



# Human Resources

## Code of Conduct

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### Revision Log (last 5 changes)

<b>Date</b>	<b>Version No</b>	<b>Brief detail of change</b>
May 2014	1.0	Policy implemented (as appendix in safeguarding policy)
July 2016	2.0	Reformatted with minor updates

# Code of Conduct

The Trust will foster a culture of the highest professional standards. This Code of Conduct sets out the standards expected and the duty upon staff, volunteers and governors to abide by it. All staff, governors and volunteers have a duty to keep students safe and to protect them from all forms of abuse. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and students and behaviour by adults that demonstrate integrity, maturity and good judgment. Following this Code of Conduct will help to safeguard staff, governors and volunteers from being maliciously, falsely or mistakenly suspected or accused of professional misconduct in relation to students.

## 1. GENERAL PRINCIPLES

- 1.1. Staff, governors and volunteers must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection. A member of staff who, in good faith acts as a, “whistleblower” or makes a public interest disclosure will have the protection of the relevant legislation
- 1.2. This Code of Conduct cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to students. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the student where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the students in their charge.
- 1.3. All qualified teachers must by law be registered with the Department of Education and comply with the Teachers Standards. These and other documents regarding the regulation of teachers can be accessed at <https://www.gov.uk/government/organisations/national-college-for-teaching-and-leadership>. The document Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings March 2009 is also incorporated into this Code of Conduct.
- 1.4. This Code of Conduct forms part of the school’s disciplinary rules for staff. A breach of the Code will be regarded as misconduct and may result in disciplinary action as set out in the Disciplinary Policy.
- 1.5. Where an allegation of abuse is made against a member of staff the DSL will be contacted immediately, and he/she will contact the Local Authority Children’s Officer (Child Protection). Appendix 2 of the Trust Safeguarding Policy and the guidance set out in “Child Protection Procedures for Managing Allegations against Staff within Schools and Education Services, will then be followed. This guidance is about managing allegations that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. It will be used where it is alleged that a member of staff or a volunteer or a governor has:
  - 1.5.1. behaved in a way that has harmed a child, or may have harmed a child;
  - 1.5.2. possibly committed a criminal offence against or related to a child; or,

- 1.5.3. behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

## 2. **PRINCIPLES OF PROFESSIONAL PRACTICE**

- 2.1. All staff as appropriate to the role and/or job description of the individual, must:
  - 2.1.1. place the well-being and learning of pupils at the centre of their professional practice.
  - 2.1.2. have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances.
  - 2.1.3. treat pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality.
  - 2.1.4. model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people.
  - 2.1.5. respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education.
  - 2.1.6. seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of school.
  - 2.1.7. reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues.

## 3. **CONFIDENTIALITY**

- 3.1. Members of staff and governors may have access to confidential information about students, members of staff and governors in order to undertake their responsibilities. In some circumstances the information may be highly sensitive. Confidential or personal information about a student or her/his family, member of staff or governor must never be disclosed to anyone other than on a need to know basis, and if appropriate anonymised.
- 3.2. There are some circumstances in which a member of staff may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated student protection responsibilities.
- 3.3. Confidential information about students, members of staff and governors must be held securely only on equipment used by the Trust. Information must only be stored for the length of time necessary to discharge the task for which it is required.
- 3.4. If a member of staff is in any doubt about the storage of sharing of information s/he should seek guidance from a senior member of staff. Any media or legal enquiries should be passed to senior management.

#### **4. PROPRIETY, BEHAVIOUR, REPUTATION AND APPEARANCE**

- 4.1. All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and the public in general. An individual's behaviour, either in or out of the workplace, should not compromise her/his position within the work setting or bring the Trust into disrepute.
- 4.2. A person's dress and appearance are matters of personal choice and self expression. However staff must ensure they are dressed decently, safely and appropriately for the tasks they undertake.
- 4.3. Personal property of a sexually explicit nature such as books, magazines, DVDs or such material on any electronic media must not be brought onto or stored on the Trust's premises.
- 4.4. Social networking sites and blogging are extremely popular. Staff must not post material which damages the reputation of the Trust or which causes concern about their suitability to work with children and young people. Those who post material which could be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.
- 4.5. The Trust strongly advises that members of staff do not contact students using social networking, personal email or texting. If there is any doubt about whether communication with students is appropriate advice should be sought from a member of a senior management team.

#### **5. SEXUAL CONTACT WITH CHILDREN AND YOUNG PEOPLE AND ABUSE OF TRUST**

- 5.1. Any sexual behaviour, whether homosexual or heterosexual, by a member of staff, with or towards a child or young person, is illegal. All adults working in the Trust who have contact with pupils are in positions of trust. The Sexual Offences (Amendment) Act 2000 specifically established a criminal offence of the abuse of trust in relation to teachers and others who are in a relationship of trust with any student under 18.
- 5.2. Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. Staff should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed or misconstrued as being part of a 'grooming' process, which is a criminal offence.
- 5.3. A relationship between a member of staff and a pupil cannot be a relationship between equals and all staff should ensure that the unequal balance of power is not used for personal advantage or gratification.
- 5.4. **INFATUATIONS AND CRUSHES**
- 5.5. Adults must recognise that a pupil may become emotionally attached and/or strongly attracted to a member of staff and/or develop a heterosexual or homosexual infatuation. A member of staff, who becomes aware that a pupil may be infatuated with him/herself or a colleague, must report this without delay to a senior colleague so that appropriate action can be taken.

