



Diocese of Salisbury Academy Trust

'Beyond expectations for all of God's children'

STAFF CODE OF CONDUCT

taken from the Employment Manual

Policy Date: September 2021

Review Date: September 2022

This version supersedes any previous versions prior to September 2021

This Code of Conduct is to be adopted by each academy

Code of conduct for Staff

Purpose and application

- 1 **Purpose:** Relationships with fellow Staff, employees, governors, trustees, contractors, visitors, volunteers, pupils and their parents, guardians or carers should be reasonable and mutually respectful at all times. This Code has been produced to place the welfare of children at the centre of the Trust and its culture and to ensure that all those who work in the Trust and may have contact with children are clear on the rules of conduct and the expectations of the Trust. Children place trust in those connected to the Trust creating obligations which we must all meet to ensure the successful outcomes achieved by the children in our care. This Code has regard to the Trust's Child Protection and Safeguarding Policy and Procedures and the following (collectively referred to in this Code as the **Guidance**):
 - 1.1 *Keeping children safe in education* (September 2021) (**KCSIE**):
 - 1.1.1 KCSIE also refers to the non-statutory advice for practitioners: *What to do if you're worried a child is being abused* (March 2015).
 - 1.2 *Working together to safeguard children* (March 2018) (**WT**):
 - 1.2.1 WT refers to the non-statutory advice: *Information sharing* (March 2015).
 - 1.3 *Prevent Duty Guidance: for England and Wales* (2015) (**Prevent**). Prevent is supplemented by non-statutory advice and a briefing note:
 - 1.3.1 *The Prevent duty: Departmental advice for schools and childminders* (June 2015);
 - 1.3.2 *Channel duty guidance: Protecting vulnerable people from being drawn into terrorism* (2015)
 - 1.3.3 *The use of social media for online radicalisation* (July 2015).
 - 1.4 Guidance on female genital mutilation, to include:
 - 1.4.1 *Multi-agency statutory guidance on female genital mutilation* (April 2016)
 - 1.4.2 Home Office statutory guidance *Mandatory reporting of female genital mutilation: procedural information* (October 2015).
 - 1.4.3 Guidance published by the Department for Health which provides useful information and support for health professionals which will be taken into account by the Trust's medical staff.
- 2 The purpose of the Code is to:
 - 2.1 confirm and reinforce the professional responsibilities of all Staff;
 - 2.2 clarify the legal position in relation to sensitive aspects of **Staff** / pupil relationships and communication including the use of social media;
 - 2.3 set out the expectations of standards and behaviour to be maintained within the Trust; and

- 2.4 to help adults establish safe practices and reduce the risk of false accusations or improper conduct.
- 3 **Application:** The Code of Conduct (**Code**) applies to all Staff working in the Trust, whether paid or unpaid, whatever their position, role or responsibilities and **Staff** includes employees, governors, trustees, contractors, students and volunteers.
- 4 **Your duty:** It is the contractual duty of every member of Staff to observe the rules and obligations in this Code. You should also follow the Guidance unless there is a good reason not to follow it in a particular case. The Trust also has a duty of care to its Staff, parents, guardians or carers and pupils and the implementation of the practices in this Code will help to discharge that duty. Failure to comply with the rules and obligations in this Code could lead to disciplinary action being taken against you.
- 5 **Wrongdoing:** All staff are required to report their own wrongdoing, or any wrongdoing or proposed wrongdoing of any other member of staff or any conduct which they may suspect to be inappropriate, to the Headteacher, Line Manager or the Chief Executive Officer if the wrongdoing is in relation to the Headteacher. The Trust operates a Whistleblowing Policy which is contained within this Employment Manual.
- 6 **Application with other policies:** The Code should be read in conjunction with the Trust's Child Protection and Safeguarding Policy and Procedures and Whistleblowing Policy.

Guiding principles

7 Principles for all Staff

- 7.1 All Staff should put the wellbeing, development and progress of all pupils first by:
- 7.1.1 taking all reasonable steps to ensure the safety and wellbeing of pupils under their supervision;
 - 7.1.2 using professional expertise and judgment for the best interests of pupils in their care;
 - 7.1.3 demonstrating self-awareness and taking responsibility for their own actions and for providing help and support to pupils;
 - 7.1.4 raising concerns about the practices of teachers or other professionals where these may have a negative impact on pupils' learning or progress, or may put pupils at risk;
 - 7.1.5 being familiar with the Trust's Child Protection and Safeguarding Policy and Procedures;
 - 7.1.6 reading and understanding Part 1, and where appropriate Annex A, of KCSIE (September 2021)
 - 7.1.7 knowing the role, identity and contact details of the current Designated Safeguarding Lead and their Deputy;
 - 7.1.8 knowing the role, identity and contact details of the Nominated Safeguarding Trustee and Governor at the respective Academies; and
 - 7.1.9 being aware that they are in a position of trust (i.e. the adult is in a position of power or influence over the pupil due to his or her work); that the

relationship is not a relationship between equals and that this position must never be used to intimidate, bully, humiliate, coerce or threaten pupils.

