

# STAFF CODE OF CONDUCT



*WHERE LEARNING IS UNSTOPPABLE AND ASPIRATIONS HAVE NO LIMITS*

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## Staff Code of Conduct

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# Staff Code of Conduct

## 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, monitor their own standards and reduce the risk of them being falsely accused of improper or unprofessional conduct.

## 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 contextual 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.

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.

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 adults' responsibilities towards children should not conflict. Safe practice can be demonstrated through the use and implementation of these guidelines.

Therefore members of Orwell Multi Academy Trust 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

In support of this Orwell Multi Academy Trust will:

- 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

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

### **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.

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 offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

### **Confidentiality**

The storing and processing of personal information is governed by the General Data Protection Regulations 2017 (GDPR) and Data Protection Act 2018.

Staff are expected to treat information they receive about pupils and families in a discreet and confidential manner. They 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.

Staff should seek advice from the Headteacher / DSL if they are in any doubt about sharing information they hold or which has been requested of them.

Any media or legal enquiries must always be passed to the Headteacher.

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### Standards of behaviour

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.

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, discriminate or humiliate, or might be interpreted as such

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 Teaching Regulation Agency (TRA) a bar from engaging in regulated activity, or action by another relevant regulatory body.

This means that staff should:

- inform the head/principal or specified person of any cautions, convictions, or relevant orders accrued during their employment, and/or if they are charged with a criminal offence
- be aware that behaviour by themselves, those with whom they have a relationship or association, or others in their personal lives, may impact on their work with children
- disclose any relationship or association (in the real world or online) that may impact on the school's ability to safeguard pupils.

### Dress and appearance

Staff should dress in a way that promotes a positive and professional image. Although a person's dress and appearance are matters of personal choice and self-expression, 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 their dress is not likely to be viewed as offensive, revealing, or sexually provocative and that it does not distract, cause embarrassment or give rise to misunderstanding. Clothing should be absent of any political or otherwise contentious slogans. Body art and shoulders should be covered.

### Gifts, rewards, favouritism and exclusion

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. 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.

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.

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Small tokens as part of class or school reward systems are acceptable but staff should ensure that they do not behave in a manner which is either favourable or unfavourable to individual pupils and 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.

### **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 always maintain professional boundaries, making 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 Headteacher. In this way appropriate early intervention can be taken which can prevent escalation and avoid hurt, embarrassment or distress for those concerned.

### **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.

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. Advice should be sought from the headteacher when a staff member has regular contact with a pupil. Staff should refrain from sending personal communications to pupils or parents and inform the headteacher of any requests or arrangements where parents wish to use their services outside of the workplace e.g. babysitting, tutoring.

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 the headteacher and where necessary referrals made to the appropriate support agency.

### **Communication with children (including the use of technology)**

*(see also the school's acceptable use policy and section 6 – 'Standards of Behaviour'.)*

Communication with children both in the 'real' world and through web based and telecommunication interactions should take place within explicit professional boundaries.

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Staff should not seek to communicate/make contact or respond to contact with pupils outside of the purposes of their work. 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.) Staff should only use the equipment and internet services provided by the school or setting and only use internet-enabled personal devices during non-contact time with pupils, ensuring that devices are switched off or silenced and stored appropriately. Wearable technology such as smart watches can be worn by staff, but must only be used as a watch whilst working with pupils. Therefore, other functions should be disabled when staff are working with pupils. Please refer the Trust's Acceptable Use Policy for further information.

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. 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 the headteacher. The child should be firmly and politely informed that this is not acceptable.

Staff should ensure that their use of technologies could not bring their employer into disrepute. They should not discuss or share data relating to children/parents/carers in staff social media groups.

### **Filtering and Monitoring**

Access to online content and services is managed for all users within school in line with the filtering and monitoring requirements of KCSiE through the use of Coconnect and Netsweeper. Headteachers are able to monitor the use of devices in real time and the DSL receives daily filtering reports listing IP addresses and user identities where content has been blocked.

As an additional layer of security, staff are responsible for actively and physically monitoring pupils' internet use during school hours and must report any concerns or breaches in the filtering system to the Online Safety Lead.

