) during work time in accordance with the school's policy.

Access to some journals, blogs and social networking sites is permitted during work time for the purposes of undertaking job related duties only. School employees must act in the best interests of the school and not disclose personal data or information about any individual including pupils, members of staff, pupils, parents and professionals from external organisations. This includes images. Access may be withdrawn and disciplinary action taken if there is a breach of confidentiality or defamatory remarks are made about the school, pupils, staff, parents or professionals from external organisations.

Employees who wish to set up personal web forums, weblogs or 'blogs' must do so outside of work and not use school equipment for the purpose.

The school respects employees' and volunteers' rights to a private life. However, it must also ensure that confidentiality and its reputation are protected. Employees using social networking websites, web forums, weblogs or 'blogs' in their private life:

- must refrain from identifying themselves as working for the school in a way which has, or may have, the effect of bringing the school into disrepute;
- must not identify other school employees, children or young people;
- must not make any defamatory remarks about the school, pupils/students, staff or volunteers, parents/carers, associated professionals or contractors or conduct themselves in way that is detrimental to the school;
- disclose personal data or information about the school, pupils/students, staff or volunteers, parents/carers, associated professionals or contractors that could breach the Data Protection Act 1998, for example, posting photographs or images of pupils/students or colleagues;

- must not allow pupils/students or their parents/carers to access their personal social networking accounts and where they are contacted by a pupil or parent/carer, bring it to the attention of the Head.

14. Social Contact

Members of staff and volunteers should not establish or seek to establish social contact with pupils/students or their families for the purpose of securing a friendship or to pursue or strengthen a relationship.

There will be situations and occasions when there are social contacts between pupils/students and/or their parents/carers and staff, such as when a parent and teacher are part of the same family/personal network or social/recreational circle. Those circumstances will usually be easily recognised, openly acknowledged and should be explicitly declared in writing by staff/volunteers to the Headteacher. Care should always be taken to maintain appropriate personal and professional boundaries.

If a pupil/student or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff or volunteer should exercise her/his professional judgement in making a response but should always discuss the situation with their manager and, if advised to do so by their manager, with the parent of the child or young person.

Staff and volunteers should be aware that social contact in certain situations can be misconstrued as grooming.

It is recognised that some members of staff may support a parent who may be in particular difficulty, for instance when initiating an Early Help assessment through the CAF process or supporting a parent who experiences difficulties in managing their child's behaviour or a personal crisis such as bereavement, domestic abuse or a relationship breakdown.

Care needs to be exercised in those situations where the parent comes to depend upon the member of staff for support outside their professional role. This situation should be discussed with senior management and where necessary referrals made to the appropriate support agency.

This means that staff will:

- act in accordance with the school's Social Networking Policy.

This means that staff and volunteers will:

- have no secret social contact with children and young people or their parents
- consider the appropriateness of the social contact according to their role and nature of their work
- always approve any planned social contact with children or parents with senior colleagues,
- advise senior management of any social contact they have with a child or a parent with whom they work, which may give rise to concern
- report and record any situation, which may place a child at risk or which may compromise the organisation or their own professional standing
- be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with their line manager.
- understand that some communications may be called into question and need to be justified.

15. Sexual Contact

All members of staff and volunteers should clearly understand the need to maintain appropriate boundaries in their contacts with children and young people. Intimate or sexual relationships between children/young people and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual activity between a member of staff or volunteer with a child or young person under the age of 16 will be regarded as a criminal offence. Any sexual activity between a member of staff or volunteer with a pupil/student irrespective of the latter's age will always be a matter for disciplinary action and – if the pupil/student is 16 or 17 years old – may be regarded as a criminal offence.

Children and young people are protected by specific legal provisions regardless of whether the child or young person consents or not. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. 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, whether or not the child is aware of what is happening".

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. Staff and volunteers should be aware that consistently conferring inappropriate special attention and favour upon a pupil/student might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

This means that members of staff and volunteers will not:

- have sexual relationships with children and young people
- have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact
- make sexual remarks to, or about, a child/young person
- discuss their own sexual relationships with or in the presence of children or young people

This means that staff and volunteers will:

- ensure that their relationships with children and young people clearly take place within the boundaries of a respectful professional relationship
- take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls.

16. Physical Contact

There are occasions when it is entirely appropriate for staff and volunteers to have some physical contact with pupils/students with whom they are working. However, it is crucial that adults should only touch children in ways which are necessary and appropriate to their professional or agreed role and responsibilities.

Not all children and young people feel comfortable about physical contact and staff and volunteers should not make the assumption that it is acceptable practice to use touch as a means of communication. Permission should be sought from a pupil/student before physical contact is made. Where the pupil is very young, there should be a discussion with the parent or carer about what physical contact is acceptable and/or necessary.

When physical contact is made with a pupil/student, this should be in response to their needs at the time, of limited duration and appropriate to 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. Nevertheless, staff and volunteers should use their professional judgement at all times, observe and take note of the pupil/student's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the pupil/student for the minimum time necessary.

Physical contact which occurs regularly with an individual pupil/student is likely to raise questions unless there is explicit agreement on the need for, and nature of, that contact. This would then be part of a

formally agreed and written plan or within the parameters of established, agreed and legal professional protocols on physical contact, e.g. sport activities or medical procedures. Any such arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.

