



THE HOLT SCHOOL

Code of Conduct and Personal Behaviour

May 2018

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THE HOLT SCHOOL

Code of Conduct and Personal Behaviour

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1. Policy statement

- 1.1. The School believes that it is essential for standards of conduct at work to be maintained to ensure delivery of quality services and also to protect the well being of all its employees and students. The following policy will make sure that all employees are aware of the standards set by the School.

2. Purpose

- 2.1 The purpose of this policy is to establish, and encourage all employees to achieve, high standards of conduct at work, and to help provide a fair and consistent way of dealing with alleged failures to observe them.
- All employees in the School are expected to give the highest possible standard of service to the public. Employees should conduct themselves with integrity, impartiality and honesty. Breaches of conduct and personal behaviour will be dealt with under the Policy and Guidance for Discipline.
 - All employees in the School have an absolute duty to promote and safeguard the welfare of students in the school, and to take appropriate action where they consider that a student may be at risk of suffering harm. All employees are expected to comply with the guidance at:
 - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/447596/KCSIE_Part_1_July_2015.pdf
 - Teachers are in addition bound by the code contained in the Teachers Standards which came into effect on 1 September 2012. While Teachers are bound by the code, the School consider the principles to apply to all staff employed in the School and not exclusive to teachers.

3. Scope

- 3.1. The policy applies to all employees and temporary/casual workers of the School including volunteers.

4. Equal Opportunities

- 4.1. Our Equal Opportunity Policy reflects one of the School's core values. All employees are entitled to fair treatment by others, and to be treated with respect and dignity. In return, they are expected to treat others in this way.

5. Other Supporting Policies

- 5.1 To assist the School the following policies exist in conjunction with the Code of Conduct Policy

- Safeguarding
- Disciplinary
- Grievance
- Complaints
- Equal Opportunities
- Equality Objectives
- Staff Acceptable Use Policy
- Smoking
- Data Protection

6. Confidentiality

- 6.1 Employees must not disclose official/confidential information. Employees must not use information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. This includes information relating to patents and intellectual property.
- 6.2 Information on students may not be disclosed without the consent of the child's parent, or where a child is of reasonable understanding, the child. The only exceptions to this are:
- To safeguard the welfare of the child, information may be disclosed in accordance with the school's child protection policy, and Working Together To Safeguard Children (DfE March 2015).
 - Where information is requested by the Police to detect or prevent offending.
 - Where otherwise allowed to be disclosed by a legal obligation (for example, to give information to a child protection case conference), or an Order of a Court.
- 6.3 It may not be appropriate to agree to maintain confidentiality, where to do so would cause harm or allow unacceptable practices to persist. For further information see the Whistleblowing Policy.

7. Disclosure of information

- 7.1 Employees of the School may in the course of their duties have access to confidential information. The law requires that certain types of information must be available to LA Members, auditors, government departments, service users and the public.
- 7.2 Employees must not use any information obtained during their employment for personal gain or benefit, nor should they pass it on to others who might use it for personal advantage.

8. Disclosure of personal information relating to employees/students/public

- 8.1 Many employees have access to personal information relating to other employees, students and other members of the public. All employees must treat this information in a discreet and confidential manner (the Data Protection Act 1998) and adhere to the following guidelines:
- Written records and correspondence should be kept securely at all times.
 - Information relating to staff/students/public must not be disclosed either orally or in writing to unauthorised persons.
 - Information relating to students/public must not be given over the telephone unless the caller has given details of their right to ask for such information. Employees should check on the caller's right to information by obtaining their telephone number and calling back to check their identity or by asking for a written request for information.
 - Confidential matters relating to staff/students/public should not be discussed in areas where they may be heard by passers-by, i.e. corridors, reception, lifts, staff room, etc.
 - Any breach of confidentiality may be regarded as misconduct and be subject to disciplinary action, see the Discipline Policy.
- 8.2 As a general rule employees should not make statements or write letters to the media, if in doubt they should refer such matters to the Co-Headteachers.

9. Additional activities including conflict of interest

9.1 Additional activities

- 9.1.1 For the purposes of the Working Time Regulations employees who have more than one employment (either inside or outside the School) should seek the Co-Headteacher's approval, this should be reviewed annually. Before undertaking another job, employees must also inform their line manager of other work undertaken so that the total level of work undertaken can be monitored. Line managers should also find out if prospective employees have secondary employment that may prevent them from performing their job with the School to the standards desired.
- 9.1.2 The policy does not bar all outside work, however, all employees must be clear about their contractual obligations and must not take outside employment that conflicts with the School's interests or damages the school's interests or reputation.

9.2 Conflict of Interest

9.2.1 All employees should ensure before they undertake additional employment that there is no conflict of interest with their duties or with the School's interests.

9.2.2. The public expects transparency and accountability in how decisions are made. The school expects its employees to give the highest possible standard of service and to avoid any situation where private and school interests may conflict. An employee, who believes that she or he is in a situation that may cause a conflict of interest, should discuss their situation with their line manager/Co-headteacher. .

9.2.3 Where this is not declared and there is a clear conflict of interest this may be considered misconduct. Where there is a financial/other benefit to the employee it may be seen as gross misconduct. Where there is a likelihood of dismissal for inappropriate personal interest, it is the responsibility of the school to demonstrate that there is a genuine financial risk in continuing to employ the employee in the same capacity. An investigation will be necessary before beginning such a course of action. Below are further examples of what constitutes personal interest:

- Employees must exercise fairness and impartiality when dealing with all parents, students, customers, suppliers, other contractors and sub-contractors and no part of the local community should be discriminated against.
- Employees who have access to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- Employees, who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a private or domestic relationship with them, must declare that relationship to their manager.

9.2.4 Employees must also declare an interest where:

- An employee has membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules, membership or conduct.
- Where an employee allocates school places to an acquaintance or relative

10. The Bribery Act 2010

- 10.1 Under the Bribery Act (2010) it is an offence to offer or receive bribes or improper inducements for any purpose.

The School defines bribery as 'an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage'.

- 10.2 There are four key offences under the Act:

- bribery of another person
- accepting a bribe
- bribing a foreign official and
- failing to prevent bribery.

- 10.3 Employees must not:

- offer, promise or give a bribe
- request, agree to receive, or accept a bribe
- bribe a foreign public official with the intention of obtaining or retaining business or an advantage in the conduct of business.

- 10.4 It is a criminal offence for employees to use a third party as a means to direct bribes to others. Employees must not encourage bribery either directly or indirectly.

- 10.5 Where employees believe that this policy has been breached they should report it to their line manager or for confidential reporting use the whistle-blowing policy. The consequences of breaching the policy for employees and managers will be disciplinary action and may also result in a criminal penalty.

11. Inventions and Patents

- 11.1 The Patents Act 1977 as amended by the 1988 UK Copyright, Designs and Patents Act states that inventions and patents, e.g. plans, reports, designs, unique processes or software, etc. are the property of the employer if:

- They have been made in the course of the employee's normal duties; or
- They have been made in the course of duties specifically assigned to the employee and where invention might be reasonably expected; or
- It was made in the course of the employee's duties and at the time the employee had (because of the nature of his or her duties and particular responsibilities arising from them) a special obligation to further the interests of the employer.

12. Relationships

- 12.1 Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

13. Contact with students and other young people

- 13.1 The DfE produced an advisory document called 'Guidance for Safer Working Practice for adults who work with children and young people'. The document was updated in September 2015 by the Safer Recruitment Consortium

<http://www.saferrecruitmentconsortium.org/GSWP%20Oct%202015.pdf>

The guidance includes information on dealing with

- infatuations
- social contact
- physical contact
- Physical Education and other activities which require physical contact
- showers and changing
- students in distress
- behaviour management
- care, control and physical intervention
- sexual contact with young people
- one to one situations
- overnight supervision and examinations
- transporting children
- educational visits and after school clubs
- first aid and administration of medication
- intimate care
- sensitive areas of the curriculum
- photography, videos and other creative arts

14. Appointment and management of staff

- 14.1 Employees involved in the recruitment of internal and external staff must ensure that the decision to appoint is based on merit, (see the Recruitment and Selection Policy). An appointment that is based on anything other than the ability of the candidate to do the job may leave the school vulnerable to allegations of discrimination. Employees must not be involved in an appointment where they are related to an applicant, or have a close personal relationship with him or her.