7.2 All Staff should safeguard and promote the welfare of children by recognising low level concerns by:

7.2.1 All staff are responsible for safeguarding children and promoting their welfare. This means that employees are required to take action to protect children from maltreatment, prevent impairment of children's health or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care. This will enable all children to have the best outcomes.

7.2.2 All staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.

7.2.3 All staff must be aware of the signs of abuse and neglect and know what action to take if these are identified.

7.2.4 All staff must be aware of low level concerns, no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).

Examples of such behaviour could include, but is not limited to:

- being over friendly with children
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

7.2.5 To do this, staff must have fully read and understood our child protection/safeguarding/any other relevant policies, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times.

7.2.6 All staff must cooperate with colleagues and with external agencies where necessary.

7.3 All Staff should demonstrate respect for diversity and take steps to promote equality by:

- 7.3.1 acting appropriately and in accordance with this Code of Conduct, towards all pupils, parents, guardians or carers and colleagues;
 - 7.3.2 complying with the Trust's Equal Opportunities and Dignity at Work policies and this Code of Conduct;
 - 7.3.3 addressing issues of discrimination and bullying whenever they arise; and
 - 7.3.4 helping to create a fair and inclusive environment.
- 7.4 All Staff should work as part of a unified Staff body by:
- 7.4.1 developing productive and supportive relationships with colleagues;
 - 7.4.2 exercising any management responsibilities in a respectful, inclusive and fair manner;
 - 7.4.3 complying with all Trust and Academy policies and procedures;
 - 7.4.4 participating in the Trust's development and improvement activities;
 - 7.4.5 recognising the role of the Trust and the Academies in the life of their respective local communities; and
 - 7.4.6 upholding the reputation of the Trust and its Academies and their standing within their respective local communities and building trust and confidence in them.
- 7.5 All Staff should understand that the Trust has a legal duty to have regard to the need to prevent people from being drawn into terrorism, and consequently should be aware of:
- 7.5.1 what extremism and radicalisation means and why people - including pupils and fellow staff members - may be vulnerable to being drawn into terrorism as a consequence of it;
 - 7.5.2 what measures are available to prevent people from becoming drawn into terrorism and how to challenge the extremist ideology that can be associated with it; and
 - 7.5.3 how to obtain support for people who may be being exploited by radicalising influences.
- 7.6 All Staff should maintain public trust and confidence in the Trust and in their profession by:
- 7.6.1 demonstrating honesty and integrity;
 - 7.562 understanding and upholding their duty to safeguard the welfare of children and young people;
 - 7.6.3 maintaining reasonable standards of behaviour whether inside or outside of normal School hours and whether on or off Trust premises; and
 - 7.6.4 maintaining an effective learning environment.

- 7.7 All Staff should ensure that their conduct inside and outside of school is in keeping with the required standards by:
- 7.7.1 never behaving in a way either inside or outside of work which could cause harm to a child
 - 7.7.2 never committing a criminal offence either inside or outside of work
 - 7.6.3 never behaving in a way towards a child, either inside or outside of work , which could indicate that you pose a risk of harm to children
 - 7.7.4 never behaving in a way, either inside or outside of work, that could indicate that you may not be suitable to work with children

8 Additional principles for teachers

- 8.1 From October 2015, teachers must report to the police cases where they discover (either through disclosure by the victim or visual evidence) that an act of female genital mutilation appears to have been carried out. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the Designated Safeguarding Lead and involve children's social care as appropriate. It will be rare for teachers to see visual evidence, and they should not be examining pupils.
- 8.2 Teachers should take responsibility for maintaining the quality of their teaching practice by:
- 8.2.1 meeting the professional standards for teaching applicable to their role and position within the Academy;
 - 8.2.2 reflecting on their current practice and seeking out opportunities to develop knowledge, understanding and skills;
 - 8.2.3 helping pupils to become confident and successful learners; and
 - 8.2.4 establishing productive relationships with parents, guardians or carers by:
 - a) providing accessible and accurate information about their child's progress;
 - b) involving them in important decisions about their child's education; and
 - c) complying with this Code.

Guidance on Staff / pupil relationships

- 9 **Application:** Allegations of unprofessional conduct or improper contact or words can arise at any time. Professionalism and vigilance are required so as to ensure the safety of children in our care, and to reduce the risk of an allegation of impropriety against a member of Staff. This guidance applies to all Staff.
- 10 **Sexual contact:** Staff must not:
- 10.1 have any type of sexual relationship with a pupil or pupils;
 - 10.2 have sexually suggestive or provocative communications with a pupil;
 - 10.3 make sexual remarks to or about a pupil; and