Physical contact should never be secretive, or for the gratification of the member of staff or volunteer, or represent a misuse of authority. If a member of staff or volunteer believes that their action could be misinterpreted, or if an action is observed by another the member of staff or volunteer as being inappropriate or possibly abusive, the incident and circumstances should be reported to the senior manager outlined in the procedures for handling allegations and an appropriate record made. Parents/carers should also be informed in such circumstances.

Where a child seeks or initiates inappropriate physical contact with a member of staff or volunteer, the situation should be handled sensitively and care taken to ensure that contact is not exploited in any way. Careful consideration must be given to the needs of the pupil/student and advice and support given to the member of staff or volunteer concerned.

It is recognised that some children who have experienced abuse may seek inappropriate physical contact. Staff and volunteers should be particularly aware of this when it is known that a pupil/student has suffered previous abuse or neglect. In the pupil/student's view, physical contact might be associated with such experiences and lead to some actions being misinterpreted. In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult to sensitively deter the child and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with a senior manager and the parent/carer.

This means that staff and volunteers will:

- be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described
- never touch a child in a way which may be considered indecent
- always be prepared to report and explain actions and accept that all physical contact will be open to scrutiny
- not indulge in 'horseplay'
- always encourage children, where possible, to undertake self-care tasks independently
- work within Health and Safety regulations
- be aware of cultural or religious views about touching and always be sensitive to issues of gender
- understand that physical contact in some circumstances can be easily misinterpreted

This means that the school will:

- ensure it has a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management
- make adults aware of relevant professional or organisational guidance in respect of physical contact with children and meeting medical needs of children and young people where appropriate
- be explicit about what physical contact is appropriate for adults working in the school

17. Other Activities that require Physical Contact

Members of staff and volunteers who work in certain settings, for example sports, drama or outdoor activities will have to initiate some physical contact with pupils/students, for example to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a pupil/student so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing codes of conduct, regulations and best practice.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment, i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear to the parent/carer and, once agreed, should be undertaken with the permission of the pupil/student. Contact should be relevant to their age or level of

understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by a pupil/student.

Guidance and protocols around safe and appropriate physical contact are provided by national organisations, for example sports governing bodies or major arts organisations and should be understood and applied consistently. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to a senior manager and parent or carer.

It is good practice if all parties clearly understand at the outset what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers and pupils/students informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

This means that staff and volunteers will:

- treat pupils/students with dignity and respect and avoid contact with intimate parts of their bodies
- always explain to a pupil/student the reason why contact is necessary and what form that contact will take
- seek consent of parents where a pupil/student is unable to do so because of a disability.
- consider alternatives, where it is anticipated that a pupil/student might misinterpret any such contact,
- be familiar with and follow recommended guidance and protocols
- conduct activities where they can be seen by others
- be aware of gender, cultural or religious issues that may need to be considered prior to initiating physical contact

This means that the school will:

- have up to date guidance and protocols on appropriate physical contact in place that promote safe practice and include clear expectations of behaviour and conduct.
- ensure that staff are made aware of this guidance and that safe practice is continually promoted through supervision and training.

18. Behaviour Management

All children and young people have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour.

Staff and volunteers should not use any form of degrading treatment to punish a pupil/student. The use of sarcasm, demeaning or insensitive comments towards children and young people is not acceptable in any situation. Any sanctions or rewards used should be part of a behaviour management policy which is widely publicised and regularly reviewed.

The use of corporal punishment is not acceptable and whilst there may be a legal defence for parents who physically chastise their children, this does not extend, in any circumstances, to those adults who work with or on behalf of children and young people including staff and volunteers in this school.

Where pupils/students display difficult or challenging behaviour, staff and volunteers must follow the school's behaviour policy and use strategies appropriate to the circumstance and situation. The use of physical intervention can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed.

Where a pupil/student has specific needs in respect of particularly challenging behaviour, a positive handling plan may be drawn up and agreed by all parties. Only in these circumstances should a member of staff or volunteer deviate from the behaviour management policy of the organisation.

This means that staff and volunteers will:

- not use force as a form of punishment

- try to defuse situations before they escalate
- inform parents of any behaviour management techniques used
- adhere to the school's behaviour management policy
- be mindful of factors which may impact upon a pupil/student's behaviour, e.g. bullying, abuse, and where necessary take appropriate action

This means that the school will:

- have in place an appropriate behaviour management policy
- where appropriate, develop positive handling plans in respect of an individual pupils/students.

19. Use of Control and Physical Intervention

There are circumstances in which adults working with children displaying extreme behaviours can legitimately intervene by using either non-restrictive or restrictive physical interventions. This is a complex area and staff, volunteers and the school must have regard to government guidance and legislation as well as the school's behaviour management and safeguarding policies.

The use of physical intervention should, wherever possible, be avoided. It should only be used to manage a child or young person's behaviour if it is necessary to prevent personal injury to the child, other children or an adult, to prevent serious damage to property or in what would reasonably be regarded as exceptional circumstances. When physical intervention is used it should be undertaken in such a way that maintains the safety and dignity of all concerned.

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual pupil/student in question and the nature of the harm they may cause.

