



STAFF SAFER CARE CODE OF CONDUCT

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1. INTRODUCTION

- 1.1. Within this policy 'we' and 'us' means Marshfields School.
- 1.2. For the purposes of this policy, adults are defined as Staff, Volunteers, and Governors involved with the School.
- 1.3. The Governors 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 adults involved with us have a duty to keep students safe and to protect them from physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and students, and by role modelling from adults that demonstrate integrity, maturity and good judgement.
- 1.4. Following this Code of Conduct will help to safeguard adults from being maliciously, falsely or mistakenly suspected or accused of professional misconduct in relation to students. Whilst much of the content of this policy is pertinent for students in our age range, it is good practice to note the guidance in daily contact with all young people, regardless of age.
- 1.5. Many of the principles also guide us on how we should conduct our relationships with other staff, to avoid allegations or misunderstandings about intentions.
- 1.6. Adults must feel able to raise issues of concern and everyone must fully recognise the duty to do so, particularly in terms of safeguarding. A member of staff who, in good faith, 'whistle-blows' or makes a public interest disclosure will have the protection of the relevant legislation.
- 1.7. 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. 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.
- 1.8. Breaches of the standards set out in the Code will be dealt with through the School Disciplinary Policy and procedure and/or criminal prosecution where appropriate.
- 1.9. Where an allegation of abuse is made against a member of staff, Governors or volunteer, we will follow the guidance set out in the Managing Allegations against Staff Policy.

2. PRINCIPLES OF PROFESSIONAL PRACTICE

All adults as appropriate to the role and/or job description of the individual, must:

- place the well-being and learning of students at the centre of their professional practice;
- have high expectations for all students, be committed to addressing underachievement, and work to help students progress regardless of their background and personal circumstances;
- treat students fairly and with respect, take their knowledge, views, opinions and feelings seriously, valuing diversity and individuality;
- model the characteristics they are trying to inspire in students, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, high levels of professionalism and a genuine concern for other people;
- respond sensitively to the differences in the home backgrounds and circumstances of students, recognising the key role that parents and guardians play in students' education;
- seek to work in partnership with parents and guardians, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of the school;
- 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 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 must never be disclosed to anyone other than on a need-to-know basis. In circumstances where the student's identity does not need to be disclosed, the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass the student.
- 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 must be held securely in line with the School ICT Policy. Confidential information about students must not be held off our sites other than on equipment that is appropriately secure. 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 Leader. Any media or legal enquiries should

be passed to a Senior Leader.

4 PROPRIETY, BEHAVIOUR AND APPEARANCE, MAKING PROFESSIONAL JUDGEMENTS

- 4.1 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students 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 us into disrepute.
- 4.2 A person's dress and appearance are matters of personal choice and self-expression. However, staff and volunteers must ensure they are dressed safely and appropriately for the tasks they undertake, and in line with the School Dress Code Policy. Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.
- 4.3 Personal property of a sexually explicit nature such as books, magazines or videos must not be brought onto or stored on our premises including on our ICT devices.

5 SEXUAL CONTACT WITH CHILDREN AND ABUSE OF TRUST

- 5.1 Any sexual behaviour, whether homosexual or heterosexual, by a member of staff, volunteer or Governor with or towards a child or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. All adults working in the school who have contact with students 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 16 -18 year olds.
- 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. Keeping Children Safe in Education 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'.
- 5.3 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 or young person, and manipulate that relationship so that sexual abuse can take place. Staff and volunteers should be aware that conferring special attention and favour upon a

student might be construed as being part of a 'grooming' process, which is a criminal offence, and constitutes gross misconduct.

- 5.4 A relationship between an adult and a student cannot be a relationship between equals. There is potential for exploitation and harm of students, and all adults have a responsibility to ensure that the unequal balance of power is not used for personal advantage or gratification. It is important to recognise that women as well as men may abuse a position of trust.

5. INFATUATIONS AND CRUSHES

- 5.1 We must recognise that a student may be strongly attracted to an adult and/or develop a sexual infatuation. A member of staff or volunteer, who becomes aware that a student may be infatuated with him/herself or a colleague, should report this without delay to a senior leader so that appropriate action can be taken. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the student. It should also be recognised that careless and insensitive reactions may provoke false accusations. Whilst the risk of infatuation is not limited to younger members of staff, newly qualified teachers and apprentices must recognise their particular vulnerability to adolescent infatuation.
- 5.2 Examples of situations which must be reported are given below:
- where a member of staff or volunteer is concerned that he or she might be developing a relationship with a student which could have the potential to represent an abuse of trust;
 - where a member of staff or volunteer is concerned that a student is becoming attracted to him or her or that there is a developing attachment or dependency;
 - where a member of staff or volunteer is concerned that actions or words have been misunderstood or misconstrued by a student such that an abuse of trust might be wrongly suspected by others;
 - where a member of staff or volunteer is concerned about the apparent development of a relationship by another member of staff or volunteer, or receives information about such a relationship.

7. GIFTS

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

- 7.2 Personal gifts must not be given to students. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a student should be consistent with the school's reward system, recorded, and not based on favouritism.

8. SOCIAL CONTACT

- 8.1. Adults in the school should not establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a student seeks to establish social contact, or if this occurs coincidentally, the adult should exercise her/his professional judgement in making a response and be aware that such social contact could be misconstrued. This applies equally to physical social contact, and electronic social contact, even outside the school day. This includes the use of social networking.
- 8.2. Staff and volunteers must not give their personal details such as home/mobile phone number, home or e-mail address to students unless the need to do so is agreed with a member of Senior Leadership Team (SLT).