### **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 staff are aware that even well-intentioned physical contact may be misconstrued by the pupil, an observer or any person to whom this action is described.

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.

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Small children and those who have experienced trauma or abuse may seek out/display inappropriate physical contact. In such circumstances staff should deter the child sensitively and help them to understand the importance of personal boundaries.

Staff should never touch a pupil in a way which may be considered indecent or indulge in horseplay or fun fights. They should always allow/encourage pupils, where able, to undertake self-care tasks independently, ensuring that school policies/individual health care plans are followed with regard to intimate care, special educational needs or disabilities. Staff should ensure the way they offer comfort to a distressed pupil is age appropriate and where possible establish the preferences of pupils.

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 Headteacher/DSL and recorded.

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 and always be prepared to explain actions.

### **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.

Staff should always treat pupils with dignity and respect and avoid contact with intimate parts of the body. They should be aware of gender, cultural and religious issues that may need to be considered prior to initiating physical contact.

It is good practice that 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.

### **Intimate / personal care**

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.



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Staff should not assist with intimate or personal care tasks which the pupil is able to undertake independently. A signed record should be kept of all intimate and personal care tasks undertaken.

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 children concerned and sensitive to the potential for embarrassment.

Staff should not change, toilet or shower in the presence or sight of pupils.

### **Behaviour management**

Staff should follow the school behaviour management policy which will have been shared with parents/carers so they are aware of any sanctions or behaviour management techniques used. They should be mindful of and sensitive to factors both inside and outside of the school or setting which may impact on a pupil's behaviour, behaving as a role model and trying to defuse situations before they escalate e.g., by distraction.

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. Force or physical restraint must never be used as a form of punishment.

Where a pupil has specific needs in respect of particularly challenging behaviour, staff should read the risk assessment and individual behaviour plan to understand positive handling techniques that may have been agreed.

Staff should not use isolation or 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.

### **The use of control and physical intervention**

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.

However, staff should always seek to defuse situations and avoid the use of physical intervention wherever possible. 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. Where physical intervention is necessary, only use minimum force and for the shortest time needed. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence.

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In all cases where physical intervention has taken place, staff should record the incident and subsequent actions and report these to the headteacher and the child's parents.

### **Sexual conduct**

Any sexual activity between members of staff and pupils is unacceptable. 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.

Staff should avoid any form of touch or comment which is, or may be considered to be, indecent and any form of communication with a pupil which could be interpreted as sexually suggestive, provocative or give rise to speculation e.g., verbal comment, sexual behaviours.

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Staff should stay alert to behaviours of colleagues that may constitute 'grooming' and report any concerns which could indicate that a pupil is being groomed to the Headteacher/DSL.

### One to one situations

When working one to one, staff should ensure that wherever possible there is visual access and/or an open door, avoiding use of 'engaged' or equivalent signs wherever possible as such signs may create an opportunity for secrecy or the interpretation of secrecy. Staff should always report any situation where a pupil becomes distressed or angry during their work and only proceed with one to one work after considering the needs and circumstances of the pupil involved at that time.

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.

### 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.

Staff should discuss the purpose of the home visit with a member of the senior team and then follow the procedures and safeguards in the lone working policy. Unannounced visits should be avoided unless a Safeguarding concern is raised which requires the school to take action.

Staff should use the CPOMs system to make a record of the visit and ensure that any behaviour or situation which gives rise to concern is discussed with a senior member of staff at the earliest possible opportunity.

### Transporting pupils (private cars)

In certain situations, staff or volunteers may be required or offer to transport pupils as part of their work.

A risk assessment should be undertaken by a senior member of staff in these circumstances and staff should note the following:

- Wherever possible transport should not be in staff's private cars.
- Consideration must be given to the potential distraction of the driver and a judgement should be made about the likely behaviour and individual needs of the child/ren.
- Another adult should always travel in the vehicle so that the driver is not distracted or compromised.
- All passengers must 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/ booster seats for younger children.
- Staff should 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

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- Staff should ensure that the vehicle meets 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 ensure there is a valid insurance policy covering the driver and the vehicle for the intended use. This may require that the driver has 'business use' cover.