Under no circumstances should physical force or intervention be used as a form of punishment. The duty of care which applies to the school and all staff and volunteers working with pupils/students requires that reasonable measures are taken to prevent pupils/students being harmed. The use of unwarranted physical force is likely to constitute a criminal offence and will be reported and investigated in line with the 'Management of Allegations' procedure.

In all cases where physical intervention occurs the incident and subsequent actions should be documented and reported. This should include written and signed accounts of all those involved, including the pupil/student. The parents/carers should be informed on the same day.

This means that staff and volunteers will:

- adhere to the school's Reasonable Force policy
- always seek to defuse situations
- always use minimum force for the shortest period necessary
- record and report as soon as possible after the event any incident where physical intervention has been used.

This means that the school will:

- have a policy on the use of Reasonable Force in place that complies with government guidance and legislation and describes the context in which it is appropriate to use physical intervention
- ensure that an effective recording system is in place which allows for incidents to be tracked and monitored
- ensure staff and volunteers are familiar with the above
- ensure that staff and volunteers are appropriately trained

20. Children and Young People in Distress

There may be some occasions when staff or volunteers consider that a distressed child needing comfort and reassurance requires physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from a parent etc. Staff and volunteers should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

It is important to reiterate that not all children and young people feel comfortable about physical contact and staff and volunteers should not make the assumption that it is acceptable practice to use touch as a means of providing comfort and reassurance. Permission should be sought from a pupil/student before physical contact is made.

It is important that staff and volunteers take particular care when working with a pupil/student on a one-to-one basis.

Where a member of staff or volunteer has a particular concern about the need to provide comfort or reassurance that includes physical contact, or is concerned that an action may be misinterpreted, this should be reported and discussed with a senior manager, who will make a judgement about when and how to inform parents/carers.

This means staff and volunteers will:

- consider the way in which they offer comfort and reassurance to a distressed pupil/student and do that in an age-appropriate way
- be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances
- follow professional guidance and this Code
- never touch a child in a way which may be considered indecent
- record and report situations which may give rise to concern from either party
- not assume that all children seek physical comfort if they are distressed

21. Personal Care

Children and young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard children and young people and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the pupils/students concerned and sensitive to the potential for embarrassment.

Staff and volunteers need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the pupils/students with whom they work.

When supervising children or young people who are in the course of dressing or undressing as part of curriculum activities such as sport, swimming, dance or drama; or while engaged in a residential visit, staff and volunteers need to seek a balance between safeguarding pupils/students, for instance by ensuring that bullying does not take place, while respecting pupils'/students' entitlement to privacy when changing and in a state of undress. Staff should therefore announce their intention of entering a changing room or dormitory, maintain a brisk and business like presence but avoid lingering in the room, looking at and any form of physical contact with a pupil/student while they are in a state of undress.

This means that adults will:

- avoid any physical contact when children are in a state of undress
- avoid any visually intrusive behaviour
- where there are changing rooms announce their intention of entering

This means that adults should not:

- change in the same place as children
- shower or bathe with children
- assist with any personal care task which a child or young person can undertake by themselves

22. First Aid and Administration of Medication

Health and safety legislation places duties on all employers to ensure appropriate health and safety policies and equipment are in place and an appropriate person is appointed to take charge of first-aid arrangements. Lees Brook Community School employs a School Nurse who manages all First aid and administration of medicines.

Some pupils may need medication during school hours. In circumstances where children need medication regularly a health care plan should be drawn up to ensure the safety and protection of pupils/students and staff/volunteers. With the permission of parents, pupils/students should be encouraged to self-administer medication or treatment including, for example, any ointment, sun cream or use of inhalers.

If the School Nurse is concerned or uncertain about the amount or type of medication being given to a pupil/student, provided by a parent/carer or prescribed, this should be discussed with the appropriate senior colleague at the earliest opportunity.

There should be due regard to current guidance.

This means that the school will:

- ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced intervention
- ensure there are trained and named individuals to undertake first aid responsibilities
- ensure training is regularly monitored and updated
- always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication

This means that staff and volunteers will:

- adhere to the school's policy for administering first aid or medication
- comply with the necessary reporting requirements
- make other adults aware of the task being undertaken
- explain to the pupil/student what is happening.
- always act and be seen to act in the pupil/student's best interests
- report and record any administration of first aid or medication
- have regard to any health plan which is in place
- always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities

23. One to One Situations

The school and all those who work within it have a responsibility to prepare for and make appropriate arrangements for situations in which staff or volunteers might find themselves working with pupils/students on a one to one basis.

It is not realistic to state that one to one situations should never take place. However, it is appropriate to state that where there is a need, which has been agreed with a senior manager and/or parents/carers, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be in place. Wherever possible there should be a fully recorded discussion between the member of staff and their manager as to the reasons for this, a risk assessment should be completed and safety arrangements

for the child and adult agreed. Staff and volunteers should maintain an awareness of any areas of the school which may place themselves or pupils/students in vulnerable situations.

One to one situations have the potential to make a child/young person more vulnerable to harm by those who seek to exploit their position of trust. Staff or volunteers working on a one to one basis with pupils/students may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. These might include, for example, staff and volunteers working on a one to one basis in visible areas; in rooms with doors left open; in alcoves/corridors which afford some quiet and privacy but facilitate other adults passing by periodically; and ensuring that all rooms and areas in which one to one work might take place have observation windows. Every attempt should be made to ensure the safety and security of pupils/students and the staff and volunteers who work with them.