9. PHYSICAL CONTACT AND PERSONAL PRIVACY

- 9.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with students and children, but it is crucial that they only do so in ways appropriate to their professional role. When physical contact is made with students or children this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one student in one set of circumstances may be inappropriate in another, or with a different student or child.
- 9.2 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.
- 9.3 Physical contact which occurs regularly with an individual is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to students with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and be 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.

- 9.4 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.
- 9.5 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 leader.
- 9.6 Some staff, for example, those who teach PE and games, or who provide 1:1 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.
- 9.7 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.

- 9.8 Staff with a job description which includes intimate care duties will have appropriate training. No other member of staff or volunteer should be involved in intimate care duties except in an emergency.

10. BEHAVIOUR MANAGEMENT AND PHYSICAL INTERVENTION

- 10.1 All students have a right to be treated with respect and dignity. Corporal punishment is unlawful. Staff and volunteers must not use any form of degrading treatment to punish a student. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation. Shouting aggressively or hectoring is not acceptable in any situation. Deliberately intimidating students by overwhelming physical presence is not acceptable in any situation.
- 10.2 The circumstances in which staff can physically intervene with a student or child are covered by the 1996 Education Act. Staff may legitimately intervene to prevent them 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 be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence.
- 10.3 We have trained first aiders/appointed persons. Staff must have had the appropriate training before administering first aid or medication, except in an emergency.

11. ONE-TO-ONE SITUATIONS AND MEETINGS WITH STUDENTS

- 11.1 Staff working in one-to-one situations are more vulnerable to allegations. Staff must recognise this possibility, planning and conducting such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and students are met. Where such a meeting is demonstrably unavoidable, it is advisable to avoid remote or secluded areas of the school, to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained and that a colleague is aware of the meeting. Any arrangements should be reviewed on a regular basis.
- 11.2 Pre-arranged meetings with students away from the premises or on the school site when the school is not in session are not permitted unless approval is obtained from their parent/guardian and the Headteacher or other senior leader with delegated authority.

12. TRANSPORTING STUDENTS

- 12.1 In certain situations e.g. out of school activities, staff, volunteers or Governors may agree to transport students or children. 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.
- 12.2 Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded. We have an insurance policy in place to cover use of staff members' own vehicles when driven on our business.

13. EDUCATIONAL VISITS AND SCHOOL CLUBS

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 extra-curricular activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply. We have a policy on educational visits and trips.

14. CURRICULUM

- 14.1 Many areas of the curriculum can include or raise a 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.
- 14.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff.
- 14.3 The school has an SRE Policy which form part of this Code of Conduct and should be read in conjunction with it.

15. PHOTOGRAPHY, VIDEOS AND OTHER CREATIVE ARTS

We are obliged to comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when we take or publish photographs of students. We will always try to act in the best interest of students and, as far as we reasonably can, we will take parental preferences into account.

16. INTERNET USE

- 16.1 We have a separate Acceptable Use of IT Policy which forms part of this Code of Conduct and should be read in conjunction with it. Inappropriate emails between staff and students are prohibited at any time, and between any email addresses (including either adult or student personal email addresses).
- 16.2 Under no circumstances should adults in the school access inappropriate images. Deliberately accessing pornography on school equipment will be treated as 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.

17. SHARING CONCERNS AND RECORDING INCIDENTS

- 17.1 All staff, volunteers and governors must be aware of the school's child protection procedures as described in the Safeguarding Policy. Staff, volunteers and governors must be vigilant and share concerns and report incidents. Whistle-blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. For further information please read the School's Whistle-Blowing Policy.
- 17.2 The following 'Red Flag Behaviours' give indications of the kinds of situations which should be shared with a member of SLT:

An adult who:

- allows a student/young person to be treated badly; pretends not to know it is happening;
- gossips/shares information inappropriately;
- demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language;
- dresses in a way which is inappropriate for the job role;
- does not treat students fairly - demonstrates favouritism;
- demonstrates a lack of understanding about personal and professional boundaries;
- uses his/her position of trust to intimidate, threaten, coerce or undermine;
- appears to have an inappropriate social relationship with a student or students or another member of staff;
- appears to have special or different relationships with a student or students or another member of staff;

- seems to seek out unnecessary opportunities to be alone with a student or another member of staff.

18. CHILD SAFEGUARDING COMPETENCES FOR ADULTS WHO WORK WITH CHILDREN AND YOUNG PEOPLE

18.1. The following competences are necessary:

18.1.1 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.

18.1.2 Working within Professional Boundaries:

- 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;
- understands the meaning of professionalism in a school context, and behaves in a way that leaves their character open to question.

18.1.3 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;
- is confident in coming forward about concerns.

18.1.4 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.

19. DISQUALIFIED BY ASSOCIATION

19.1 Disqualification under the Childcare Act 2006 was updated February 2015 to preclude living in a same household where another person who is disqualified lives or is employed (disqualification 'by association') as specified in regulation 9 of the 2009 regulations.

19.2. Staff engaged to work with children aged 0-8 years old are expected to certify as follows "I am not disqualified from working with children and, to the best of my knowledge, no one who lives or works in the same household as me is disqualified". Employees are required to complete a declaration confirming this