- 10.4 discuss their own sexual relationships in the presence of pupils.
- 11 **Abuse of a position of trust and inappropriate relationships with pupils:** Sexual relationships or sexual contact with any pupils, or encouraging a relationship to develop in a way which might lead to a sexual relationship or any relationship just considered inappropriate with any pupil at the Academy is a grave breach of trust that will usually lead to disciplinary action and may also lead to criminal prosecution. It is the criminal offence of an abuse of a position of trust to have any sexual relationship with any Academy pupil under the age of 18, and whilst not a criminal offence, it is a breach of this Code and considered to be gross misconduct to have a sexual relationship with any pupil of the Academy, even if over the age of 18.
- 12 **Inappropriate relationships with pupils at another school:** Forming relationships with children or young people who are pupils or students at another school will be a criminal offence if they are under 16 but may also be a criminal offence if under the age of 18 and will be regarded as gross misconduct. Such behaviour tends to bring the Academy and/or the Trust into disrepute and gives rise to concern that the Staff involved cannot be trusted to maintain professional boundaries with pupils and students at the Academy. Whilst not a criminal offence, the Trust considers it inappropriate for Staff to form inappropriate relationships with a pupil of any school, irrespective of their age.
- 13 **General guidance:** You should be aware of the general guidance that will apply in all cases. In particular you:
- 13.1 need to exercise professional judgment but always act within the spirit of these guidelines. If you are involved in a situation where no specific guidance exists, you should discuss the circumstances with the Designated Safeguarding Lead. A written record should be kept that includes justification for any action taken;
 - 13.2 must be aware of the risks of peer-on-peer abuse and be familiar with procedures for handling allegations against other children and bullying as set out in the Trust's child protection and safeguarding policy and procedures;
 - 13.3 must be familiar with procedures for reporting concerns in accordance with the Trust's whistleblowing policy and be aware that if Staff raise concerns about working practices within the Trust to the Designated Safeguarding Lead or an appropriate senior member of Staff that they will be protected from detriment under the whistleblowing policy;
 - 13.4 must be familiar with the local reporting guidelines and the Local Safeguarding Children Board reporting threshold document in respect of any concerns relating to children;
- 13.5 must be familiar with procedures for handling allegations against Staff as set out in the Trust's Allegations and concerns raised in relation to staff, supply staff, contractors and volunteers Policy, Child Protection and Safeguarding Policy and Procedures and Whistleblowing Policy;
- 13.6 must seek guidance from the Designated Safeguarding Lead if you are in any doubt about appropriate conduct; and
 - 13.7 must report any actions which could be misinterpreted, any misunderstandings, accidents or threats involving you and a pupil or a group of pupils to the Designated Safeguarding Lead.
- 14 **Behaviour giving particular cause for concern:** You should take particular care when dealing with a pupil who:

- 14.1 appears to be emotionally distressed, or generally vulnerable and / or who is seeking expressions of affection;
 - 14.2 appears to hold a grudge against you;
 - 14.3 acts in a sexually provocative way, or who is inclined to make exaggerated claims about themselves and others, or to fantasise, or one whose manner with adults is over familiar; and
 - 14.4 may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations.
- 15 **Procedure to be followed in these cases:** Some of these behaviours may be indications that a child has been, or is currently being, abused and should therefore be reported to the Designated Safeguarding Lead under the Trust's Child Protection and Safeguarding Policy and Procedures.
- 16 **Record keeping:** Comprehensive records are essential. All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing . Any incident involving children that could give cause for concern, whether contemplated in these guidelines or not, must be recorded and reported to the Designated Safeguarding Lead in accordance with the Trust's Child Protection and Safeguarding Policy and Procedures. If there is any doubt about recording requirements this should be discussed with the Designated Safeguarding Lead.
- 17 **Good order and discipline:** Staff in charge or control of pupils must maintain good order and discipline at all times when pupils are present on Academy premises and whenever pupils are engaged in authorised school activities, whether on Trust or Academy premises or elsewhere.

General conduct

- 18 **Academy property:** You must take proper care when using Trust or Academy property and you must not use Trust or Academy property for any unauthorised use or for private gain.
- 19 **Use of premises:** You must not carry out on Trust or Academy premises any work or activity other than pursuant to your terms and conditions of employment without the prior permission of the Headteacher.
- 20 **Behaviour of others:** You should be aware that the behaviour of your partner or other family members or any member of your household may raise concerns which could affect the welfare of a member of the Trust or Academy community, a member of the public, or bring the Trust or one of its Academies into disrepute and you should bring any such behaviour to the immediate attention of the Trust. . Such concerns will be given careful consideration as to whether they constitute a potential risk to children at any Academy.

Meetings with pupils

- 21 **One-to-one meetings:** If you are teaching one pupil, or conducting a one-to-one meeting or teaching session with a pupil, you should take particular care in the following ways:
- 21.1 when working alone with a pupil is an integral part of your role, conduct and agree full risk assessments with the Headteacher or someone with the delegated authority of the Headteacher, such as the Deputy Headteacher;