There are occasions when managers will need to undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments should take into account the individual needs of the pupil/student and the individual member of staff or volunteer and any arrangements should be reviewed on a regular basis.

Pre-arranged meetings with pupils away from the school premises should not be permitted unless approval is obtained from their parents/carers and the Headteacher or other senior colleague with delegated authority.

This means that staff and volunteers will:

- ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed
- avoid meetings with a child or young person in remote, secluded areas
- always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to have them present or close by
- avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy
- always report any situation where a child becomes distressed or angry to a senior colleague
- carefully consider the needs and circumstances of the pupil/student when in one to one situations

24. Home Visits

All work with pupils and parents should, wherever possible, be undertaken in the school or other recognised workplace, However, there are occasions when it is necessary to make one-off or regular home visits in response to urgent or specific situations.

In these circumstances it is essential that appropriate policies and related risk assessments are in place to safeguard pupils/students and members of staff who work with them.

A risk assessment should include an evaluation of any known factors regarding the pupil/student, parents/carers and others living in the household. Risk factors such as hostility, child protection concerns, complaints or grievances can make staff more vulnerable to allegations being made against them. Specific consideration should be given to visits outside of 'school hours' or in remote or secluded locations. Following an assessment, appropriate risk management measures should be in place before visits are agreed. Where little or no information is available, visits should not be made alone.

There will be occasions where risk assessments are not possible or not available, e.g. when emergency services are used. In these circumstances, a record must always be made of the circumstances and outcome of the home visit. Such records must always be available for scrutiny.

Where a programme of work is to be undertaken in the pupil/student's home, an appropriate work space should be provided and a written work plan/contract should be agreed with the pupil/student and parent/carer. This should include: clear objectives; content; timing; duration of sessions; ground rules; child protection and confidentiality statements. The plan should take into account the preferences of both the

pupil/student and parent/carer. There should also be an agreement that the parent/carer or other suitable adult will remain in the home throughout the session.

Where the situation is such that changes in agreed work arrangements are required, a quick assessment will be necessary to determine if the session can continue. The Headteacher or line manager should then be informed as soon as is practically possible. Emergency situations should be reported to the Police or Children's Social Care and to the Head teacher/parent as appropriate.

Under no circumstances should a member of staff or volunteer visit a pupil/student in their home outside agreed work arrangements or invite a pupil/student to their own home or that of a family member, colleague or friend. If, in an emergency, such a one-off arrangement is required, the member of staff or volunteer must have a prior discussion with a senior manager and the parents or carers and a clear justification for such an arrangement must be agreed and recorded.

This means that staff and volunteers will:

- agree the purpose for any home visit with senior management, unless this is an acknowledged and integral part of their role, e.g. Attendance Manager
- adhere to agreed risk management strategies
- always make detailed records including times of arrival and departure and work undertaken
- ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate, action is taken
- never make a home visit outside agreed working arrangements

This means that the school will:

- ensure that they have home visit and lone-working policies, which all staff and volunteers are made aware of. These should include arrangements for risk assessment and management
- ensure that all visits are justified and recorded
- ensure that staff and volunteers are not exposed to unacceptable risk
- ensure that staff and volunteers have access to a school owned mobile telephone and an emergency contact person

25. Transporting Children and Young People

There will be occasions when staff or volunteers are expected or asked to transport children as part of their duties, e.g. out of school activities. Staff and volunteers who are expected to use their own vehicles for transporting pupils/students should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

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.

It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member who is driving the vehicle to ensure that this requirement is met. Where adults transport children in a vehicle which requires a specialist license/insurance, e.g. PCV or LGV, staff should ensure that they have an appropriate licence and insurance to drive such a vehicle.

It is inappropriate for members of staff and volunteers to offer lifts to pupils/students outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the pupil/student's parents/carers.

There may be occasions when a pupil/student requires transport in an emergency situation or where not to give a lift may place a pupil/student at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

This means that staff and volunteers should:

- ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair their judgement and/or ability to drive
- be aware that the safety and welfare of the child who they are transporting is their responsibility until they are safely passed over to a parent/carer
- record details of the journey in accordance with agreed procedures
- ensure that their behaviour is appropriate at all times
- ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven
- ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned

26. Educational Visits, Trips, Outings and After-School Activities

Staff and volunteers should take particular care when supervising pupils/students on trips and outings, where the setting is less formal than the usual workplace. Staff and volunteers remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries.

Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Pupils/students, staff, volunteers and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/pupil/student ratios and to the gender mix of staff especially on overnight stays.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in activities outside the usual workplace.

This means that staff and volunteers will:

- always have another member of staff or volunteer present in out of workplace activities, unless otherwise agreed with a senior manager
- undertake risk assessments in line with the school's policy where applicable
- have written parental consent to the activity
- ensure that their behaviour remains professional at all times
- never share beds with pupils/students.
- not share bedrooms unless it involves a dormitory situation or is necessary in order to meet a child or children's specific needs; there is no practicable alternative; there are always at least two members of staff present; and the arrangements have been previously discussed with a senior manager, parents/carers and pupils/students unless the party is placed in the situation unexpectedly.