5.6. Seeking advice in circumstances where concerns arise. Examples of situations which must be reported are given below:

5.6.1. Where a member of staff is concerned that he or she might be developing a relationship with a pupil which could have the potential to represent or be misconstrued as an abuse of trust,

5.6.2. Where a member of staff is concerned that a pupil is becoming attracted to him or her or that there is a developing attachment or dependency.

5.6.3. Where a member of staff is concerned that actions or words have been misunderstood or misconstrued by a pupil such that an abuse of trust might be wrongly suspected by others.

5.6.4. Where a member of staff is concerned about the apparent development of a relationship by another member of staff, or receives information about such a relationship.

## **6. GIFTS**

6.1. Staff need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

6.2. Personal gifts must not be given to pupils. This could be misinterpreted as a gesture either to bribe, or single out the young person. Any reward given to a pupil should be consistent with the Academy's behaviour policy, recorded, and not based on favouritism.

## **7. SOCIAL CONTACT AND SOCIAL NETWORKING**

7.1. Staff in the Trust should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. This includes social networking sites such as Twitter, Facebook, Instagram, Snapchat and blogging, even if a pupil seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgment in making a response and be aware that such social contact in person, by phone or on the internet could be misconstrued and may place the member of staff in a very vulnerable position. Staff are advised not to respond to student communications on private or social media other than that sent to their work email and related to school matters. Such advances and communications should be reported to an appropriate line manager.

7.2. Staff must not give their personal details such as home/mobile phone number; home or e-mail address to pupils unless the need to do so is agreed with senior management.

## **8. PHYSICAL CONTACT AND PERSONAL PRIVACY**

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

- 8.2. Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If a member of staff or volunteer believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible.
- 8.3. Physical contact, which occurs regularly with a student or students, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to students with SEND or physical disabilities). Any such contact should be the subject of an agreed and open Trust policy and subject to review. Where feasible, staff should seek the student's permission before initiating contact. Staff should listen, observe and take note of the student's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the student for the minimum time necessary.
- 8.4. The Trust will provide accredited training in 'Positive Handling' for staff as appropriate.
- 8.5. There may be occasions when a distressed student needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.
- 8.6. Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a senior manager.
- 8.7. Some staff, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with students in order to support a student so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the student's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the student.
- 8.8. Students are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the students concerned and sensitive to the potential for embarrassment.
- 8.9. Staff with a job description, which includes intimate care duties, will have appropriate training and written guidance. No other member of staff or volunteer should be involved in intimate care duties except in an emergency.

## **9. BEHAVIOUR MANAGEMENT AND PHYSICAL INTERVENTION**

- 9.1. All students have a right to be treated with respect and dignity. Corporal punishment, including the threats of corporal punishment, is unlawful in all educational establishments. Staff and volunteers must not use any form of degrading treatment to punish a student. The use of demeaning or insensitive comments towards students is not acceptable in any situation. Staff should avoid sarcasm. Shouting aggressively or hectoring is not acceptable in any situation. Deliberately intimidating students by overwhelming physical presence is not acceptable in any situation.
- 9.2. The circumstances in which staff can physically intervene with a student are covered by the 1996 Education Act. Staff may legitimately intervene to prevent a student from committing a

criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others. Under no circumstances should physical force or the threat of such be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. The Trust has a separate policy on the use of physical intervention which forms part of this Code of Conduct.

- 9.3. Each Academy will have trained first aiders/appointed persons. Staff must have had the appropriate training before administering first aid or medication except in an emergency.

## **10. ONE TO ONE SITUATIONS AND MEETINGS WITH STUDENTS**

- 10.1. Staff working in one to one situations with students are more vulnerable to allegations. Staff must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and students are met. Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker and student. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas of the Trust and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any arrangements should be reviewed on a regular basis.
- 10.2. Pre-arranged meetings with students away from the Trust premises or on the Trust site/s when the Trust is not in session are not permitted unless approval is obtained from their parent/ guardian and the Principal or other senior colleague with delegated authority.

## **11. TRANSPORTING STUDENTS**

- 11.1. In certain situations e.g. out of school activities, staff, volunteers or governors may agree to transport students. Wherever possible transport arrangements should be made in advance by a designated member of staff. Wherever possible and practicable transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.
- 11.2. Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements and students are carried in a way compliant with the law (eg in a car seat). They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded

## **12. EDUCATIONAL VISITS AND TRUSTS CLUBS**

- 12.1. Staff and volunteers should take particular care when supervising students in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply. Each academy has a policy on educational visits, which informs this Code of Conduct.