- 21.2 use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open, or inform a colleague that the lesson / meeting is taking place;
 - 21.3 arrange the meeting during normal school hours when there are plenty of other people about;
 - 21.4 do not continue the meeting for any longer than is necessary to achieve its purposes;
 - 21.5 avoid sitting or standing in close proximity to the pupil, except as necessary to check work;
 - 21.6 avoid using "engaged" or equivalent signs on doors or windows;
 - 21.7 avoid idle discussion;
 - 21.8 avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;
 - 21.9 avoid any conduct that could be taken as a sexual advance;
 - 21.10 report any incident that causes you concern to the Designated Safeguarding Lead under the Trust's Child Protection and Safeguarding Policy and Procedures, and make a written record (signed and dated); and
 - 21.11 report any situation where a pupil becomes distressed or angry to the Headteacher or someone with the delegated authority of the Headteacher, such as the Deputy Headteacher.
- 22 **Pre-arranged meetings:** Pre-arranged meetings with pupils outside school should not be permitted unless approval is obtained from their parents, guardians or carers and the Headteacher or a delegated Senior Leader. If you are holding such a meeting, you should inform colleagues before the meeting.
- 23 **Home visits:** In some circumstances home visits are necessary. You should:
- 23.1 discuss the purpose of any visit with the Headteacher or a delegated Senior Leader and adhere to any agreed work plan / contract;
 - 23.2 follow the risk management strategy and ensure appropriate risk assessments are in place. Where there is insufficient information to complete a risk assessment, ensure that you are accompanied by a colleague;
 - 23.3 not visit unannounced if this can be avoided;
 - 23.4 leave the door open where you will be alone with pupils;
 - 23.5 keep records detailing times of arrival and departure, and work undertaken;
 - 23.6 ensure that any behaviour or situation that gives rise to a concern is reported and actioned;
 - 23.7 discuss with the Designated Safeguarding Lead anything that gives cause for concern in accordance with the Trust's Child Protection and Safeguarding Policy and Procedures; and
 - 23.8 have a mobile telephone and an emergency contact.

Language and appearance

- 24 **Language:** You should use appropriate language at all times. You should:
- 24.1 avoid words or expressions that have any unnecessary sexual content or innuendo; avoid displays of affection either personally or in writing (e.g. messages in birthday cards, text messages, emails etc.);
 - 24.2 avoid any form of aggressive or threatening words;
 - 24.3 avoid any words or actions that are over-familiar;
 - 24.4 not swear, blaspheme or use any sort of offensive language in front of pupils;
 - 24.5 avoid the use of sarcasm, discriminatory or derogatory words when punishing or disciplining pupils and avoid making unprofessional personal comments about anyone. Any sanctions should be in accordance with the Trust's behaviour and discipline policies; and
 - 24.6 be aware that some parts of the curriculum may raise sexually explicit subject matters. Care should be taken in subjects where rules / boundaries are relaxed (e.g. drama or art). Staff should have clear lesson plans and should take care to avoid overstepping personal and professional boundaries.
- 25 **Dress:** You should dress appropriately and in a professional manner. Dress must not be offensive, distracting, revealing, or sexually provocative, embarrassing or discriminatory. Political or other contentious slogans or badges are not allowed.

The use of force or physical restraint

- 26 **Physical restraint:** All forms of corporal punishment are unlawful and the use of unwarranted physical force is likely to constitute a criminal offence. The use of physical intervention should be avoided if possible. However, by law, Staff who are authorised by the Headteacher to have control or charge of pupils, may use such force or physical contact as is reasonable and proportionate in the circumstances to prevent a pupil from doing, or continuing to do any of the following:
- 26.1 committing a criminal offence;
 - 26.2 injuring themselves or others;
 - 26.3 causing damage to property, including their own; or
 - 26.4 engaging in any behaviour prejudicial to good order and discipline at the Academy or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 27 **Application of code of restraint:** This applies when a teacher, or other authorised person, is on Trust or Academy premises and when he or she is in control or charge of the pupil elsewhere, for example on a field trip or other authorised out of school activity. It only applies where no other form of control is available and where it is necessary to intervene.
- 28 **Before intervening:** Before intervening physically you should, wherever practicable, tell the pupil to stop and what will happen if he or she does not. You should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. You should always avoid touching or holding a pupil in a way that might be considered indecent. You should also avoid

any form of aggressive contact such as holding, pushing, pulling or hitting which could amount to a criminal assault, nor act in a way that might reasonably be expected to cause injury.

- 29 **Inform senior staff:** You should inform the Headteacher or their designated Deputy Senior Leader immediately following an incident where force has been used. This is to help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful in the event of a complaint. You should provide a written report as soon as possible afterwards. This should include written and signed accounts of those involved, including the pupil. The parents, guardians or carers of the pupil should be informed about serious incidents involving the use of force. In the EYFS setting, the parents, guardians or carers will be informed about any use of force on the same day or as soon as reasonably practicable. The Headteacher or designated Senior Leader will advise as to when parents should be contacted.
- 30 **Action taken in self-defence or in an emergency:** The law allows anyone to defend themselves against an attack provided they do not use more force than is necessary. Similarly, where a pupil is at risk of immediate injury or on the point of inflicting injury on someone else, any member of Staff (whether authorised or not) would be entitled to intervene.
- 31 **Using reasonable force:** There is no legal definition of "reasonable force". It will always depend on the circumstances. Note that:
- 31.1 any use of force should be proportionate to the behaviour of the pupil involved and the seriousness of the harm prevented;
 - 31.2 physical force could not be justified to prevent a pupil from committing a trivial misdemeanour;
 - 31.3 any force should always be the minimum needed to achieve the desired result; and
 - 31.4 whether it is reasonable to use force and the degree of force that could be reasonably employed might also depend on the age, understanding and sex of the pupil.

Physical contact in other circumstances

- 32 **When physical contact may be appropriate:** Physical contact with a pupil may be necessary and beneficial in order to demonstrate a required action, or a correct technique in, for example, singing and other music lessons or during PE, sports and games. Any physical contact should be in response to the pupil's needs, of limited duration and appropriate to the pupil's age, stage of development, gender, ethnicity and background. Physical contact can be easily misinterpreted and should be limited. Staff should use professional judgement.
- 33 **Guidance on using physical contact:** You should observe the following guidelines (where applicable):
- 33.1 explain the intended action to the pupil;
 - 33.2 do not proceed with the action if the pupil appears to be apprehensive or reluctant, or if you have other concerns about the pupil's likely reaction;
 - 33.3 ensure that the door is open and if you are in any doubt, ask a colleague or another pupil to be present during the demonstration; and
 - 33.4 consider alternatives if it appears likely that the pupil might misinterpret the contact.

- 34 **Report concerns:** If you are at all concerned about any instance of physical contact, inform the Headteacher or designated Senior Leader without delay, and make a written record in the incident book and on the pupil's file if necessary.
- 35 **Offering comfort to distressed pupils:** Touching may be appropriate where a pupil is in distress and needs comforting. You should use your own professional judgement when you feel a pupil needs this kind of support and should be aware of any special circumstances relating to the pupil. For example, a child who has been abused may find physical contact particularly difficult. You should always notify the Headteacher or designated Senior Leader when comfort has been offered, record the action and should seek guidance if unsure whether it would be appropriate in a particular case.
- 36 **Administering first aid:** When administering first aid you should explain to the child what is happening and ensure that another adult is present or is aware of the action being taken. The treatment must meet the Trust's first aid, health and safety at work rules and intimate care guidelines, and parents, guardians or carers should be informed. Staff should:
- 36.1 adhere to the Trust's policies on first aid and administering medication;
 - 36.2 comply with the necessary reporting requirements;
 - 36.3 make other adults aware of the task that is being undertaken;
 - 36.4 explain what is happening;
 - 36.5 report and record the administration of first aid;
 - 36.6 have regard to any health plans; and
 - 36.7 ensure that an appropriate health / risk assessment is undertaken prior to undertaking certain activities.
- 37 **Pupils' entitlement to privacy:** Children are entitled to privacy when changing or showering. However there still must be an appropriate level of supervision to ensure safety. You should:
- 37.1 avoid physical contact or visually intrusive behaviour when children are undressed;
 - 37.2 announce yourself when entering changing rooms and avoid remaining unless required;
 - 37.3 not shower or change in the same place as children; and
 - 37.4 not assist with any personal care task which a pupil can undertake themselves.
- 38 **Intimate care:** Sometimes intimate care is required, for example when assisting with toileting or removing wet clothes. You should:
- 38.1 comply with the Trust's intimate care guidelines;
 - 38.2 advise other Staff of the task being undertaken and consult where there is any change from the agreed procedure. A record should be kept of the justification for any variations and this information should be shared with parents, guardians or carers;
 - 38.3 explain to the child what is happening;

38.4 comply with applicable professional codes of practice, as appropriate; and

38.5 comply with regularly reviewed, formally agreed plans, as appropriate.

39 **Where a child has been abused:** Where a child has previously been abused, Staff should be informed on a 'need to know' basis, and should be extra cautious when considering the necessity of physical contact. Some children may seek inappropriate physical contact. Staff should sensitively deter the pupil and help them understand the importance of personal boundaries. Such incidents should be reported and discussed with the Designated Safeguarding Lead and parents, guardians or carers where appropriate.

40 **Children with special educational needs or disabilities:** Some children may need more physical contact to assist their everyday learning, which should be agreed and understood by all concerned, justified, openly applied and open to scrutiny. The Designated Safeguarding Lead and SENCO will establish whether any reasonable adjustments are required for such pupils.

Code of conduct for contact outside school

41 **Contact outside school:** You should avoid unnecessary contact with pupils outside school. You should:

41.1 not give pupils your home address, home telephone number, mobile telephone number or email address;

41.2 not send personal communications (such as birthday cards or faith cards, text messages etc.) to children unless agreed with the Headteacher or Senior Leader;

41.3 not make arrangements to meet pupils, individually or in groups, outside school other than on school trips authorised by the Headteacher or designated Senior Leader;

41.4 avoid contacting pupils at home unless this is strictly necessary, and you should keep a record of any such occasion;

41.5 not give a pupil a lift in your own vehicle other than on Academy business and with permission from the Headteacher or designated Senior Leader;

41.6 avoid inviting pupils (groups or individuals) to your home unless there is a good reason and it has been approved by the Headteacher or designated Senior Leader. This prohibition also applies if you have on site accommodation;

41.7 report and record any situation which may place a child at risk or which may compromise the Academy's or your professional standing;

41.8 ensure that pupils do not see anything in your home that may cause embarrassment or that might become the subject of inappropriate gossip or rumour; and

41.9 never engage in secretive social contact with pupils or their parents, guardians or carers.