27. Photography and Videos

It may be necessary and appropriate for staff and volunteers as part of their duties to take or record images of pupils/students as part of curriculum delivery and/or to record pupils'/students' achievements. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and well-being of children and young people. Informed written consent from parents or carers and agreement, where possible, from the pupil/student, should always be sought before an image is taken for any purpose.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Staff and volunteers need to remain sensitive to any pupils/students who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

It is not appropriate for adults to take photographs of children for their personal use.

This means that staff and volunteers will:

- be clear about the purpose of the activity and about what will happen to the images when the activity is concluded
- be able to justify images of children in their possession
- avoid making images in one to one situations or which show a single child with no surrounding context
- ensure that requisite consent to record images of a pupil/student from a parent/carer or the pupil/student if they are old enough to consent is in place
- ensure that the pupil/student understands why the images are being taken, has agreed to the activity and that they are appropriately dressed.
- only use equipment provided or authorised by the school to take, record and store images of pupils/students
- report any concerns about any inappropriate or intrusive photographs found

This means that staff and volunteers will not:

- display or distribute images of pupils/students unless they have consent to do so from parents/carers
- use images which may cause distress
- use mobile telephones, Tablets or other image capturing equipment that has not been approved by the school to take images of children
- take images 'in secret', or take images in situations that may be construed as being secretive.

28. Access to Inappropriate Images and Internet Usage

There are no circumstances that will justify adults possessing indecent images of children. Adults who access and possess links to such websites will be viewed as a significant and potential threat to children. Accessing, making and storing indecent images of children on the internet is illegal. This will lead to criminal investigation and the individual being barred from working with children and young people, if proven.

Staff and volunteers 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 into the workplace. This will raise serious concerns about the suitability of the adult to continue to work with children.

Staff and volunteers should ensure that pupils/students are not exposed to any inappropriate images or web links. The school and staff and volunteers working directly with pupils/students need to ensure that internet equipment used by pupils/students have the appropriate filters and restrictions to minimise the likelihood of access to inappropriate material. Staff and volunteers should ensure that their personal passwords are kept confidential and should educate pupils/students to do the same.

Where indecent images of children or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) should be immediately informed. Adults should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

This means that the school will:

- have clear e-safety policies in place about access to and use of the internet
- make guidance available to staff, volunteers and pupils/students about appropriate usage.

This means that adults will:

- follow the school's guidance on the use of IT equipment
- ensure that children are not exposed to unsuitable material on the internet
- ensure that any films or material shown to pupils/students are age appropriate

29. 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 and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied, e.g. drama.

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 relationships and sex education and the wishes of parents. Parents have the right to withdraw their children from all or part of any relationships and sex education provided (but not from the biological aspects of human growth and reproduction necessary under the science curriculum).

This means that staff will:

- have clear written lesson plans
- take care when encouraging pupils to use self-expression not to overstep personal and professional boundaries
- be able to justify all curriculum materials and relate these to clearly identifiable lessons plans.

This means that staff and volunteers must not:

- enter into or encourage inappropriate discussions about sexual activity or any behaviours which may offend or harm others
- discuss aspects of their own personal and sexual relationships with pupils/students

30. Public Interest Disclosure (Confidential Reporting)

Whistle blowing is the mechanism by which adults can voice their concerns, made in good faith, without fear of repercussion. The school has a clear and accessible Confidential Reporting Code that meets the terms of the Public Interest Disclosure Act 1998. Staff and volunteers who use the Public Interest Disclosure (Whistle Blowing) Policy should be made aware that their employment rights are protected.

Staff and volunteers should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

This means that the school will:

- ensure that an appropriate Confidential Reporting Code is in place
- ensure that a clear procedure for dealing with allegations against staff and volunteers which is in line with Derby City Safeguarding Children Board's procedure for the management of allegations is in place.

This means that staff and volunteers will:

- report any behaviour by colleagues that raises concern regardless of source

31. Sharing Concerns and Recording Incidents

All members of staff and volunteers should be aware of the school's child protection and safeguarding procedures, including procedures for dealing with allegations against staff, volunteers and other adults that work with pupils/students.

All allegations must be taken seriously and properly investigated in accordance with school and Derby City Safeguarding Children Board procedures and statutory guidance. Staff who are the subject of allegations are advised to contact their professional association or Trade Union.

In the event of any allegation being made to a member of staff or volunteer other than a member of the school leadership team, information should be clearly and promptly recorded and reported to the Head teacher without delay.

Adults should always feel able to discuss with their line manager any difficulties or problems that may affect their relationship with pupils/students so that appropriate support can be provided or action can be taken.

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of pupils/students.