Staff should not offer lifts to pupils unless the need for this has been agreed by the headteacher.

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 via the CPOMs system and to the child's parent(s).

*See the health and safety policy and/or educational visits policy for further guidance.*

### **Educational visits, enrichment & visitors**

Staff should adhere to their organisation's educational visits, enrichment and visitors guidance which will require that such activities are risk assessed, have the appropriate consents in place (e.g., medical) and refer to local and national guidance for educational visits.

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.

### **First Aid and medication**

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 employment.

Staff should adhere to the school's health and safety and supporting pupils with medical conditions policies so they always act and are seen to act in the pupil's best interest, making a record of all medications administered.

Staff taking medication which may affect their ability to care for children should seek medical advice regarding their suitability to do so and disclose this to the headteacher at the earliest opportunity. Staff medication on the premises must be securely stored and out of reach of children at all times.

### **Photography, videos and other images / media**

Staff should adhere to the school's acceptable use policy. They should only publish images of pupils where they and their parent/carer have given explicit written consent to do so and only take images where the pupil is happy for them to do so. Staff should not retain images unless there is a clear and agreed purpose for doing so and they should only be stored in an appropriate secure place in the school or setting. Staff should be able to justify images of pupils in their possession and avoid making images in one-to-one situations.

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Adults should not take images of pupils, for their personal use or display or distribute images of pupils unless they are sure that they have parental consent to do so. They should never take images of children using their personal equipment. They should not take images of children in a state of undress or semi-undress or take images of children which could be considered as indecent or sexual.

With regard to safeguarding: staff should not make audio recordings of children's disclosures or take images of a child's injury, bruising or similar unless *under exceptional circumstances* a written request has been received from social care/police. In these cases, a report of the request and the staff members subsequent actions should be logged on CPOMs.

Staff should take extreme care to ensure that children and young people are not exposed, through any medium, to inappropriate or indecent images. These means they should not change filters or settings on equipment and should regularly check to ensure filters are at 'child' settings.

Staff should ensure films or material shown to children are age appropriate and appropriate consents have been obtained.

### Curriculum

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 discuss any concerns they have about these types of conversation with a senior leader.

Staff should not enter into or encourage inappropriate discussions which may offend or harm others. Staff should take care not to undermine fundamental British values, express any prejudicial views or attempt to influence or impose their personal values, attitudes or beliefs on pupils.

### Low-level concerns about members of staff

A low-level concern is a behaviour towards a child by a member of staff that does not meet the harm threshold, is inconsistent with the staff code of conduct, and may be as simple as causing a sense of unease or a 'nagging doubt'. Low-level concerns can include inappropriate conduct inside and outside of work. For example, this may include:

- Being 'over-friendly' with children
- Having 'favourites'
- Humiliating pupils

All staff should report any low-level concerns they have to the DSL. The DSL will inform the Headteacher of the concern in a timely manner. The Headteacher will always be the ultimate decision maker in respect of all low-level concerns. All reported low-level concerns and the associated outcomes, will be recorded using the OMAT Low-Level Concerns Recording Form and retained on the individual's personnel file.

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We also encourage staff to self-refer if they find themselves in a situation that could be misinterpreted. If staff are not sure whether behaviour would be deemed a low-level concern, we encourage staff to report it. All reports will be handled in a responsive, sensitive and proportionate way. Unprofessional behaviour will be addressed and the staff member will be supported to correct this, at an early stage. *For further guidance and the reporting form see the OMAT Safeguarding Policy.*

### **Whistleblowing**

Staff should recognise their individual responsibilities to bring matters of concern to the attention of the Headteacher / DSL. They should report any behaviour by colleagues that raises concern or any allegations against staff and volunteers to the headteacher, escalating their concern to the chair of governors / CEO if they do not feel their concern has been dealt with or their concern involves the headteacher. *For further guidance see the Safeguarding Policy.*

### **Wellbeing**

Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their work or relationship with/behaviour towards pupils or other staff members, so that appropriate support can be provided and/or action can be taken. This includes concerns over workload, stress and mental health.

The trust buys into a confidential employee support service which is available 24 hours a day, 365 days a year on 0808 168 2143.