42 **Staff parents:** It is acknowledged that the children of Staff attend the Academy as pupils from time to time and that they are therefore likely to have social contact with fellow pupils outside of normal school hours. It is accepted that this may result in pupils being invited into the homes of Staff. Where this happens Staff must always adhere to the standards set out in this

Code. Staff must report any concerns that arise to the Designated Safeguarding Lead and should seek additional support as required to manage such concerns.

- 43 **Social contact:** You should be aware that where you meet children or parents, guardians or carers socially, such contact could be misinterpreted as inappropriate, an abuse of a position of trust or as grooming. Any social contact that could give rise to concern should be reported to the Headteacher or designated Senior Leader.
- 44 **Friendships with parents, guardians or carers and pupils:** Members of Staff who are friends with parents, guardians or carers of pupils or who, for example, are voluntary workers in youth organisations attended by pupils, will of course have contact with those pupils outside school. However, members of Staff should still respect the above advice wherever possible and should keep the Headteacher or designated Senior Leader informed of such relationships.
- 45 **Scope of application of code on contact outside school:** The same guidelines should be applied to after school clubs, school trips, and especially trips that involve an overnight stay away from the Academy. There are separate, more detailed guidelines for school trips in the Educational Visits Policy. The principles of this guidance also apply to contact with children or young people who are pupils at another school.
- 46 **Transporting pupils:** There may be some situations when Staff are required to transport pupils. You should:
- 46.1 ensure that you are fit to drive and free from any substances that may impair your judgement or ability to drive;
 - 46.2 be aware that until the pupil is passed over to a parent / carer, you have responsibility for that pupil's health and safety;
 - 46.3 record the details of the journey;
 - 46.4 record, be able to justify impromptu or emergency lifts and notify the Headteacher or designated Senior Leader;
 - 46.5 ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety, including appropriate insurance, seat belts, adherence to maximum capacity guidelines etc.; and
 - 46.6 wherever practicable, you should avoid using private vehicles and should try and have one adult additional to the driver to act as an escort.
- 47 **After school activities:** When taking part in after school activities, you should:
- 47.1 be accompanied by another adult unless otherwise agreed with the Headteacher or designated Senior Leader;
 - 47.2 undertake a risk assessment; and
 - 47.3 obtain parental consent.
- 48 **Educational visits:** When taking part in educational visits, you should:
- 48.1 follow the Trust's Educational Visits Policy;
 - 48.2 be accompanied by another adult unless otherwise agreed with the Deputy Headteacher or designated Senior Leader;

- 48.3 undertake a risk assessment;
 - 48.4 obtain parental consent; and
 - 48.5 never share bedrooms unless in a dormitory situation and arrangements have been discussed and agreed previously with Headteacher or designated Senior Leader and where appropriate parents, guardians or carers and pupils.
- 49 **Overnight supervision:** Where overnight supervision is required to preserve the integrity of the examination process:
- 49.1 you should ensure that a risk assessment has been undertaken and that all members of the household have had the appropriate checks;
 - 49.2 arrangements should be made with and agreed by parents, guardians or carers and the pupil;
 - 49.3 one to one supervision should be avoided where possible;
 - 49.4 choice, flexibility and contact with "the outside world" should be incorporated, so far as it is consistent with appropriate supervision and the Trust's guidelines;
 - 49.5 whenever possible, independent oversight of the arrangements should be made; and
 - 49.6 any misinterpretation, misunderstanding or complaint should be reported.

Communication with pupils (including the use of technology)

- 50 **Communicating with children and parents, guardians or carers:** All communication with children or parents, guardians or carers should conform to Trust and Academy policy and be limited to professional matters. Except in an emergency communication should only be made using Trust / Academy property.
- 51 **Application:** These rules apply to any form of communication including new technologies (including 3G / 4G technologies) such as mobile telephones, web cameras, social networking websites and blogs. You should also ensure you comply with the more detailed IT Acceptable Use Policy, and Social Media Policy.
- 52 **Dealing with "crushes":** Crushes, fixations or infatuations are part of normal adolescent development. However, they need sensitive handling to avoid allegations of exploitation. Such crushes carry a high risk of words, actions and expressions being misinterpreted, therefore, the highest levels of professionalism are required. If you suspect that a pupil has a crush on you or on another colleague you should bring it to the attention of the Headteacher or designated Senior Leader at the earliest opportunity. Suggestions that a pupil may have developed a crush should be recorded. Staff should avoid being alone with pupils who have developed a crush on them and if the pupil sends personal communications to the member of Staff, this should be reported to the Headteacher or designated Senior Leader and recorded.
- 53 **Acceptable use:** Adults must establish safe and responsible online behaviours and must comply with the IT Acceptable Use Policy, Social Media Policy and the mobile telephone protocol. Adults should report to senior colleagues, any new and emerging technologies which may have a bearing on Trust practices and on the review of the IT Acceptable Use Policy. Local and national guidelines on acceptable user policies should be followed. Staff should also:

- 53.1 ensure that your own personal social networking sites are set as private and ensure that pupils are not approved contacts;
 - 53.2 ensure that you do not use any website or application, whether on a Academy, Trust or personal device, which publicly identifies your location while on Trust premises or otherwise in the course of your employment;
 - 53.3 never use or access social networking sites of pupils and do not use internet or web-based communication channels to send personal messages to pupils;
 - 53.4 do not use your own equipment (e.g. mobile telephones) to communicate with pupils - use equipment provided by the Trust or Academy and ensure that parents, guardians or carers have given permission;
 - 53.5 only make contact with pupils for professional reasons; and
 - 53.6 recognise that text messaging should only be used as part of an agreed protocol and only when other forms of communication are not possible.
- 54 **Personal details:** Adults should not give their personal contact details to pupils, including email addresses, home or mobile telephone numbers, unless the need to do so is agreed with the Headteacher or designated Senior Leader and parents, guardians or carers.
- 55 **Personal mobile telephones and electronic devices:** It is understood that staff may need to check text messages and / or personal emails in the case of an emergency or during break times. Personal use must not interfere with your work commitments (or those of others). It is a privilege and not a right. Staff shall set an example and shall never use their own mobile telephones or other electronic devices whilst they are on duty (whether in a classroom or otherwise) and any such mobile devices should be switched off except in the case of an emergency and be kept out of sight of parents or pupils.
- 56 **Communicating outside the agreed protocols:** Email or text communications between an adult and any pupil outside agreed protocols may lead to a report to external agencies in accordance with the Trust's Child Protection and Safeguarding Policy and Procedures, disciplinary action and / or criminal investigations. This also includes communications through internet based websites.

Code of conduct for photographs and videos

- 57 **Permission required:** You should seek permission from the Headteacher or someone with the delegated authority of the Headteacher, such as the Deputy Headteacher, before taking photographs or video camera footage of any pupils in class, at any Academy events or on a trip. You should also seek permission before displaying these photographs. You must not take images of children using personal mobile telephones. Appropriate consents for taking and displaying photographs should be obtained from parents, guardians or carers where appropriate.
- 58 **Consent:** Subject to paragraph 61 below, appropriate consents for taking and displaying photographs should be obtained from parents, guardians, carers or from the pupils themselves if sufficiently mature (most pupils are seen as being sufficiently mature from the age of 12 years). Consent must be freely given so it must be a genuine choice. The consent obtained must be specific for the purpose that the photographs will be used for - for instance if the photographs will be used in a school promotion, specific consent should be obtained for this use, and the photographs should not then be used for any other use without new consent

being requested and obtained. There are additional rules around seeking consent. Please see the Guidance for Staff on the use of Photographs and Videos of Pupils by the School for further information. Any consent will need to be sought from either the parent, the pupil or both depending on the maturity of the pupil.

59 Where the use of a photograph or video is less privacy intrusive (e.g. used in an internal school display) it is sufficient for parents and pupils to have been informed about this in the Trust's privacy notices, in which case consent is not required. Please speak to the Academy Finance Officer/Business Manager or Administrator, if you require guidance on whether consent should be obtained.

60 Some pupils cannot be featured in photographs or videos under any circumstances (for example, because of safeguarding concerns). Please speak to the Academy Finance Officer/Business Manager or Administrator if you are unsure to which pupils this applies.

61 **Guidance where permission obtained:** Where permission has been obtained, the following should be considered:

61.1 the purpose of the activity should be clear as should what will happen to the photographs or videos. You must be able to justify images in your possession;

61.2 all images should be made available in order to determine acceptability;

61.3 images should not be made during one-to-one situations;

61.4 ensure that the pupil is appropriately dressed;

61.5 ensure that the pupil understands why the images are being taken and has agreed to the activity;

61.6 only use equipment provided or authorised by the Trust or Academy;

61.7 if a photograph or video is to be displayed in a place to which the public have access it should not display the pupil's name unless specific consent has been obtained. If the use of a photograph or video is more privacy intrusive consent may need to be obtained even if the pupil's name is not used (e.g. using an unnamed photograph of a pupil in an advertisement). Consent should be obtained from the pupil and / or their parents as appropriate. Please see paragraph 64 below for further guidance on consent;

61.8 all images of children should be stored securely and only accessed by those authorised to do so; and

61.9 images must not be taken secretly.

62 **Consent:** Children are usually considered mature enough to exercise their own data protection rights when they are aged 12 years or older. Whether consent should be obtained from the parents, the pupil or both will depend on the age of the pupil. The Trust's policy is that when consent is required it should be obtained as follows:

62.1 where the pupil is in Year 7 or below, consent should be sought from a parent, guardian or carer;

62.2 where the pupil is in Year 8, 9, 10 or 11 then consent should be sought from both the pupil and their parent, guardian or carer;

- 62.3 where the pupil is in Year 12 or 13 then only the pupil's consent will need to be obtained.
- 63 **Personal social media:** You must not publish anything which could identify pupils, parents or guardians on any personal social media account, personal webpage or similar platform without the prior consent of the Head in writing. This includes photos, videos, or other materials such as pupil work.
- 64 **Appropriate material:** The Trust recognises that many children have unlimited and unrestricted access to the internet via 3G and 4G. You must ensure children are not exposed to inappropriate or indecent images. Viewing, retrieving or downloading of pornographic, terrorist or extremist material, or any other material which the Trust believes is unsuitable is strictly prohibited and constitutes gross misconduct. This includes at any time when on Trust premises or otherwise in the course of your employment, including using the Trust's ICT network, or via 3G, 4G or 5G, whether or not on a Academy, Trust or personal device. You should not allow unauthorised access to Trust or Academy equipment and should keep your computer passwords safe. If you discover material that is potentially illegal or inappropriate, you must isolate the equipment and contact the Designated Safeguarding Lead under the Trust's Child Protection and Safeguarding Policy and Procedures immediately. Pupils must not be exposed to unsuitable material on the internet and Staff should ensure that any film or material shown is age appropriate.

Gifts and rewards

- 65 **Anti-bribery and corruption policy:** Before accepting or giving any gifts or rewards, Staff must familiarise themselves with the Anti-Bribery and Corruption Policy contained in this Employment Manual.
- 66 **If a gift is received:** If you receive a gift from a pupil or parent you should:
- 66.1 declare the gift where there is a possibility it could be misconstrued, or in any event where the gift is of a value of more than £100. The Headteacher may in their absolute discretion require you to decline the gift; and
- 66.2 decline outright gifts that could be perceived as a bribe or that have created an expectation of preferential treatment. Although it is accepted for parents, guardians or carers or children to make small gifts to show appreciation, you must not receive gifts on a regular basis or receive anything of significant value.
- 67 **Giving gifts and rewards:** Where you are thinking of giving a gift or reward:
- 67.1 it should only be provided as part of an agreed reward system;
- 67.2 in all cases except the above, the gift or reward should be of little monetary value and should be discussed and agreed with the Deputy Headteacher or designated Senior Leader and where appropriate the parent, guardian or carer;
- 67.3 selection processes should be fair and where possible should be agreed by more than one member of Staff; and
- 67.4 gifts should be given openly and not based on favouritism.
- 68 **Allocation of gifts and rewards:** Decisions regarding entitlement to benefits or privileges such as admission to school trips, activities or classroom tasks must avoid perceptions of bias, grooming or favouritism. The selection process must be based on transparent criteria.

Childcare Disqualification

- 69 **Offence:** The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009 state that it is an offence for the Trust to employ anyone to provide childcare in connection with our early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP (a **Relevant Role**).
- 70 **EYP** includes usual Academy activities and any other supervised activity for a "young child" which takes place on the Academy premises during or outside of the normal school day (a child is a "young child" during the period between birth and up to 1 September following their fifth birthday).
- 71 **LYP** includes provision for children not in EYP and under the age of 8 which takes place on Academy premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.
- 72 "**Childcare**" means any form of care for a child, which includes education and any other supervised activity for a "young child". "Childcare" in LYP does not include education during school hours but does cover before and after school clubs.
- 73 **Grounds for disqualification:** The grounds on which a person will be disqualified from working in connection with EYP or LYP are set out in the Trust's Recruitment, Selection and Disclosure Policy and Procedure. Staff are required to familiarise themselves with this document.
- 74 **Duty of disclosure:** Staff in a Relevant Role are under an on-going duty to immediately notify the Academy if their circumstances change so that they meet any of the criteria for disqualification at any point during their employment with the Trust. Any failure to disclose relevant information will be treated as a serious disciplinary matter.
- 75 **Ofsted:** Where the Academy receives disqualification information about a member of staff working in a Relevant Role, and is satisfied that the member of staff is disqualified as a consequence, the Academy is under a duty to report the circumstances of the disqualification to Ofsted.
- 76 **Waiver:** A member of staff who discloses information which appears to disqualify them from working in a Relevant Role may apply to Ofsted for a waiver of the disqualification.

Reporting Obligations

- 77 **The Trust's position:** It is a contractual requirement as well as in your interests to follow this Code so as to maintain appropriate standards of behaviour and your own professional reputation. A breach of this Code may be treated as misconduct and will render you liable to disciplinary action including in serious cases, dismissal.
- 78 **Exit interviews:** All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with the Trust's policies (including the whistleblowing policy, the child protection and safeguarding policy and procedures and this Code). Safeguarding children is at the centre of the Trust's culture and is accordingly considered formally during staff performance development reviews and appraisal and finally at exit interviews which may be held with leavers.

- 79 **Termination of employment:** If the Trust ceases to use the services of a member of staff because they are unsuitable to work with children, a settlement agreement (formerly known as a compromise agreement) will not be used and a referral to the Disclosure and Barring Service will be made as soon as possible if the criteria for a referral are met. Any such incidents will be followed by a review of the safeguarding procedures within the Academy, with a report being presented to the Governors without delay.
- 80 **Resignation:** If a member of Staff tenders his or her resignation, or ceases to provide his or her services to the Academy at a time when child protection concerns exist in relation to that person, those concerns will still be investigated in full by the Academy and a referral will be made to the Disclosure and Barring Service as soon as possible if the criteria for a referral are met.
- 81 Teaching Regulation Agency (**previously known as the National College for Teaching and Leadership**): Where a teacher has been dismissed, or would have been dismissed had they not resigned, separate consideration will be given as to whether a referral to the Teaching Regulation Agency should be made.