This means that adults must:

- be familiar with the school's system for recording concerns
- take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the workplace

This means that the school:

- will have an effective, transparent and accessible system for recording and managing concerns raised by any individual in the workplace

32. Children Missing from Education

<p>Children missing from education are at significant risk of under achieving, being victims of abuse and becoming NEET (Not in Education, Employment or Training) later in life. The school will investigate thoroughly any unexplained absences. There are many circumstances where a child may become missing from education. The list below is not exhaustive:</p> <ul style="list-style-type: none">• students at risk of harm / neglect• children of Gypsy, Roma or Travellers• families of Armed Forces• missing children / runaways• children and young people supervised by the Youth justice system	<p>This means that the school will thoroughly investigate unexplained absences.</p> <p>Staff and Visitors will be aware of the School's 'Children Missing from Education' policy</p>
---	--

33. Extremism and Radicalisation

<p>Under the Counter Terrorism and Security Act 2015, the School has a statutory duty to have regard to the need to prevent people from being drawn into terrorism. Where there are concerns of extremism or radicalisation, staff and visitors must refer these under the safeguarding referral procedure. Staff will be alert to:</p> <ul style="list-style-type: none">• Disclosure by students of their exposure to extremism• Graffiti symbols, writing or art work promoting extremist messages or images	<p>This means the School will not accept extremist views of any kind, whether from internal or external sources.</p>
--	--

<ul style="list-style-type: none"> • Students accessing extremist material on line • Parental reports of changes in behaviour • Students voicing extremist opinions • Intolerance of difference • Anti-Western or Anti-British views • Partner schools, LA or Police reports <p>The school recognises that extremism and exposure to extremist materials and influences can lead to poor outcomes for children and should be addressed as a safeguarding concern.</p>	<p>Staff and visitors will be aware of the School's 'Prevent' policy.</p>
---	---

34. Female Genital Mutilation (FGM)

<p>Those at risk of FGM are likely to come from a community that is known to practice FGM in Africa or the Middle East. Women may also marry into practising communities and then have to go through FGM. There are a range of factors that could indicate a risk of FGM. Risk must be considered if:</p> <ul style="list-style-type: none"> • A girl is born to a woman who has undergone FGM • A female child has an older sibling or cousin who has undergone FGM • The family indicate that there are strong levels of influence held by elders involved in bringing up female children • A girl has repeated to 'fail to attend' or engage with health and welfare services • Any girl from a practising community who is withdrawn from Sex and Relationships Education as a result of her parents wishing to keep her uninformed about her body and rights <p>There are a number of indications that a girl has already been subjected to FGM:</p> <ul style="list-style-type: none"> • Experiencing difficulty walking, sitting or standing • Having frequent urinary, menstrual or stomach problems • Having prolonged or repeated absences • Spending longer than normal in the toilet • Withdrawal or depression or other change in behaviour • Talks about pain or discomfort between her legs • Being reluctant to undergo medical examinations 	<p>Staff and visitors will report any concerns, information or suspicions of FGM.</p> <p>Staff and visitors will be aware of the school's policy on FGM</p>
--	---

35. Tutoring of School Pupils

35.1 Independent Tutoring

Teachers, who undertake tutoring on a self-employed basis should ensure that they do not tutor children from their own classes as this would be a conflict of interest. Teachers must also inform their Headteacher if they undertake tutoring of children within their school and always ensure they have the parents' / carers' consent.

35.2 One-to-One Tuition

The above paragraph does not apply where tutors employed by the Local Authority or a school are undertaking tuition under the one-to-one tuition programme, where pupils and tutors are identified by the school.

36. Professional Behaviour

Employees must not misuse or misrepresent their position, qualifications or experience or bring the reputation of the school into disrepute. Such behaviour may lead to disciplinary action and in the case of a teacher's professional misconduct may lead to a referral to the National College of Teaching and Learning (NCTL). Serious safeguarding related allegations that are upheld will be referred to the Disclosure and Barring Service (DBS).

37. Criminal Actions

School employees must inform the Headteacher (Chair of Governors if the employee is the Head teacher) immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. The Headteacher or Chair will discuss the situation with the employee in the context of their role and responsibilities in order to help safeguard children, other employees at the school and the school's reputation.

Required reading:

- School's Child Protection and Safeguarding Policy.
- Teacher Standards

38. Declaration of Interests

An employee is required to declare any situation whereby a group or organisation they are associated with would be considered to be in conflict with the ethos of the school. Membership of a trade union or staff representative group would not need to be declared. Employees should also consider carefully whether they need to declare to the school their relationship with any individual(s) where this might cause a conflict with school activities. For example, a relationship with a Governor, another staff member or a contractor who provides services to the school.

Failure to make a relevant declaration of interests is a serious breach of trust and therefore if employees are in doubt about a declaration, they are advised to take advice from their Head teacher or trade union. All declarations, including nil returns, should be submitted in writing to the Head teacher/Principal on a school **Register of Business Interests. (Appendix I – Pro Forma).**

39. Probity of Records and Other Documents

The deliberate falsification of documents is not acceptable. Where an employee falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence. Where an employee who has claimed any benefit, including housing benefit, either directly or indirectly and has failed to disclose their full earnings, this will be investigated as a potential allegation of gross misconduct and the employee may be dismissed and referred to the Police.

40. Financial Inducements

40.1 Financial Regulations for schools

All school employees must comply with the school's and the **Education Funding Agency's Financial Regulations**. Employees should familiarise themselves with the regulations but some of the principal employee requirements are summarised below.

40.2 Business Contacts

"Business contact" refers to any person, body or organisation with which the school is involved on a financial or charitable basis (including contractors; developers; consultants; regional or national charities). This also includes business contacts who are potential suppliers (e.g. they are tendering for future business).

40.3 Declaration of Gifts

Any gifts that are received should be declared in writing to the Governing Body on the Register of Gifts and Hospitality (Appendix 2 – pro forma) with the exception of those items specifically identified in sections below. This document shall remain available for inspection by the Governing Body and School Accountant's Internal Audit team.