## **13. CURRICULUM**

- 13.1. 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.

- 13.2. The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to students' questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff.
- 13.3. Each academy is required to have a policy on sex and relationships education and it forms part of this Code of Conduct.

#### **14. PHOTOGRAPHY, VIDEOS AND OTHER CREATIVE ARTS**

- 14.1. Many Trust activities involve recording images. These may be undertaken as part of the curriculum, extra Trust activities, for publicity, or to celebrate achievement. The Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child for any images made such as those used for Trust web sites, productions or other purposes.
- 14.2. Staff need to be aware of the potential for such images to be misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable students who may be unable to question why or how the activities are taking place. Students who have been previously abused in this way may feel threatened by the use of photography, filming etc in the teaching environment.
- 14.3. Staff should remain sensitive to any student who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.
- 14.4. Using images of students for publicity purposes will require the age-appropriate consent of the individual concerned and their legal guardians. Images must not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the Trust have access
- 14.5. When using a photograph the following guidance must be followed:
  - 14.5.1. if the photograph is used, avoid naming the student
  - 14.5.2. if the student is named, avoid using the photograph
  - 14.5.3. images must be securely stored and used only by those authorised to do so.
  - 14.5.4. be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded
  - 14.5.5. ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose.
  - 14.5.6. ensure that all images are available for scrutiny in order to screen for acceptability
  - 14.5.7. be able to justify the images made
  - 14.5.8. do not make images in one to one situations.

14.5.9. do not take, display or distribute images of students unless there is consent to do so.

## **15. INTERNET USE**

- 15.1. The Trust has an e-safety policy which details the standards for staff and students when using electronic systems. Staff should familiarise themselves with this policy to ensure their conduct remains appropriate.
- 15.2. Under no circumstances should adults within the Trust access inappropriate images at work or on work equipment. Deliberately accessing pornography on Trust equipment will be treated as potential gross misconduct and may be a criminal offence. Accessing indecent images of children on the Internet, and making, storing or disseminating such material, is illegal and is likely lead to criminal prosecution and may result in barring from work with children and young people.

## **16. SHARING CONCERNS AND RECORDING INCIDENTS**

- 16.1. All staff, volunteers and governors must be aware of the Trust's child protection procedures. Staff, volunteers and governors must be vigilant and share concerns and report incidents. Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. The following "Red Flag Behaviours" give indications of the kinds of situations, which should be shared with a senior member of staff.
- 16.2. An adult who:
- 16.2.1. Allows a student/young person to be treated badly; pretends not to know it is happening
  - 16.2.2. Gossips/shares information inappropriately
  - 16.2.3. Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
  - 16.2.4. Dresses in a way which is inappropriate for the job role
  - 16.2.5. Does not treat students fairly - demonstrates favouritism
  - 16.2.6. Demonstrates a lack of understanding about personal and professional boundaries
  - 16.2.7. Uses his/her position of trust to intimidate, threaten, coerce or undermine
  - 16.2.8. Appears to have an inappropriate social relationship with a student or students
  - 16.2.9. Appears to have special or different relationships with a student or students
  - 16.2.10. Seems to seek out unnecessary opportunities to be alone with a student

## **17. CHILD SAFEGUARDING COMPETENCIES FOR STAFF AND VOLUNTEERS**

### **17.1. Emotional Awareness**

- Aware of the range of emotions in self and others

- Demonstrates empathy for the concerns of others
- Listens to and understands directly and indirectly expressed feelings
- Encourages others to express themselves openly
- Manages strong emotions and responds constructively to the source of problems
- Listens to personal comments without becoming defensive
- In highly stressful situations, keeps own feelings in check, takes constructive action and calms others down
- Has a range of mechanisms for dealing with stress, can recognise when to use them and does so
- Shows respect for others' feelings, views and circumstances

#### 17.2. Working within Professional Boundaries

- Demonstrates professional curiosity
- Accepts responsibility and accountability for own work and can define the responsibilities of others
- Recognises the limits of own authority within the role
- Seeks and uses professional support appropriately
- Understands the principle of confidentiality

#### 17.3. Self-awareness

- Has a balanced understanding of self and others
- Has a realistic knowledge of personal strengths and weaknesses
- Can demonstrate flexibility of approach
- Shows a realistic appreciation of the challenges of working with this client group

#### 17.4. Ability to Safeguard and promote the welfare of children and young people

- Appreciates the significance of safeguarding and interprets this accurately for all individual children and young people whatever their life circumstances
- Has a good understanding of the safeguarding agenda
- Can demonstrate an ability to contribute towards a safe environment
- Is up-to-date with legislation and current events

- Can demonstrate how s/he has promoted 'best practice'
- Shows a personal commitment to safeguarding children
- Children with specific medical needs
- Any student identified with a specific medical need is given a health plan in liaison with parents/carers