- 14.2 For the purposes of this guidance the definitions of partners/relatives are ongoing personal and emotional relationships, marriage and close family members.
- 14.3 It is the policy of the school that spouses/partners will not be employed where there will be a line management relationship between them relating to discipline promotion or pay adjustments and/or where they will be employed together in the area of contracts or finance. This will ensure that our parents and staff feel confident that decisions within the School are made in a fair and equitable way based on the reasonable application of professional judgement. Equally line managers and supervisors will want to ensure that their decisions are not influenced by personal considerations. The requirement of line managers to maintain confidentiality may also put strains on personal relationships.
- 14.4 If a personal relationship develops where there is a line management responsibility, line managers must investigate the situation and discuss the issues with the employees concerned. Where there is evidence that the working relationship will cause a conflict of interest i.e. where the service involves financial and/or contract work the manager must look for an alternative post for one of the employees involved. The decision of who should move to an alternative post must be based on the degree of impact the loss of either employee would have on the particular service. Each case must be decided on its merits to ensure that the decision made is on objective and reasonable grounds and not unfairly discriminatory.
- 14.5 There may be the opportunity to retain both employees in the same area if another manager can take on the line management element of the role in the same department or if the work can be re-arranged. A decision can only be made once a full investigation has taken place and the employees have had an opportunity to express their views. Where there is no alternative post or way of working, this may result in dismissal for "some other substantial reason". Line managers must ensure that the decision to redeploy or dismiss is fair and based on measurable criteria. A full investigation must be undertaken before a decision is made. Dismissal is not automatic all other avenues must first be explored.

15. Gifts and Hospitality

- 15.1 Employees must not accept significant personal gifts. However, there are occasions when children or parents wish to pass small tokens of appreciation to staff, e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value, generally not exceeding the value of £25.00. It is the responsibility of the person receiving the favour to prove that it was not received dishonestly. Employees must ensure:

- When acting in an official capacity must not give the impression that their conduct both inside and outside work with any person or organisation is influenced by the receipt of gifts, rewards and hospitality or any other such consideration.
- They must think about the circumstances in which they are made offers and be aware that they may be regarded as owing a favour in return.
- They must seek permission from their line managers before accepting such offers and be aware that the offers may have to be returned/refused.
- When gifts/hospitality have to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the School.
- All offers whether or not accepted must be recorded in the Gifts and hospitality register. See Appendix 3

15.2 Employees must not accept offers of hospitality unless there is a genuine need to impart information or represent the School in the community. Offers to attend purely social and sporting functions should be accepted only when these are part of the life of the community or where the School should be seen to be represented. They should be properly authorised and recorded in the Gifts/Hospitality Register held in the School.

- How an employee should react to an offer depends on the type of offer, the relationship between the parties involved and the circumstances in which the gift or hospitality is offered:
- Employees must not be seen to be acting in their own personal interests and need to be careful that their behaviour cannot be misinterpreted.
- An offer of a bribe or commission made by contractors, their agents or by a member of the public must be reported to the line manager. Hospitality from contractors should also be avoided for where employees/team are singled out for example Christmas lunch etc, this may be perceived as preferential treatment.
- Staff should not accept personal gifts from students and their families, contractors or external suppliers unless the gifts are insignificant items with a value not exceeding £25 unless it has been approved by the co-headteachers. Exceptions may include a one off token of appreciation from a grateful family or a gift from a contractor which could be used by the school in raising funds for example as a prize in a raffle.

- Employees must be particularly wary from accepting gifts from a student where it is suspected that a student has a crush on the employee.
- No one working for, employed by, or providing services on behalf of the school is to make, or encourage another to make any personal gain out of its activities in any way. Any person becoming aware of a personal gain being made at the expense of the school, contractors or the public should follow the Whistleblowing Policy.
- The acceptance of gifts and hospitality may be a subject of criticism placing the school in a position that it has to defend such action. Consequently, it is essential that all details of gifts and hospitality (except small tokens by students or parents as detailed above) be recorded in the Gifts/Hospitality Register (see appendix 3).

16. Sponsorship –Receiving

- 16.1 Where an external organisation wishes to sponsor a school activity, whether by invitation, tender, negotiation or voluntarily, the basic principles concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

17. Matters of Conscience

- 17.1 Where an employee believes he or she is being required to act in a way which is illegal, improper, unethical, or in breach of the school's conventions, which may involve possible maladministration, or which is otherwise inconsistent with the Policy for Conduct he or she should refer to their line manager or Co-Headteachers or to the Whistleblowing Policy.
- 17.2 Where an employee is aware, or has evidence of illegal, improper or abusive behaviour of another employee he or she should refer to their line manager or the Policy for Equal Opportunities.
- 17.3 Where an employee is aware, or has evidence of illegal, improper or abusive behaviour of another employee towards a student, he or she must notify immediately the Co-Headteachers, unless the allegation is against one or both of the Co-Headteacher, when he or she should bring it to the attention of the Chair of Governors.
- 17.4 Where an employee fails to report such concerns outlined in paragraph 16.3, this may be construed as misconduct and lead to disciplinary action.

18. Personal behaviour

The school believes in treating all employees with respect and trust in a mature, respectful and considerate manner and expects the same approach from employees. The school expects employees to respect the school's property, other employees and their property, suppliers and the public at all times. Employees also demonstrate the characteristics they are trying to inspire in students. Failure to observe the standards of behaviour expected breaks the bond of trust that is fundamental to the employer/employee relationship and may lead to disciplinary action.

- The Discipline Policy will be initiated where any employee is found to be in breach of this Policy. If an employee is found guilty of gross misconduct he or she may face dismissal.

19. Absence from work

All leave should be approved prior to it being taken. This includes parental leave, special leave, etc. Failure to notify absence is unauthorised absence. Refer to Leave of Absence Policy.

20. Poor timekeeping

Line managers must set a timekeeping standard that is known to all employees. This standard should be applied consistently with employees arriving and departing from their place of work at the agreed times.

- 20.1 Employees must inform their line managers/colleagues of their whereabouts and expected time of return when they are out of the office e.g. off-site meetings/visits etc.

21. Negligence

- 21.1 Negligence arises from failure by the employee to exercise reasonable care in his or her work. Employees must not cause loss or damage through carelessness, negligence, a reckless act or breach of instructions. It is only a disciplinary offence if the individual is considered to be personally responsible.

22. Refusal to obey a reasonable instruction

- 22.1 It is the responsibility of all employees to carry out reasonable instructions. In those circumstances where an employee refuses to obey a reasonable instruction, it will be necessary to investigate the situation and depending on the outcome of an investigation it may result in disciplinary action. See the Whistleblowing Policy, where refusal to carry out a reasonable instruction is linked to a matter of conscience.

23. Social behaviour

23.1 Employees should be aware of the following expected standards of behaviour when attending work related events in and outside of worktime where attendance could be seen as representing the School:

- The Conduct and Personal Behaviour Policy will still apply e.g. regarding drug/ alcohol abuse, harassment and discrimination.
- Consideration and respect for others
- Those in a position of management/supervision should not behave in any way that could undermine their position
- The school should always be seen in a favourable way by the public

24. Derogatory Statements

24.1 In the event of the employee making any derogatory or defamatory statements regarding the School, any member of staff or any pupils, while in the service of the School, disciplinary action may be taken for gross misconduct. Any such statements made after terminating their employment with the School may result in further legal action. Staff must be aware that when using social media websites, such as Facebook and Twitter, they should observe this Policy for Conduct and Personal Behaviour.

25. Employees using private vehicles for School business must ensure:

- The vehicle is road worthy and complies with Road traffic/Transport regulations.
- They are licensed to drive the vehicle
- They do not drive under the influence of drink/drugs or where there is ill health that may impair their ability to drive the vehicle safely.
- They abide by the current Road Traffic/Transport Regulations.

26. Alcohol/drugs

26.1 Employees must ensure that they are not unfit for duty as a result of the effects of alcohol or drugs. Staff should be aware of the lasting effects of alcohol and drugs both prescription and illegal, and ensure that any consumption of these substances does not impair their ability to discharge their duties. See Appendix 1 for further guidance.

27. Smoking

27.1 Refer to The Holt School Smoking Policy. (See Appendix 5)

28. Health & Safety

28.1 Employees also have a duty to familiarise themselves with all the safety regulations that apply to their job and the area in which they work. Refer to the School's Safety Policy.

29. Fraud and Corruption

29.1 An employee who commits a fraudulent act is liable to disciplinary action, which may include dismissal and possible criminal prosecution even for a first offence. Fraud is defined as any manipulation of an accounting system or supply system to enable public money or material to be misappropriated.

29.2. Employees involved in the investigation of alleged fraud may be required to sign an additional code of conduct relating to their specific duties.

30. Private use of official facilities

30.1 Employees are not to use official stationery for private purposes and must not carry out private correspondence during working time. Employees are allowed to make private essential telephone calls that cannot be made outside working hours but this privilege must not be abused and the duration of all calls must be kept to a minimum.

31. Reporting of Arrests, Prosecutions, etc.

31.1 Employees must report to the Co-Headteachers details of any arrest or criminal conviction or caution made against them by the Police (except for minor traffic offences, i.e. where they do not mean imprisonment or suspension of his or her driving licence), where the offence is also a breach of discipline and/or may have a direct impact on the employee's job, or where it calls into question their suitability to work with children.

32. False Statements

32.1 Employees must not make any false statement e.g. on subsistence/mileage claims, etc. Where there is evidence of an employee submitting such claims, he or she will be liable to disciplinary action and/or prosecution under the Theft Act 1968.

- 32.2 Where an employee has witnessed misconduct i.e. a fraudulent activity; he or she will have a duty to report such an incident. See also – the Whistleblowing Policy.

33. Discrimination

- 33.1 At the Holt School we seek to promote British values of democracy, the rule of law individual liberty and a climate of mutual respect and tolerance for all members of the community.
- 33.2 It is the school's policy that all current and prospective employees will have equal opportunity for employment, promotion and training on the basis of relevant ability, qualifications and merit. Employees must ensure that they do not unfairly discriminate on the grounds of gender, race, colour, marital status, national or ethnic origin, nationality, disability, sexuality, age or religion. All job applicants and workers are treated equally and the school are willing to make reasonable adjustments where appropriate for disabled applicants and workers.

34. Harassment/bullying

- 34.1 The School seeks to provide an environment for all employees, contractors and temporary workers free from harassment, bullying, intimidation and victimisation.
- 34.2 Disciplinary action will be taken against any employee who is found to have committed a deliberate or unlawful act of discrimination, sexual or racial harassment or bullying. See the Equal Opportunities Policy.

35. Abuse of the e-mail/internet

- 35.1 The school will not accept any abuse of e-mail/internet or telephones. Such behaviour may result in disciplinary action. See Appendix 4
- 35.2 The downloading, sending or accessing of offensive material that affect the dignity of any individual or group of individuals at work may constitute harassment. Threatening, obscene or harassing messages including chain e-mails and material that will cause offence and/or degrade individuals or minority groups will constitute a disciplinary offence which may result in dismissal.
- 35.3 Under the Obscene Publications Act 1959 an employee may have criminal liability if an individual publishes material that could corrupt or deprave the persons likely to see the material, this includes the transmission of data stored electronically.

All employees must make themselves aware of the School's IT Policies and in particular the Internet Acceptable Use Policy

36. Dress and appearance

- 36.1 The school considers the way that staff dress and their appearance is very important in presenting a professional image to all students, visitors, parents or colleagues. All staff have an important contribution to make as role models and therefore should use their common sense to dress in appropriate neat, clean clothes. There is no specific dress code but any member of staff whose dress is considered inappropriate will be spoken to individually.

Appendix 1

Alcohol and drugs misuse

1. The early identification of an alcohol or drug problem and taking appropriate action will minimise the effect of the problem on the school and other employees and may also help reduce any stress experienced by the individual.
2. It may be very difficult for people to admit they have a problem. There may well be a feeling of shame or fear of reprisals, particularly if they are taking illegal drugs.
3. There is no single symptom of an alcohol or drug problem. The presence of any or some of the following may indicate one (unless the employee is suffering from an undisclosed illness/disability):

Absenteeism

- Excessive sick leave, frequent and unexplained absences and lateness
- Frequent Monday and/or Friday absences
- Excessive lateness especially on Monday
- Leaving work early
- Frequent visits to the toilet
- Unexplained absence from post

High rate of accidents

- Frequent accidents at work resulting in injury and/or damage to equipment
- Accidents away from work

Poor work performance

- Difficulty in concentrating
- Taking longer than usual to do tasks
- Having a erratic work pattern
- Difficulty in recalling conversations, instructions or details
- Sticking to routine tasks and avoiding complex ones
- Frequent mistakes
- Improbable excuses for poor work
- Telling lies about performance
- Bad decision making
- Reluctance to accept responsibility

Change in personality and behaviour

- Anxiety
- Depression
- Irritability
- Lethargy
- Mood swings
- A tendency to blame others
- Over-sensitivity to criticism
- Problems relating to colleagues
- Avoiding company
- Changes in attitude to authority

Additional signs

- Smelling of alcohol at work
- Intoxicated at work (slurred speech, unsteadiness)
- Bloodshot eyes
- Shaky hands
- Poor personal hygiene and unkempt appearance
- Frequent borrowing of money
- Loss of driving licence through drink driving

The above is only a guideline, line managers must investigate and not make assumptions as similar symptoms may occur in some illnesses. When in doubt line managers are advised to contact their Personnel Provider.

4. Line managers will encourage employees to seek help as soon as a problem is identified. Consideration will need to be made about the most appropriate action. To help bring any issues into the open a confidential meeting should be arranged with the individual (he/she may be accompanied by either a friend or union representative).

The meeting will need to be handled sensitively and focus on the wish to improve the employee's performance. The purpose should be to encourage the employee to admit there is a problem and explore the cause or reason for the problem.

It is important to establish whether any aspect of the job or stress has made the employee turn to drugs or alcohol.

It should be emphasised that the employee should be encouraged to seek help from a GP or a specialist agency.

5. Employees with a drink or drugs problem should have the same rights to confidentiality and support as they would if they had any other medical condition.

6. If the employee has difficulty in admitting there is a problem, then the Capability Policy and Guidance must be followed.

The consequences of continual poor performance need to be underlined if an employee is not ready to admit or refuses to recognise there is a problem. It is important to try and be supportive for as long as possible, however, where there are risks relating to health and safety action, transferring the employee may be necessary in the short term.

Where an employee continually fails to reach adequate performance levels and fails to accept help and/or improve then it may result in dismissal, through the fair application of the Capability Policy.

Code of Conduct and personal behaviour Declaration

I have read and understood the Code of Conduct. I agree to work within the principles of the Code.

Name.....

Signed.....

Dated.....

Please sign and return to the school along with acceptance of your terms and conditions, prior to commencing employment with the School.

Guidance for safer working practice for those working with children and young people in education settings

October 2015



Acknowledgments: Adapted and updated by the Safer Recruitment Consortium from an original IRSC/ DfE document and with thanks to CAPE (Child Protection in Education)

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Foreword

“The Safer Recruitment Consortium’s guidance provides simple but detailed and practical advice to support schools and colleges and their staff in their safeguarding responsibilities. I recommend schools, colleges and Local Safeguarding Children Boards consider using it in conjunction with DfE statutory guidance- Keeping children safe in education when devising and implementing their safeguarding and child protection policies and training plans.”



EDWARD TIMPSON MP

Minister for Children and Families
Department for Education

I. Definitions

For ease of reading, references will be made to ‘school’ and setting. This term encompasses all types of educational establishments including academies, independent and free schools, FE institutions, sixth form colleges and Early Years settings.

References made to ‘child’ and ‘children’ refer to children and young people under the age of 18 years. However, the principles of the document apply to professional behaviours towards all pupils, including those over the age of 18 years. ‘Child’ should therefore be read to mean **any pupil** at the education establishment.

References made to adults and staff refer to all those who work with pupils in an educational establishment, in either a paid or unpaid capacity. This would also include, for example, those who are not directly employed by the school or setting e.g. Local Authority staff, sports coaches.

The term ‘allegation’ means where it is alleged that a person who works with children has

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or,
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

References are made in this document to legislation and statutory guidance which differ dependent on the setting and alter over time. However, the behavioural principles contained within the document remain consistent, hence, wherever possible, such references have been removed in order that the document does not appear to quickly become out of date or to apply only to certain staff or settings.

II. Overview and purpose of guidance

This document is an update by the Safer Recruitment Consortium of a document previously published for schools by DfES. It was initially issued as those working with children had expressed concern about their vulnerability and requested clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. Education staff asked for practical guidance about which behaviours constitute safe practice and which behaviours should be avoided. This safe working practice document is NOT statutory guidance from the DfE; it is for employers, local authorities and/or LSCBs to decide whether to use this as the basis for their code of conduct / staff behaviour guidelines.

The document seeks to ensure that the responsibilities of educational settings leaders towards children and staff are discharged by raising awareness of illegal, unsafe, unprofessional and unwise behaviour. It should assist staff to monitor their own standards and practice and reduce the risk of allegations being made against them. It is also recognised that not all people who work with children work as paid or contracted employees. The principles and guidance outlined in this document still apply and should be followed by any person whose work brings them into contact with children.

The guidance will also support employers in giving a clear message that unacceptable behaviour will not be tolerated and that, where appropriate, legal or disciplinary action is likely to follow. Once adopted, as part of an establishment's staff behaviour policy, the school or settings may refer to the document in any disciplinary proceedings.

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

All staff have a responsibility to be aware of systems within their school which support safeguarding and these should be explained to them as part of staff induction and in regular staff training sessions. This includes the school's child protection policy and staff behaviour policy (sometimes called code of conduct) of which this document will become a part.

It is recognised that the vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children in their care. Achieving these aims is not always straightforward, as much relies on child and staff interactions where tensions and misunderstandings can occur. This document aims to reduce the risk of these.

It must be recognised that some allegations will be genuine as there are people who seek out, create or exploit opportunities to harm children. However, allegations may also be false or misplaced and may arise from differing perceptions of the same event. When they occur, they are inevitably distressing and difficult for all concerned. It is therefore essential that all possible steps are taken to safeguard children and ensure that the adults working with them do so safely.

III. Underpinning principles

- The welfare of the child is paramount
- Staff should understand their responsibilities to safeguard and promote the welfare of pupils
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions
- Staff should work, and be seen to work, in an open and transparent way
- Staff should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded
- Staff should discuss and/or take advice promptly from their line manager if they have acted in a way which may give rise to concern
- Staff should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation
- Staff should not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect their ability to care for children
- Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the National College of Teaching & Leadership (NCTL).
- Staff and managers should continually monitor and review practice to ensure this guidance is followed
- Staff should be aware of and understand their establishment's child protection policy, arrangements for managing allegations against staff, staff behaviour policy, whistle blowing procedure and their Local Safeguarding Children Board LSCB procedures.

IV How to use this document

This document is intended only to be guidance to schools and does not have any statutory weight. However, where statutory guidance does exist in relation to a specific topic or practice, this is noted in the text.

Each section provides general guidance about a particular aspect of work and, in the right hand column, specific guidance about which behaviours should be avoided and which are recommended.

Some settings will have additional responsibilities arising from their regulations (e.g. Early Years Foundation Stage (EYFS), Quality Standards) or their responsibility towards young people over the age of 18. Not all sections of the guidance will, therefore, be relevant to all educational establishments.

1. Introduction

Adults have a crucial role to play in the lives of children. This guidance has been produced to help them establish the safest possible learning and working environments which safeguard children and reduce the risk of them being falsely accused of improper or unprofessional conduct.

2. Status of document

This document is endorsed and recommended by the Safer Recruitment Consortium. It should inform and assist employers to develop and review their guidelines on safer working practices. It may be used as reference by managers and Local Authority Designated Officers (the 'Designated Officer or DO') when responding to allegations made against staff in education settings. This is **not** statutory guidance.

3. Responsibilities

Staff are accountable for the way in which they: exercise authority; manage risk; use resources; and safeguard children.

All staff have a responsibility to keep pupils safe and to protect them from abuse (sexual, physical and emotional), neglect and safeguarding concerns. Pupils have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure their safety and well-being. Failure to do so may be regarded as professional misconduct.

The safeguarding culture of a school is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by the adult that demonstrates integrity, maturity and good judgement.

The public, local authorities, employers and parents/carers will have expectations about the nature of professional involvement in the lives of children. When individuals accept a role working in an education setting they should understand and acknowledge the responsibilities and trust involved in that role.

This means that these guidelines:

- *apply to **all** adults working in Education and Early Years settings whatever their position, role or responsibilities*

This means that staff should:

understand the responsibilities which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached

always act, and be seen to act, in the child's best interests

avoid any conduct which would lead any reasonable person to question their motivation and intentions

take responsibility for their own actions and behaviour

This means that employers should:

promote a culture of openness and support

ensure that systems are in place for concerns to be raised

ensure that adults are not placed in situations which render them particularly vulnerable

ensure that all adults are aware of expectations, policies and procedures

This means that Managers / Proprietors/ Governing Bodies should:

ensure that appropriate safeguarding and child protection policies and

¹ Working Together 2015 refers to the Designated Officer – some local authority arrangements continue to refer to the LADO. Whilst some local authorities may still be using the term LADO the acronym DO is used to denote the DO function as set out in Working Together to Safeguard Children 2015.

Employers have duties towards their employees and others under Health and Safety legislation which requires them to take steps to provide a safe working environment for staff.

procedures are distributed, adopted, implemented and monitored

Legislation also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. An employer's Health and Safety duties and the can be demonstrated through the use and implementation of these guidelines.

4. Making professional judgements

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight however, behaviour which is illegal, inappropriate or inadvisable. There will be rare occasions and circumstances in which staff have to make decisions or take action in the best interest of a pupil which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the pupils in their charge and, in so doing, will be seen to be acting reasonably. These judgements should always be recorded and shared with a manager.

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

This means that where no specific guidance exists staff should:

- *discuss the circumstances that informed their action, or their proposed action, with their line manager or, where appropriate, the school's designated safeguarding lead. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted*
- *always discuss any misunderstanding, accidents or threats with the Head teacher or designated safeguarding lead*
- *always record discussions and actions taken with their justifications*
- *record any areas of disagreement and, if necessary refer to another agency/the LA/Ofsted/NCTL/other Regulatory Body*

5. Power and positions of trust and authority

As a result of their knowledge, position and/or the authority invested in their role, all those working with children in a school or education setting are in a position of trust in relation to all pupils on the roll.

The relationship between a person working with a child/ren is one in which the adult has a position of power or influence. It is vital for adults to understand this power; that the relationship cannot be one between equals and the responsibility they must exercise as a consequence.

The potential for exploitation and harm of vulnerable pupils means that adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

This means that staff should not:

- *use their position to gain access to information for their own advantage and/or a pupil's or family's detriment*
- *use their power to intimidate, threaten, coerce or undermine pupils*
- *use their status and standing to form or promote relationships with pupils which are of a sexual nature, or which may become so*

Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incident.

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence² for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

6. Confidentiality

The storing and processing of personal information is governed by the Data Protection Act 1998. Employers should provide clear advice to staff about their responsibilities under this legislation so that, when considering sharing confidential information, those principles should apply.

Staff may have access to confidential information about pupils and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child. Records should only be shared with those who have a legitimate professional need to see them.

Staff should never use confidential or personal information about a pupil or her/his family for their own, or others advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the child. Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously.

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

If a child – or their parent / carer – makes a disclosure regarding abuse or neglect, the member of staff should follow the setting's procedures. The adult should not promise confidentiality to a child or parent, but should give reassurance that the information will be treated sensitively.

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

This means that staff:

- *need to know the name of their Designated Safeguarding Lead and be familiar with LSCB child protection procedures and guidance:*
- *are expected to treat information they receive about pupils and families in a discreet and confidential manner*
- *should seek advice from a senior member of staff (designated safeguarding lead) if they are in any doubt about sharing information they hold or which has been requested of them*
- *need to be clear about when information can/ must be shared and in what circumstances*
- *need to know the procedures for responding to allegations against staff and to whom any concerns or allegations should be reported*
- *need to ensure that where personal information is recorded using modern technologies that systems and devices are kept secure*

7. Standards of behaviour

² Sexual Offences Act 2003

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in order to maintain confidence and respect of the general public and those with whom they work.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may also result in -, prohibition from teaching by the NCTL, a bar from engaging in regulated activity, or action by another relevant regulatory body.

The Childcare (Disqualification) Regulations 2009 set out grounds for disqualification under the Childcare Act 2006 where the person or a person living in the same household or employed in the same household meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a child; been subject to a specified order relating to the care of a child; committed certain serious sexual or physical offences against an adult; been included on the DBS children's barred list; been made subject to a disqualification order by the court; previously been refused registration as a childcare provider or provider or manager of a children's home or had such registration cancelled. A disqualified person is prohibited from providing relevant early or later years childcare as defined in the Childcare Act 2006 or being directly concerned in the management of such childcare. Schools and private childcare settings are also prohibited from employing a disqualified person in respect of relevant early or later years childcare

8. Dress and appearance

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However staff should select a manner of dress and appearance appropriate to their professional role and which may be necessarily different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be viewed as offensive or inappropriate will render themselves vulnerable to criticism or allegation.

This means that staff should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model*
- make, or encourage others to make sexual remarks to, or about, a pupil*
- use inappropriate language to or in the presence of pupils*
- discuss their personal or sexual relationships with or in the presence of pupils*
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such*

This means that staff should:

- be aware that behaviour by themselves, those with whom they share a household, or others in their personal lives, may impact on their work with children*
- understand that a person who provides Early Years education or Childcare may be disqualified because of their "association" with a person living or employed in the same household who is disqualified.*

This means that staff should wear clothing which:

- promotes a positive and professional image*
- is appropriate to their role*
- is not likely to be viewed as offensive, revealing, or sexually provocative*
- does not distract, cause embarrassment or give rise to misunderstanding*
- is absent of any political or otherwise contentious slogans*
- is not considered to be discriminatory*
- is compliant with professional standards*

9. Gifts, rewards, favouritism and exclusion

Settings should have policies in place regarding the giving of gifts or rewards to pupils and the receiving of gifts from them or their parents/carers and staff should be made aware of and understand what is expected of them.

Staff need to take care that they do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when pupils or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is usually acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Similarly, it is inadvisable to give such personal gifts to pupils or their families. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return.

Any reward given to a pupil should be in accordance with agreed practice, consistent with the school or setting's behaviour policy, recorded and not based on favouritism.

Adults should exercise care when selecting children for specific activities, jobs or privileges in order to avoid perceptions of favouritism or injustice. Similar care should be exercised when pupils are excluded from an activity. Methods of selection and exclusion should always be subject to clear, fair, agreed criteria.

10. Infatuations and 'crushes'

All staff need to recognise that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop a 'crush' or infatuation. They should make every effort to ensure that their own behaviour cannot be brought into question, does not appear to encourage this and be aware that such infatuations may carry a risk of their words or actions being misinterpreted.

Any member of staff who receives a report, overhears something, or otherwise notices any sign, however small or seemingly insignificant, that a young person has become or may be becoming infatuated with either themselves or a colleague, should immediately report this to the Head teacher or most senior manager³. In this way appropriate early intervention can be taken which can prevent escalation and avoid hurt, embarrassment or distress for those concerned.

The Head teacher (or senior manager) should give careful thought to those circumstances where the staff member, pupil and their parents/carers should be spoken to and should ensure a plan to manage the situation is put in place. This plan should respond sensitively to the child and staff member and maintain the dignity of all. This plan should involve all parties, be robust and regularly monitored and reviewed.

³ If the headteacher has the concern that a young person is becoming infatuated with them, they should report this to the chair of governors.

This means that staff should:

- *be aware of and understand their organisation's relevant policies, e.g. rewarding positive behaviour*
- *ensure that gifts received or given in situations which may be misconstrued are declared and recorded*
- *only give gifts to a pupil as part of an agreed reward system*
- *where giving gifts other than as above, ensure that these are of insignificant value and given to all pupils equally*
- *ensure that all selection processes of pupils are fair and these are undertaken and agreed by more than one member of staff*
- *ensure that they do not behave in a manner which is either favourable or unfavourable to individual pupils*

This means that staff should:

- *report any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff*
- *always maintain professional boundaries*

This means that senior managers should:

- *put action plans in place where concerns are brought to their attention*

11. Social contact outside of the workplace

It is acknowledged that staff may have genuine friendships and social contact with parents of pupils, independent of the professional relationship. Staff should, however, also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation.

Staff should recognise that some types of social contact with pupils or their families could be perceived as harmful or exerting inappropriate influence on children, and may bring the setting into disrepute (e.g. attending a political protest, circulating propaganda).

If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement. This also applies to social contacts made through outside interests or the staff member's own family.

Some staff may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the staff member or seeks support outside of their professional role this should be discussed with senior management and where necessary referrals made to the appropriate support agency.

12. Communication with children (including the use of technology)

In order to make best use of the many educational and social benefits of new and emerging technologies, pupils need opportunities to use and explore the digital world. E-safety risks are posed more by behaviours and values than the technology itself.

Staff should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and acceptable use policies which detail how new and emerging technologies may be used.

Communication with children both in the 'real' world and through web based and telecommunication interactions should take place within explicit professional boundaries. This includes the use of computers, tablets, phones, texts, e-mails, instant messages, social media such as Facebook and Twitter, chat-rooms, forums, blogs, websites, gaming sites, digital cameras, videos, web-cams and other hand held devices. (Given the ever changing world of technology it should be noted that this list gives examples only and is not exhaustive.)

This means that staff should:

*always approve any planned social contact with pupils or parents with senior colleagues, for example when it is part of a reward scheme
advise senior management of any regular social contact they have with a pupil which could give rise to concern
refrain from sending personal communication to pupils or parents unless agreed with senior managers
inform senior management of any relationship with a parent where this extends beyond the usual parent/professional relationship
inform senior management of any requests or arrangements where parents wish to use their services outside of the workplace e.g. babysitting, tutoring*

This means that adults should:

- *not seek to communicate/make contact or respond to contact with pupils outside of the purposes of their work*
- *not give out their personal details*
- *use only equipment and Internet services provided by the school or setting*
- *follow their school / setting's Acceptable Use policy*
- *ensure that their use of technologies could not bring their employer into disrepute*

Staff should not request or respond to any personal information from children other than which may be necessary in their professional role. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour'

Staff should not give their personal contact details to children for example, e-mail address, home or mobile telephone numbers, details of web based identities. If children locate these by any other means and attempt to contact or correspond with the staff member, the adult should not respond and must report the matter to their manager. The child should be firmly and politely informed that this is not acceptable.

Staff should, in any communication with children, also follow the guidance in section 7 'Standards of Behaviour'.

Staff should adhere to their establishment's policies, including those with regard to communication with parents and carers and the information they share when using the internet.

13. Physical contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, however, it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs and any agreed care plan.

Not all children feel comfortable about certain types of physical contact; this should be recognised and, wherever possible, adults should seek the pupil's permission before initiating contact and be sensitive to any signs that they may be uncomfortable or embarrassed. Staff should acknowledge that some pupils are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Staff should listen, observe and take note of the child's reaction or feelings and, so far as is possible, use a level of contact and/or form of communication which is acceptable to the pupil.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil, in one set of circumstances, may be inappropriate in another, or with a different child.

Any physical contact should be in response to the child's needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Adults should therefore, use their professional judgement at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive the incident and circumstances should be immediately reported to the manager and recorded. Where appropriate, the manager should consult with the Local Authority Designated Officer (the DO).

This means that staff should:

- *be aware that even well intentioned physical contact may be misconstrued by the pupil, an observer or any person to whom this action is described*
- *never touch a pupil in a way which may be considered indecent*
- *always be prepared to explain actions and accept that all physical contact be open to scrutiny*
- *never indulge in horseplay or fun fights*
- *always allow/encourage pupils, where able, to undertake self-care tasks independently*
- *ensure the way they offer comfort to a distressed pupil is age appropriate*
- *always tell a colleague when and how they offered comfort to a distressed pupil*
- *establish the preferences of pupils*
- *consider alternatives, where it is anticipated that a pupil might misinterpret or be uncomfortable with physical contact*
- *always explain to the pupil the reason why contact is necessary and what form that contact will take*
- *report and record situations which may give rise to concern*
- *be aware of cultural or religious views about touching and be sensitive to issues of gender*

Extra caution may be required where it is known that a child has suffered previous

abuse or neglect. Staff need to be aware that the child may associate physical contact with such experiences. They also should recognise that these pupils may seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively and help them to understand the importance of personal boundaries.

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

14. Other activities that require physical contact In certain curriculum areas, such as PE, drama or music, staff may need to initiate some physical contact with children, for example, to demonstrate technique in the use of a piece of equipment, adjust posture, or support a child so they can perform an activity safely or prevent injury.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the pupil. Contact should be relevant to their age / understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

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

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

This means that education settings should:

15. Intimate / personal care

Schools and settings should have clear nappy or pad changing and intimate / personal care policies which ensure that the health, safety, independence and welfare of children is promoted and their dignity and privacy are respected. Arrangements for intimate and personal care should be open and transparent and accompanied by recording systems.

- ensure they have a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management
- provide staff, on a 'need to know' basis, with relevant information about vulnerable children in their care

This means that staff should:

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

This means that schools/settings should:

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

This means that education settings should:

- have written care plans in place for any pupil who could be expected to require intimate care
- ensure that pupils are actively consulted about their own care plan

Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this should normally be undertaken by one member of staff, however, they should try to ensure that another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, wherever possible, they are visible and/or audible. Intimate or personal care procedures should not involve more than one member of staff unless the pupil's care plan specifies the reason for this.

A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, should include times left and returned.

Any vulnerability, including those that may arise from a physical or learning difficulty should be considered when formulating the individual pupil's care plan. The views of parents, carers and the pupil, regardless of their age and understanding, should be actively sought in formulating the plan and in the necessary regular reviews of these arrangements.

Pupils are entitled to respect and privacy at all times and especially when in a state of undress, including, for example, when changing, toileting and showering.

However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

16. Behaviour management

Corporal punishment and smacking is unlawful in all schools and early years settings.

Staff should not use any form of degrading or humiliating treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards children is completely unacceptable.

Where pupils display difficult or challenging behaviour, adults should follow the school's or setting's behaviour and discipline policy using strategies appropriate to the circumstance and situation.

Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan, including assessment of risk, should be drawn up and agreed by all parties, including, for example, a medical officer where appropriate.

Senior managers should ensure that the establishment's behaviour policy includes clear guidance about the use of isolation and seclusion. The legislation on these strategies is complex and staff should take extreme care to avoid any practice

that could be viewed as unlawful, a breach of the pupil's human rights and/or false imprisonment.

This means that staff should:

- *adhere to their organisation's intimate and personal care and nappy changing policies*
- *make other staff aware of the task being undertaken*
- *always explain to the pupil what is happening before a care procedure begins*
- *consult with colleagues where any variation from agreed procedure/care plan is necessary*
- *record the justification for any variations to the agreed procedure/care plan and share this information with the pupil and their parents/carers*
- *avoid any visually intrusive behaviour □ where there are changing rooms announce their intention of entering*
- *always consider the supervision needs of the pupils and only remain in the room where their needs require this*

This means that adults should not:

- change or toilet in the presence or sight of pupils*
- *shower with pupils*
- *assist with intimate or personal care tasks which the pupil is able to undertake independently*

This means that staff should:

- *not use force as a form of punishment*
- *try to defuse situations before they escalate e.g. by distraction*
- *keep parents informed of any sanctions or behaviour management techniques used*
- *be mindful of and sensitive to factors both inside and outside of the school or setting which may impact on a pupil's behaviour*
- *follow the establishment's behaviour management policy*
- *behave as a role model*
- *avoid shouting at children other than as a warning in an emergency/safety situation*
- *refer to national and local policy and guidance regarding Restrictive Physical Intervention (RPI)*
- *be aware of the legislation and potential risks associated with the use of isolation and seclusion*
- *comply with legislation and guidance in relation to human rights and restriction of liberty*

17. The use of control and physical intervention

Early years providers must take all reasonable steps to ensure that corporal punishment is not given by any person who cares for or is in regular contact with a child, or by any person living or working in the premises where care is provided. A person will not be taken to have used corporal punishment if the action was taken for reasons that include averting an immediate danger of personal injury to, or an immediate danger of death of, any person including the child⁴.

The law and guidance for schools states that adults may reasonably intervene to prevent a child 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.

Care staff in residential special schools which are also registered as children's homes are not permitted to use physical intervention to maintain good order or discipline and should refer to the Children's Homes Regulations (England) 2015 for information.

Great care must be exercised in order that adults do not physically intervene in a manner which could be considered unlawful.

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence. Where the school or setting judges that a child's behaviour presents a serious risk to themselves or others, they must always put in place a robust risk assessment which is reviewed regularly and, where relevant, a physical intervention plan.

In all cases where physical intervention has taken place, it would be good practice to record the incident and subsequent actions and report these to a manager and the child's parents. (In a children's home it is a legal requirement to record such incidents.)

Similarly, where it can be anticipated that physical intervention is likely to be required, a plan should be put in place which the pupil and parents/carers are aware of and have agreed to. Parental consent does not permit settings to use unlawful physical intervention or deprive a pupil of their liberty.

This means that education settings should:

- ensure that they have a lawful physical intervention policy consistent with local and national guidance
- regularly acquaint staff with policy and guidance
- ensure that staff are provided with appropriate training and support
- have an agreed policy for when and how physical interventions should be recorded and reported

This means that staff should:

- adhere to the school or setting's physical intervention policy
- always seek to defuse situations and avoid the use of physical intervention wherever possible
- where physical intervention is necessary, only use minimum force and for the shortest time needed

This means that staff should not

- use physical intervention as a form of punishment

⁴ Para 3.52 EYFS and The Early Years Foundation Stage (Welfare Requirements) Regulations 2012, Regulation 7.

18. Sexual conduct

Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a pupil under 18 years of age⁵ and sexual activity with a child could be a matter for criminal and/or disciplinary procedures.

Pupils are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding. This includes the prohibition of sexual activity with children by adults in a position of trust.

Sexual activity involves physical contact including penetrative and non-penetrative acts, however it also includes non-contact activities, such as causing pupils to engage in or watch sexual activity or the production of pornographic material.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the purpose is to gain the trust of a child, and manipulate the relationship so sexual abuse can take place. All staff should undertake appropriate training so they are fully aware of those behaviours that may constitute 'grooming' and of their responsibility to always report to a senior manager any concerns about the behaviour of a colleague which could indicate that a pupil is being groomed.

19. One to one situations

Staff working in one to one situations with pupils at the setting, including visiting staff from external organisations can be more vulnerable to allegations or complaints.

To safeguard both pupils and adults, a risk assessment in relation to the specific nature and implications of one to one work should always be undertaken. Each assessment should take into account the individual needs of each pupil and should be reviewed regularly.

Arranging to meet with pupils from the school or setting away from the work premises should not be permitted unless the necessity for this is clear and approval is obtained from a senior member of staff, the pupil and their parents/carers.

This means that staff should:

- *not have any form of sexual contact with a pupil from the school or setting*
- *avoid any form of touch or comment which is, or may be considered to be,*
- *avoid any form of communication with a pupil which could be interpreted as sexually suggestive, provocative or give rise to speculation e.g. verbal comments, letters, notes, by email or on social media, phone calls, texts, physical contact*
- *not make sexual remarks to or about a pupil*
- *not discuss sexual matters with or in the presence of pupils other than within agreed curriculum content or as part of their recognised job role*

This means that staff should:

- *ensure that wherever possible there is visual access and/or an open door in one to one situations*
- *avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy*
- *always report any situation where a pupil becomes distressed or angry*
- *consider the needs and circumstances of the pupil involved*

⁵ Sexual Offences Act 2003: abuse of a position of trust

20. Home visits

All work with pupils and parents should usually be undertaken in the school or setting or other recognised workplace. There are however occasions, in response to an urgent, planned or specific situation or job role, where it is necessary to make one-off or regular home visits.

It is essential that appropriate policies and related risk assessments are in place to safeguard both staff and pupils, who can be more vulnerable in these situations.

A risk assessment should be undertaken prior to any planned home visit taking place. The assessment should include an evaluation of any known factors regarding the pupil, parents/carers and any others living in the household. Consideration should be given to any circumstances which might render the staff member becoming more vulnerable to an allegation being made e.g. hostility, child protection concerns, complaints or grievances. Specific thought should be given to visits outside of 'office hours' or in remote or secluded locations. Following the assessment, appropriate risk management measures should be put in place, before the visit is undertaken. In the unlikely event that little or no information is available, visits should not be made alone.

This means that staff should:

- *agree the purpose for any home visit with their manager*
- *adhere to agreed risk management*
- *avoid unannounced visits wherever possible*
- *ensure there is visual access and/or an open door in one to one situations*
- *always make detailed records including times of arrival and departure*
- *ensure any behaviour or situation which gives rise to concern is discussed with their manager*

This means that education settings should:

- *ensure that they have home visit and lone-working policies which all adults are made aware of. These should include arrangements for risk assessment and management*
- *ensure that all visits are justified and recorded*
- *ensure that staff are not exposed to unacceptable risk*
- *make clear to staff that, other than in an emergency, they should not enter a home if the parent/carer is absent*
- *ensure that staff have access to a mobile telephone and an emergency contact*

21. Transporting pupils

In certain situations staff or volunteers may be required or offer to transport pupils as part of their work. As for any other activity undertaken at work, the employer has a duty to carry out a risk assessment covering the health and safety of their staff and to manage any known risks.⁶

Staff should not offer lifts to pupils unless the need for this has been agreed by a manager. A designated member of staff should be appointed to plan and provide oversight of all transport arrangements and respond to any concerns that may arise.

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

This means that staff should:

- *plan and agree arrangements with all parties in advance*
- *respond sensitively and flexibly where any concerns arise*
- *take into account any specific or additional needs of the pupil*
- *have an appropriate licence/permit for the vehicle*
- *ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive*

⁶ See also <https://www.gov.uk/government/publications/health-and-safety-advice-for-schools>

It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so. They should also be aware of and adhere to current legislation regarding the use of car seats for younger children.

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

Staff should never offer to transport pupils outside of their normal working duties, other than in an emergency or where not doing so would mean the child may be at risk. In these circumstances the matter should be recorded and reported to both their manager and the child's parent(s). The school's health and safety policy and/or educational visits policy should set out the arrangements under which staff may use private vehicles to transport pupils

- *ensure that if they need to be alone with a pupil this is for the minimum time*
- *be aware that the safety and welfare of the pupil is their responsibility until this is safely passed over to a parent/carer*
- *report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures*
- *ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven*
- *ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified*
- *refer to Local and National guidance for Educational visits*

22. Educational visits

Staff responsible for organising educational visits should be familiar with the Department for Education's advice on Health and Safety available at <https://www.gov.uk/government/publications/healthand-safety-advice-for-schools>⁷

The duties in the Health and Safety at Work etc. Act 1974 and the supporting regulations apply to activities taking place on or off the school premises (including school visits) in Great Britain. All school employers must have a Health and Safety policy. This should include policy and procedures for off-site visits, including residential visits and any school-led adventure activities.

The Management of Health and Safety at Work Regulations (1999) impose a duty on employers to produce suitable and sufficient risk assessments. This would include assessment of any risks to employees, children or others during an educational visit, and the measures that should be taken to minimise these risks. For regular activities, such as taking pupils to a local swimming pool, the risks should be considered under the school's general arrangements and a check to make sure that the precautions remain suitable is all that is required. For annual or infrequent activities, a review of an existing assessment may be all that is needed. For new higher-risk activities or trips, a specific assessment of the significant risks should be carried out.

This means that staff should:

- *adhere to their organisation's educational visits guidance*
- *always have another adult present on visits, unless otherwise agreed with senior staff*
- *undertake risk assessments*
- *have parental consent to the activity* □ *ensure that their behaviour remains professional at all times* □ *never share beds with a child/pupil* □ *never share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with Head teacher, parents and pupils*
- *refer to local and national guidance for Educational visits, including exchange visits (both to the UK and abroad)*

⁷ Guidance is also available from the Outdoor Education Advisers' Panel <http://oeapng.info/>

Staff should take particular care when supervising pupils in the less formal atmosphere of an educational visit where a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Where out of school or setting activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Pupils, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings should pay careful attention to ensuring there is a safe staff/child ratio and suitable gender mix of staff.

23. First Aid and medication

All settings should have an adequate number of qualified first-aiders. Parents should be informed when first aid has been administered.

Any member of school staff may be asked to become a qualified first-aider or to provide support to pupils with medical conditions, including the administering of medicines, but they cannot be required to do so unless this forms part of their contract of employment⁸

Staff should receive sufficient and suitable training and achieve the necessary level of competency before they take on responsibility to support children with medical conditions.

Advice on managing medicines is included in the statutory guidance on supporting pupils at school with medical conditions. In circumstances where a pupil needs medication regularly, this would usually be recorded in their individual healthcare plan. This provides details of the level and type of support a child needs to manage effectively their medical condition in school and should include information about the medicine to be administered, the correct dosage and any storage requirements.

After discussion with parents, children who are competent should be encouraged to take responsibility for managing their own medicines and procedures. This could include for example, the application of any ointment or sun cream, or use of inhalers or Epi pens.

If a member of staff is concerned or uncertain about the amount or type of medication being given to a pupil this should be discussed with the Designated Safeguarding Lead.

This means that education settings should:

- *ensure there are trained and named individuals to undertake first aid responsibilities, including paediatric first aid if relevant*
- *ensure training is regularly monitored and updated*
- *refer to local and national First Aid guidance and guidance on meeting the needs of children with medical conditions that adults should:*
- *adhere to the school or setting's health and safety and supporting pupils with medical conditions policies*
- *make other staff aware of the task being undertaken*
- *have regard to pupils' individual healthcare plans*
- *always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities*
- *explain to the pupil what is happening.*
- *always act and be seen to act in the pupil's best interest*
- *make a record of all medications administered*
- *not work with pupils whilst taking medication unless medical advice confirms that they are able to do so*

⁸ Teachers cannot be required to do these tasks but other members of staff, whose contracts are agreed locally, can be required to do so if their contracts provide for it.

Adults taking medication which may affect their ability to care for children should seek medical advice regarding their suitability to do so and providers should ensure that they only work directly with children if that advice confirms that the medication is unlikely to impair their ability to look after children. Employers are also responsible for managing the performance of their employees and for ensuring they are suitable to work with children.

Risk assessment is likely to recommend that staff medication on the premises must be securely stored and out of reach of children at all times

24. Photography, videos and other images

Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity. Under no circumstances should staff be expected or allowed to use their personal equipment to take images of pupils at or on behalf of the school or setting.

All settings should have arrangements with regard to the taking and use of images, which is linked to their safeguarding and child protection policy. This should cover the wide range of devices which can be used for taking/recording images e.g. cameras, mobile-phones, smart phones, tablets, web-cams etc. and arrangements for the use of these by both staff, parents and visitors.

Whilst images are regularly used for very positive purposes adults need to be aware of the potential for these to be taken and/or misused or manipulated for pornographic or 'grooming' purposes. Particular regard needs to be given when images are taken of young or vulnerable children who may be unable to question why or how the activities are taking place.

Pupils who have been previously abused in a manner that involved images may feel particularly threatened by the use of photography, filming etc. Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation.

Making and using images of pupils will require the age appropriate consent of the individual concerned and their parents/carers. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the setting have access.

For the protection of children, it is recommended that when using images for publicity purposes that the following guidance should be followed:

- if the image is used, avoid naming the child, (or, as a minimum, use first names rather than surnames)
- if the child is named, avoid using their image
- schools and settings should establish whether the image will be retained for further use, where and for how long
- images should be securely stored and used only by those authorised to do so.

This means that staff should:

- *adhere to their establishment's policy*
- *only publish images of pupils where they and their parent/carer have given explicit written consent to do so*
- *only take images where the pupil is happy for them to do so*
- *only retain images when there is a clear and agreed purpose for doing so*
- *store images in an appropriate secure place in the school or setting*
- *ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose*
- *be able to justify images of pupils in their possession*
- *avoid making images in one to one situations*

This means that adults should not:

- *take images of pupils for their personal use*
- *display or distribute images of pupils unless they are sure that they have parental consent to do so (and, where appropriate, consent from the child)*
- *take images of children using personal equipment*
- *take images of children in a state of undress or semi-undress*
- *take images of children which could be considered as indecent or sexual*

25. Exposure to inappropriate images

Staff should take extreme care to ensure that children and young people are not exposed, through any medium, to inappropriate or indecent images.

There are no circumstances that will justify adults: making, downloading, possessing or distributing indecent images or pseudo-images of children (child abuse images). Accessing these images, whether using the setting's or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

If indecent images of children are discovered at the establishment or on the school or setting's equipment an immediate referral should be made to the Designated Officer, (DO) and the police contacted if relevant. The images/equipment should be secured and there should be no attempt to view or delete the images as this could jeopardise necessary criminal action. If the images are of children known to the school, a referral should also be made to children's social care in line with local arrangements.

Under no circumstances should any adult use school or setting equipment to access pornography. Personal equipment containing pornography or links to it should never be brought into or used in the workplace. This will raise serious concerns about the suitability of the adult to continue working with children and young people.

Staff should keep their passwords confidential and not allow unauthorised access to equipment. In the event of any indecent images of children or unsuitable material being discovered on a device the equipment should not be tampered with in any way. It should be secured and isolated from the network, and the DO contacted without delay. Adults should not attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility they will be at risk of prosecution themselves.

26. Personal living accommodation including on site provision

Generally, staff should not invite any pupils into their living accommodation unless the reason to do so has been firmly established and agreed with their manager and the pupil's parents/carers.

It is not appropriate for staff to be expected or requested to use their private living space for any activity, play or learning. This includes seeing pupils for e.g. discussion of reports, academic reviews, tutorials, pastoral care or counselling. Managers should ensure that appropriate accommodation for such activities is found elsewhere in the setting.

Under no circumstances should pupils be asked to assist adults with jobs or tasks, either for or without reward, at or in their private accommodation.

This guidance should also apply to all other persons living in or visiting the private accommodation.

This means that staff should:

- *abide by the establishment's acceptable use and e-safety policies*
- *ensure that children cannot be exposed to indecent or inappropriate images*
- *ensure that any films or material shown to children are age appropriate*

This means that staff should:

- *be vigilant in maintaining their privacy, including when living in on-site accommodation*
- *be mindful of the need to avoid placing themselves in vulnerable situations*
- *refuse any request for their accommodation to be used as an additional resource for the school or setting*
- *be mindful of the need to maintain appropriate personal and professional boundaries*
- *not ask pupils to undertake jobs or errands for their personal benefit*

27. Overnight supervision and examinations

There are occasions during exam periods when timetables clash and arrangements need to be made to preserve the integrity of the examination process. In these circumstances examination boards may allow candidates to take an examination the following morning, including Saturdays.

The supervision of a candidate on journeys to and from the centre and overnight may be undertaken by the candidate's parent/carer or centre staff.

The examination board requires the centre to determine a method of supervision which ensures the candidate's wellbeing. As a result in some circumstances staff may be asked to volunteer to supervise students perhaps in their own homes.

The overriding consideration should be the safeguarding of both the pupil and staff, therefore many local authorities, professional associations and unions do not endorse the practice of staff supervising candidates overnight in their own homes. Some schools employ alternatives such as a 'sleep-over' on the school premises.

Where arrangements are made for a staff member to supervise a pupil overnight then all necessary safeguards should be in place.

This means that:

- *schools should ensure that all arrangements reflect a duty of care towards pupils and staff*

Where staff do supervise candidates overnight:

- *a full health and safety risk assessment should have been undertaken*
- *all members of the household should have had appropriate vetting including, where eligible, DBS and barred list checks*
- *all arrangements should be made in partnership and agreement with the pupil and parents/carers*
- *arrangements involving one to one supervision should be avoided wherever possible.*
- *as much choice, flexibility and contact with 'the outside world', should be incorporated into any arrangement so far as is consistent with appropriate supervision*
- *whenever possible, independent oversight of arrangements should be made*
- *any situation which gives rise to complaint, disagreement or misunderstanding should be reported*
- *staff should have regard to any local and national guidance*

28. Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or 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 can be supported by developing ground rules with pupils to ensure sensitive topics can be discussed in a safe learning environment. This plan should highlight particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied e.g. drama

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political or otherwise sensitive nature. Responding to children's questions requires careful judgement and staff should take guidance in these circumstances from the Designated Safeguarding Lead.

This means that staff should:

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

This means that adults should not:

- *enter into or encourage inappropriate discussions which may offend or harm others*
- *undermine fundamental British values*
- *express any prejudicial views*
- *attempt to influence or impose their personal values, attitudes or beliefs on pupils*

Care should be taken to comply with the setting's policy on spiritual, moral, social, cultural (SMSC) which should promote fundamental British values and be rigorously reviewed to ensure it is lawful and consistently applied. Staff should also comply at all times with the policy for sex and relationships education (SRE). It should be noted that parents have the right to withdraw their children from all or part of any sex education provided but not from the National Curriculum for Science.

29. Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Education settings should have a clear and accessible whistleblowing policy that meets the terms of the Public Interest Disclosure Act 1998. Staff who use whistle blowing procedures should have their employment rights protected.

Staff should recognise their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies and that to not do so may result in charges of serious neglect on their part where the welfare of children may be at risk.

This means that schools and settings should:

- *have a whistleblowing policy in place which is known to all*
- *have, as part of their safeguarding and child protection policy, clear procedures for dealing with allegations against persons working in or on behalf of the school or setting*

This means that staff should:

- *report any behaviour by colleagues that raises concern*
- *report allegations against staff and volunteers to their manager, or registered provider, or where they have concerns about the manager's response report these directly to the DO*

30. Sharing concerns and recording incidents

All staff should be aware of their establishment's safeguarding procedures, including the procedures for dealing with allegations against staff and volunteers.

In the event of an allegation being made, by any person, or incident being witnessed, the relevant information should be immediately recorded and reported to the Head teacher, senior manager or Designated Safeguarding Lead as appropriate.

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

In order to safeguard and protect pupils and colleagues, where staff have any concerns about someone who works with children they should immediately report this to the Head teacher, proprietor or senior manager in line with the setting's procedures.

This means that staff should:

- *be familiar with their establishment's arrangements for reporting and recording concerns and allegations*
- *know how to contact the LADO / DO and Ofsted/regulatory body directly if required*
- *take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the school or setting*

This means that education settings should:

- *have an effective, confidential system for recording and managing concerns raised by any individual regarding adults' conduct and any allegations against staff and volunteers*

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GOVERNORS' AND STAFF REGISTER OF BUSINESS GIFTS

It is important that Governors and staff not only act impartially, but are also seen to act impartially. The Governing Body and school staff have a responsibility to avoid any conflict between their business and personal interests and affairs and those of the school. A register of business gifts with a value in excess of £25 must be maintained for both Governors and staff with significant financial responsibilities which must be freely available for inspection by Governors, the Responsible Officer, staff and parents.

The Academy should ensure the register is up to date and complete and includes all Governors and relevant staff.

For further advice about personal interests and the circumstances in which governors are obliged to withdraw from meetings, see The document is now Governance Handbook For academies, multi-academy trusts and maintained schools January 2017

Staff are reminded that under the Local Government Act 1972 (Section 117) LEA Officers, including school staff, are required to give written notice of any contracts they are aware of in which they have a pecuniary interests, and a record of particulars of such cases should be kept.

THE HOLT SCHOOL GIFTS AND HOSPITALITY REGISTER

[illegible]

Staff Acceptable Use Policy

Acceptable uses

As a general principle, internet access is provided to staff to support work related activities. The following list is not intended to be definitive, but sets out broad areas of use that the school considers to be acceptable uses of the internet:

- To provide communication within the school via email or the school website.
- To provide communication with other schools and organisations for educational purposes.
- To support teaching and learning in school including the downloading of non copyright material.
- Any other use that directly supports work-related functions.

Unacceptable uses

The following uses will be regarded as not acceptable:

- Using the computer to perpetrate any form of fraud, or software, film or music piracy.
- Use for racial, sexual, homophobic or other harassment.
- To access pornographic, obscene or illegal material.
- To solicit personal information with the intent of using such information to cause emotional or physical harm.
- Entering into a commitment on behalf of the school (unless you have explicit permission to do this).
- Visiting internet sites that contain obscene, hateful, pornographic or otherwise illegal material.
- Downloading commercial software or any copyrighted materials belonging to third parties, unless this download is covered or permitted under a commercial agreement or other such licence.
- Hacking into unauthorised areas.
- Publishing defamatory and/or knowingly false material about The Holt School, your colleagues and/or our students on social networking sites, 'blogs' (online journals), 'wikis' and any online publishing format.
- Revealing confidential information about The Holt School in a personal online posting, upload or transmission – including financial information and information relating to our students, staff and/or internal discussions.
- Use of personal email to communicate with or about any The Holt students.
- Using cameras and audiovisual devices to take inappropriate pictures/recordings of students or staff.
- Uploading pictures and videos of students onto social networking sites without permission.
- Undertaking deliberate activities that waste staff effort or networked resources.
- Introducing any form of malicious software into the school network.
- To disrupt the work of other users. This includes the propagation of computer viruses and use of the internet.
- Use of any bit torrent systems (these are peer to peer file sharing services used to distribute large amounts of data over the internet.)

Netiquette

The following general principles should be adopted:

- Be polite. Do not be abusive in messages to others.
- Use appropriate language. Remember that you are a representative of the school and that you are using a non private network.
- Do not disrupt the use of the internet by other users: eg downloading large files during lesson times and other high volume activities.
- If you are using a social networking site as a teaching and learning resource make sure colleagues are also users of the group. Ensure that electronic communications with students (including social networking) and any comments made on the web are compatible with your professional role and that messages cannot be misunderstood or misinterpreted.
- It is better to avoid taking pictures or video images of students taking part in learning, on your personal device. If you do you must save onto the school system as soon as possible and delete images from your personal device. Such images must not be uploaded onto social networking sites. It is much safer for you to use a school camera/recorder.
- Ensure that personal data, particularly that of students, is stored securely through password and is used appropriately, whether in school, taken off the school premise or accessed remotely in accordance with the school e-safety policy.
- Promote e-safety with the students in your care and help them develop a responsible attitude to the system use, communication and publishing.

Email

- Whenever email is sent, the sender's name, job title, email address and the school's name should be included.
- Every user is responsible for all mail originating from their user ID (email address).

- Forgery or attempted forgery of electronic mail is prohibited.
- Attempts to read, delete, copy or modify the email of other users are prohibited.
- Attempts to send junk mail and chain letters are prohibited.
- If you receive email from outside the school that you consider to be offensive or harassing, speak to your line manager (harassing internal email will be dealt with under the school's guidelines).
- You should be aware that, in the event of the school being involved in legal proceedings, any relevant emails (including internal email) may have to be disclosed, on the same basis as is the case for written documents.
- If you wish to use a personal device to download school emails, you will need to ensure that your device is secured by a password at all times, that this password is not shared with any other person and that all reasonable care is taken to prevent unauthorised access to confidential information.

Disciplinary action

- Disciplinary action may be taken against staff who contravene these guidelines, in accordance with the school's disciplinary procedures.

Signed

Date

The Holt School

Smoking Policy and Procedures for School Based Staff and Visitors

1. Policy Statement

- 1.1. The Holt School has a duty to ensure as far as reasonably practicable, the health and safety of their employees. This duty is reflected in Health and Safety legislation and the “Smoking, Health and Social Care (Scotland) Bill 2004 in Scotland and the “Health Bill” 2007, in England and Wales which places on the employer the requirement to ensure that public and workplaces do not impact on an employees health and safety and are smoke-free.
- 1.2. Smoking is known to be a serious risk to health. It is a significant cause of disease and premature death. In addition there is now evidence that “passive smoking”, the inhaling of other people’s smoke, can cause lung cancer in non-smokers, as well as causing a deterioration of respiratory conditions. Non-smokers have a right to work in a safe and healthy environment. This includes being protected from passive smoking.
- 1.3. This Policy has been developed by Wokingham Borough Council in consultation with Union representatives to provide a healthy, safe and comfortable environment.
- 1.4. This policy relates to all types of smoking e.g. cigarettes, e-cigarettes, cigars and pipes

2. Purpose

- 2.1. The purpose of this policy is to provide a healthy and safe working environment for all employees, students, parents, contractors and other visitors.
- 2.2. The intention is not to confront smokers but to encourage and help those that wish to give up. The issue is not whether someone smokes but where and when he or she smokes.
- 2.3. Responsibility for implementing and monitoring this policy rests with the Co-Headteachers or their representative.

3. Scope

- 3.1. This policy applies to all employees including temporary, agency, volunteers, students, parents, contractors, and other people/members of the public working in or visiting school premises.
Smoking will not be permitted anywhere in the grounds or buildings of The Holt School and staff and students will also be discouraged from smoking anywhere in the immediate vicinity of The Holt School i.e. outside the school gate or in Joel Park.
- 3.2. The policy is designed to maintain a healthy environment for Members, employees/contractors and visitors. Employees found smoking within School buildings or the smoke-free zone around the perimeter of the buildings may face disciplinary action.
- 3.3. It is the Co-Headteachers and their representatives' responsibility to ensure compliance with this policy and ensure that visitors to the site comply with these arrangements.
- 3.4. Any contractor employed on site should be made aware of the ban before work is undertaken. It should be written into service specifications for contractors.
- 3.5. Smoking is not to be permitted by any group hiring the school premises for functions or regular lettings and this is written into the hire agreement.

4. Support for employees

- 4.1. The Governing Body wishes to support staff who smokes to either give up smoking or help them to control their smoking. The following support is available:

Staff wishing to stop smoking may contact:

Smoke Free Life Berkshire
Phone: 0800 622 6360
Email: <http://www.smokefreelifeberkshire.com/>

Or

Employees may seek support from the NHS smoking helpline number and get free advice and information on their nearest Stop Smoking Service by visiting:
<http://www.nhs.uk/smokefree>.

5. Employee co-operation

- 5.1. It is anticipated that all employees will co-operate with the policy. In circumstances where there is willful contravention of the policy, steps may be taken to invoke disciplinary procedures.