40.4 Gifts or Hospitality to an Employee

Where a business contact offers a personal gift, personal payment or other incentive such as secondary employment to an employee, these should not be accepted and should be returned with a suitable official letter. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality.

If it is not possible to return gifts, then the employee who deals with that supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the school and should be included in the Register of Gifts and Hospitality.

The only exceptions to these are:

- Low cost, functional items suitable for business use rather than personal use and displaying the supplier's logo e.g. diaries, calendars and pens. These items may be accepted and do not have to be included in the Register of Gifts and Hospitality.
- Gifts offered by parents or students to school staff to express their thanks, such as boxes of chocolates. However, only gifts with an individual value of £20 or less may be accepted. Such gifts do not have to be declared in writing to the Governing Body or be included in the Register of Gifts and Hospitality. For the avoidance of doubt employees must always refuse gifts of money.

Where hospitality in the form of meals and drinks is offered by a business contact, this is only acceptable where it forms part of a normal business meeting (for example, refreshments at training events or meals at evening meetings). Offers of hospitality to specific events, such as a dinner or sporting event, should only be accepted after authorisation from the Governing Body. These would normally only be approved where there is a clear and demonstrable benefit to the school and the hospitality would not expose the school to criticism that the business contact was exerting undue influence. These should be recorded in the Register of Gifts and Hospitality.

Visits by employees to exhibitions, demonstrations, conferences, business meals and social functions in connection with the school's business and authorised by the school, shall be at the school's expense.

40.5 Gifts or Hospitality to the School

Where a business contact sends a gift to the school (for example, a stationery supplier sending a gift), these should not be accepted and should be returned to the supplier. Such offers should be declared to the Governing Body and recorded in the Register of Gifts and Hospitality.

If it is not possible to return the gift, the employee who usually deals with the supplier should declare the gift to the Governing Body who will keep a record of it and decide how it is to be used. Such gifts remain the property of the school and should be included in the Register of Gifts and Hospitality. The only exceptions to this are low cost, functional items suitable for business use (as opposed to personal use), such as diaries, calendars or pens, may be accepted and do not have to be declared on the Register of Business Interests.

40.6 Use of School Contacts

Apart from participating in concessionary schemes arranged by trade unions or other such groups for their members, employees shall not use school business contacts for acquiring materials or services.

41. Other Employment

Employees are permitted to take up secondary employment outside the school, as long as the activity does not constitute a conflict of interest, adversely affect their primary employment at the school or exceed the legal maximum working week of 48 hours as defined by the Working Time Regulations. The secondary employment must be undertaken outside the working hours of the employee's normal post and employees are required to keep the Head teacher and Governing Body (if the employee is the Head teacher) informed of their employment at other organisations.

42. Health and Safety

Employees must adhere to the school's Health and Safety policy, procedure and guidance and must ensure that they take every action to keep themselves and everyone in the school environment safe and well. This includes taking immediate safety action in a potentially harmful situation (either at school or off-site) by complying with statutory and school guidelines and collaborating with colleagues, agencies and the Local Authority.

43. Use of Alcohol and Illegal Drugs

The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. All employees are expected to attend work without being under the influence of alcohol or illegal drugs and without their performance being adversely impacted by the consumption of alcohol or illegal drugs. If alcohol or drug usage impacts on an employee's working life, the school has the right to discuss the matter with the employee and take appropriate action (disciplinary/capability procedures), having considered factors such as the school's reputation and public confidence in the school and the employee.

44. Use of School Premises, Equipment & Communication Systems

School equipment and systems (phone, email and computers) are available only for school-related activities and should not be used for the fulfilment of another job or for personal use. This is unless authorised by the Head teacher (NB for the Head teacher this is the Chair of Governors); in case of an emergency, or where used for brief periods outside of working hours.

This includes photocopying facilities, stationery and premises. It also applies to access provided for remote use (e.g. hand held portable devices etc.) and to staff working outside of school premises and using their own IT equipment.

Illegal, inappropriate or unacceptable use of school equipment or communication systems may result in disciplinary action and in serious cases could lead to an employee's dismissal. This list is not exhaustive and includes:

- creating, sending or forwarding any message that would reasonably be
- considered inappropriate or unacceptable.
- committing or implying commitment to any contractual arrangements.
- accessing, publication or circulation of illegal, offensive, unacceptable,
- inappropriate or non-work related material.
- any illegal activities.
- posting confidential information about the school and/or other employees, children or parents on social networking sites.
- gambling or gaming.
- unauthorised use of school facilities (or employee's personal IT equipment), for personal use during employee's working time.

Employees receiving inappropriate communication or material or who are unsure about whether something h/she proposes to do might breach this policy should seek advice from the Head teacher. The school has the right to monitor e-mails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses but also to ensure proper and effective use of systems. Communication systems may be accessed when the school

suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity.

Accredited Trade Union representatives can use school communication systems for the purposes of undertaking trade union duties and these will be treated as confidential.

Passwords should not be shared and access to computer systems must be kept confidential. Breach of this confidentiality may be subject to disciplinary action. Where appropriate the school should consider a system of proxy access. Any school equipment that is used outside school premises, for example laptops, should be returned to the school when the employee leaves employment or upon request by the Head teacher.

45. Frequently Asked Questions

Q1. Why do we need to have a Code of Conduct?

A1. It is important that all employees are aware of the standards of behaviour expected by the Governing Body and that these standards are systematically and fairly applied. Maintenance of those standards will contribute to the school fulfilling its statutory responsibility to safeguard and promote the welfare of all pupils/students. Employees also need to be aware of the potential consequences of not adhering to the Code.

Q2. What happens if I breach the Code?

A2. Failure to observe the code of conduct could lead to action being taken under the School's Disciplinary Procedure. This does not preclude appropriate action being taken against an employee under other procedures for reasons other than misconduct, for example unsatisfactory performance, which would be dealt with under the Capability Procedure.

Any breach of the code by agency staff must be referred to the agency to be dealt with.

It is not possible to cover all situations which may occur at work. Nor is it possible to state that any single incident of misconduct will always attract the same penalty, bearing in mind such factors as mitigation, previous conduct and personal circumstances.

Q3. How do I know if I am using the internet and email in the correct way?

A3. There are guidelines in the Code of Conduct. Ask the Head teacher or E Safety Manager if you are unsure.

Q4. What do I do if I am offered a gift by a supplier or a customer?

A4. A gift of less than £20 can be seen as a 'token', for example diaries or calendars are acceptable. However, if the gift is valued at £20 or more you should refuse it. In a situation where a refusal might be difficult or considered offensive then you should consult your Head teacher or Finance Manager who will decide on the appropriate action.

Q5. My father in law is on the Board of Directors for one of the schools' potential contractors, what do I need to do?

A5. This would constitute a conflict of interest if you are involved in the process of awarding contracts, or had any influence with the contract. If you have such a relationship you should declare this personal interest by completing Business Interest Form.

Q6. I have become involved in a close relationship with a team member who I manage. Can I continue with my normal management role?

A6. You should not be involved in any disciplinary, appraisal or any other employment decision for an employee with whom you have a personal relationship. You also need to be aware that professional boundaries must be maintained. If there is any disruption in the workplace or obvious favouritism, action could be taken under the appropriate procedure. If you have any doubts, please contact your manager / Head teacher.

Q7. One of the pupils/students I work with has asked for my personal mobile number and email address. What should I do?

A7. You should not give your personal mobile phone number or email address to a pupil/student unless there is a specific need which has been agreed with your line manager, head teacher, parents or carers.

However, this would be a rare occurrence. If the pupil/student persists in their request you should speak to your line manager/ Head teacher.

Q8. I work with vulnerable pupils/students who can display extreme behaviours. How should I deal with such a situation?

A8. Initially you should try to diffuse the situation. If this is not possible then you may need to consider physical intervention. Any physical intervention should be based upon a risk assessment (either formal or 'dynamic', i.e. on the spot) and be in the pupil/student's best interests. It must be reasonable, proportionate and considered absolutely necessary. If physical intervention is used, you must record and report the situation as soon as possible. Please also refer to the school's Reasonable Force Guidance.

Q9. I use social networking sites a lot in my own time but am regularly contacted to be a 'friend' by pupils/students whom I teach within my school. What should I do?

A9. You need to check your security settings to make sure only those people you wish to have access to your web pages can see them. You should decline the 'friends' requests of pupils and their parents and maintain a strictly professional working relationship. If you are unsure, you should speak with your line manager / Head teacher.

Q10. I work as a contractor and my niece has asked me for a job as a cleaner for whom I would be the line manager for. Can I recruit her?

A10. If there is a vacancy, then it would need to be advertised. Your niece can choose to apply for the post, but as she is a relative you should not be involved in the recruitment and selection process as it would be considered a conflict of interest.

If your niece is appointed by another manager and you are her line manager, you must maintain a strictly professional relationship at work and you must not be involved in any employment decisions, for example, appraisals, pay decisions, etc.

Q11. If I go to the schools' Christmas party and get drunk, what business is it of school?

A11. As an employee of the school, if you partake in activities linked with work then it can be genuinely classed as an extension of your employment and we would expect you to conduct yourself appropriately. If your behaviour was influenced by alcohol and you behaved in an inappropriate way (i.e. actions against a fellow employee or member of the public, school reputational damage), this could result in disciplinary action being taken.

Q13. I work as a cleaner within a number of schools; do I need to inform each school that I am working somewhere else?

A13. You must inform the Head teacher of each school that you work for a number of schools and the total hours that you work. If this exceeds 48 hours per week, you will need to sign an 'opt out form'. You also need to consider your work life balance and your health if you are working this number of hours.

Q14. I often let off steam via Facebook about my day at work. What business is this of the school?

A14. There would potentially be damage to the school reputation as members of the public can access and view this. The comments could be identified as harassment if named people are linked to the school. This could result in allegations of misconduct that the school would investigate under the school's Disciplinary Procedure.

APPENDIX I

REGISTER OF BUSINESS INTERESTS FORM

APPENDIX 2

REGISTER OF GIFTS AND HOSPITALITY

Governors and staff declaration form

I wish to declare the following information in accordance with the Governing Body's requirements that a Register of Gifts and Hospitality should be maintained.

Name:

Post:

Signature:

Date:

You should provide full details of your declaration below, including a nil return:

Declaration of gifts and hospitality:

Date gift received:

From whom Gift or hospitality received: