



Staff

Code of Conduct

Reviewed by:	Signed:	Date:
Leadership Team		
Staff Middle Leader		
Management committee		

Sherborne Learning Centre
Staff Code of Conduct

To be read in conjunction with the national guidance: 'Guidance for safer working practice for those working with children and young people in education settings - October 2015'.

1. Definition

- 1.1. 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.
- 1.2. References made to adults and staff refer to all those who work with children in an educational establishment, in either a paid or unpaid capacity.
- 1.3. 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.

2. Introduction

- 2.1. Schools have a legal duty to create and maintain a safe learning environment for children. A staff Code of Conduct is a **mandatory** requirement as described in the DfE statutory guidance: 'Keeping Children Safe in Education 2016' (paragraph 12).
- 2.2. The school seeks to provide a safe and supportive environment which secures the well-being and very best outcomes for children in our care. The following code draws together existing laws, regulations and conditions of service designed to protect the interests of staff and volunteers and the children with whom they work and this has been agreed following consultation with recognised trade unions and is recommended for adoption.
- 2.3. Staff should be aware that a failure to comply with this code could result in disciplinary action including dismissal.

3. General obligations and responsibilities

- 3.1 All staff have a responsibility to keep pupils safe and to protect them from abuse (sexual, physical and emotional), neglect, radicalisation and extremism (in line with the PREVENT duty) 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.
- 3.2 Staff should understand the responsibilities that are an intrinsic part of their employment or role. They should make a professional judgement about their actions and behaviour and seek to avoid conduct, which would lead any reasonable person to question their motivation or intentions.
- 3.3 If there is an incident where staff feel there may be concern, they should discuss the circumstances that informed their action, or their proposed action with a senior colleague, to help ensure that the safest practices are employed and the risk of actions being misinterpreted reduced.
- 3.4 Records should be made of any incidents and decisions made or further actions agreed, with their justifications, in accordance with school policy.
- 3.5 All staff should know the Designated Senior Person for child protection, be familiar with local child protection arrangements and understand their responsibilities to safeguard and protect children and young people.
- 3.6 Staff should understand their responsibility to voice any general concerns that they might have about practice within the school.
- 3.7 Staff should be aware that unsafe or inappropriate behaviour and breaches of the law and other professional guidelines could result in disciplinary actions being taken against them, criminal actions and/or other proceedings including barring by the Disclosure and Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct, prohibition from teaching by the National College of Teaching and Leadership (NCTL).
- 3.8 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.

4. Purpose and Scope

- 4.1. All staff and volunteers working in a school setting have a legal and moral duty to keep children safe and protect them from harm. Staff should ensure they do not put themselves in situations in which allegations of abuse or inappropriate behaviour could be made.
- 4.2. This code applies to all adults working in schools whatever their position, role or responsibilities.
- 4.3. All staff have a responsibility to be aware of systems within their school which support safeguarding, which should be explained as part of staff induction and through regular staff training.
- 4.4. The code should be read in conjunction with the relevant statutory and other guidance documents issued nationally or by the DfE and Home Office as well as other related school policies (see **Appendix 1** of this policy).
- 4.5. This code cannot cover every eventuality. Its purpose is to show the standard expected of staff but it does not replace the general requirements of the law.
- 4.6. All staff employed under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the 'Teachers' Standards 2012' and in relation to this code, Part 2 of the Teachers' Standards - Personal and Professional Conduct which this code supplements.
- 4.7. 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 code aims to reduce the risk of that.

5. Core Principles

- 5.1. The welfare of the children is paramount.
- 5.2. Staff are responsible for their own actions and behaviour and should seek to avoid any conduct that would lead any reasonable person to question their motivation or intentions.
- 5.3. Staff should dress appropriately at all times for the tasks they undertake and ensure they promote a positive and professional image.
- 5.4. Staff should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation.
- 5.5. Staff should not consume or be under the influence of alcohol or substances, including prescribed medication that may affect their ability to care for children.
- 5.6. 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).
- 5.7. Staff and managers should continually monitor and review practice to ensure this guidance is followed and should understand their responsibilities to safeguard and protect children.
- 5.8. Staff should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident which may give rise to concern.
- 5.9. Records should be made of any incident and decision made or where further actions have been agreed, in accordance with school policies and confidentiality.
- 5.10. All staff should know the school's Designated Safeguarding Lead and be familiar with local child protection arrangements, arrangements for managing allegations against staff, whistleblowing procedures and their Local Safeguarding Children Board (LSCB) procedures.
- 5.11. Staff should be aware of and comply with the school's financial and administrative regulations and any other procedure manuals.

6. Conduct and Behaviour

- 6.1. All staff who work in a school setting are in a position of trust in relation to individuals in their care and so must adopt high standards of personal integrity and conduct and behave in such a way that does not compromise their position both within and outside of the workplace or the safety and/or welfare of children and young people.
- 6.2. Staff should be aware that it is a criminal offence (Sexual Offences Act 2003: abuse of a position of trust) to engage in sexual activity with a pupil under the age of 18.
- 6.3. Teachers are expected to demonstrate consistently high standards of personal and professional conduct in accordance with the minimum professional Teaching Standards.
- 6.4. Staff should never make (or encourage others to make) unprofessional comments or use physical force as a form of punishment.
- 6.5. Staff should always adhere to the school's policies on Behaviour Management and Use of Reasonable Force.
- 6.6. Staff should not use any 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.

7. Equality Issues

- 7.1. All staff should adhere to the school's Equal Opportunities Policy, in addition to the requirements of the law.
- 7.2. All adults and children at the school have a right to be treated at all times with fairness, equality and without discrimination.

8. Employment Matters

- 8.1. All staff involved in recruitment and selection processes should ensure that appointments are made on the basis of merit, without discrimination and in accordance with the school's recruitment and selection policy and procedure.
- 8.2. Any staff involved in tendering processes should ensure that these are made on the basis of merit.
- 8.3. No member of staff should be involved in any appointment or decision relating to discipline, promotion, or pay adjustments for any individual who is a relative or with whom they are in a close personal relationship.
- 8.4. All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the Headteacher or the Chair of the Management Committee (if the Headteacher).

9. Public Duty and Private Interest

- 9.1. Staff should not put themselves in a position where their duty to the school and their private interests conflict.

10. Other Employment/Private Work

- 10.1. Any external work undertaken must not bring the school into disrepute or conflict with the school's interest.
- 10.2 Any copyright created by a member of staff during their employment with the school becomes the property of the school.

11. Safeguarding

11.1 Staff have a duty to safeguard pupils/students from:

- physical abuse
- sexual abuse
- emotional abuse
- neglect
- abuse

11.2. The duty to safeguard children and young people includes the duty to report child welfare concerns to the school's Designated Safeguarding Lead (DSL),

11.3. Staff should be aware of and adopt the recommended procedures and best practice guidance outlined in the national [Guidance for Safer Working Practice for those working with children and young people in education settings \(October 2015\)](#).

11.4. Staff should be aware of and follow the statutory responsibilities outlined in [Keeping Children Safe in Education](#)

11.5. Staff should be aware of the risks to children from radicalisation and being drawn into terrorism as outlined in the [Prevent Duty](#) guidance.

- **Guidance for Safer Working Practice**

- (i) This document will be used to support the Code of Conduct and as such may be referred to in any disciplinary proceedings.
- (ii) Staff should read this document in conjunction with this code.

- **Keeping Children Safe in Education**

- (i) This document sets out the statutory duties schools must follow and includes guidance on mandatory reporting requirements. It is advised that this is read alongside **Working Together to Safeguard Children**.
- (ii) Staff should ensure they understand and are familiar with their responsibilities and where this includes mandatory reporting expectations they understand their role any locally agreed procedures for reporting, such as informing the Designated Safeguarding Lead.
- (iii) Staff should be aware of the personal reporting duty with regard to known cases of female genital mutilation (FGM). Supplementary to Keeping Children Safe in Education, staff can obtain further guidance in the '**Mandatory Reporting of Female Genital Mutilation – procedural information**' document.
- (iv) Staff should refer any concerns about another member of staff to the Headteacher, or if the concern is about the Headteacher to the Chair of Governors or equivalent.
- (v) Staff should raise concerns of poor or unsafe practice or potential failures in safeguarding, using the school's whistleblowing policy.

- **Prevent Duty**

- (i) Under section 26 of the Counter-Terrorism and Security Act 2015, staff must have 'due regard to the need to prevent people from being drawn into terrorism'
- (ii) Staff should refer any concerns regarding radicalisation to the school's Designated Safeguarding Lead or a senior member of staff, following the school's normal safeguarding procedures.
- (iii) Relevant staff should understand when it is appropriate to make a referral to the Channel programme, a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation.
- (iv) Staff should ensure they have undertaken some form of Prevent awareness training

12. Financial inducements, gifts, hospitality and sponsorship

- 12.1. Staff should not seek or receive preferential rates for themselves by virtue of their dealings on behalf of the school
- 12.2. Staff should ensure that gifts are declared if they are received.
- 12.3. Where staff provide gifts they should ensure they are of insignificant value and given to all children equally.

13. Use of School Time and Facilities

13.1. The school's property and facilities (e.g. stationery, computers, photocopiers, mobile phones) may only be used for school business unless permission for their private use has been granted.

14. Publication of Books/Articles

14.1. Staff must consult with the Headteacher before publishing book, articles, letters, dissertations etc where they are described as holding an appointment at the school.

15. Social Contact

15.1 Staff should not establish or seek to establish social contact with pupils to secure or strengthen a friendship. This includes giving any personal details to a pupil such as a home/mobile phone number or email address. Only in exceptional circumstances can this be with the prior approval of a senior member of staff.

- *Do not give out personal details such as home/mobile numbers, home address or personal email address to pupils.*
- *Staff should always approve any planned social contact with pupils with senior colleagues, for example, when it is part of a reward scheme or pastoral care programme.*
- *Staff should advise senior management of any regular social contact they have with a pupil, where it is apparent that it may give rise to a concern. This can also apply to social contacts made through outside interests or through the staff member's own family.*

16. Physical contact

16.1 It is unrealistic to suggest that teachers should never touch pupils. There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, such as when a distressed pupil needs comfort and reassurance or as an integral part of some lessons such as PE and music.

16.2 However, innocent actions and appropriate physical contact can sometimes be misconducted - either by the child or an observer - and it is therefore crucial that staff only initiate physical contact for the minimum time necessary and in ways appropriate to their own role and the needs of the child.

16.3 Staff should use their professional judgement at all times. Where feasible, staff should seek the child's permission before initiating contact. Where a member of staff thinks that an incident could have been misinterpreted it should be reported to the Headteacher.

16.4 Any formally agreed plan for children with SEN or physical disabilities should be understood and agreed by all concerned, including parents/carers and staff should be provided with relevant information about vulnerable pupils in their care where it is relevant for this to be provided in order for staff to be able to undertake tasks appropriately. If a pupil requires assistance with intimate care needs, the schools' Intimate Care Policy should be followed.

16.5 Extra caution may also be required where it is known that a child has suffered previous abuse or neglect. Many such children are often needy and seek out inappropriate contact, thereby leading staff to be vulnerable to allegations of abuse.

In this regard, staff should:

- *be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described;*
- *never touch a child in a way which may be considered indecent;*
- *always explain to a pupil the reason why contact is necessary and what form that contact will take;*
- *look at alternatives, where it is anticipated that a pupil might misinterpret contact and consider involving another member of staff, or a less vulnerable pupil in a demonstration;*
- *never indulge in horseplay, tickling or fun fights;*
- *always tell a colleague when and how they offered comfort to a distressed child and record any situations, where they may think they give rise to concern and adhere to the school's physical intervention policy and be acquainted with DfES Guidance in respect of physical contact with pupils and meeting the medical needs of children and young people in school.*

17. Sexual contact with children and curriculum issues

17.1 It is a criminal offence for any adult in a position of trust to engage in any form of sexual activity with a young person under 18, even with their consent (Sexual Offences Act 2003). This also includes non-contact activities such as causing children to engage in or watch sexual activity. Where the young person is aged 18 or over, it is still inappropriate and will be dealt with under the disciplinary procedure.

17.2 There may be occasions when, as part of the curriculum, a teacher has to raise subject matter that is sexually explicit. In such situations, any lesson plan should highlight the areas of risk and sensitivity. Staff should respond to questions with careful judgement and avoid entering into inappropriate or offensive discussions about sexual activity.

In this regard, staff should not:

- *use their status and standing to form or promote relationships with children, which are of a sexual nature;*
- *pursue sexual relationships with children and young people either in or out of school;*
- *enter into or encourage inappropriate, offensive or discriminatory discussion about sexual activity;*
- *make sexual remarks to a pupil (including by email, text message, phone or letter), or use any communication which could be interpreted as sexually suggestive or provocative;*
- *discuss their own sexual relationships with, or in the presence of pupils;*
- *discuss a pupil's sexual relationships in inappropriate settings or contexts;*
- *confer special attention and favour upon a child which might be misconstrued as being part of a 'grooming' process.*

18. One to one situations and overnight supervision

18.1 When staff work regularly on an individual basis with children, they are generally more vulnerable to allegations.

18.2 To avoid such situations arising meetings should, wherever possible, be arranged so that staff are visible and/or audible and not in secluded areas of the school.

18.3 Staff should not arrange to meet a pupil away from the school premises without good reason, but if this is necessary, only with the expressed approval of parents and a senior member of staff.

18.4 However, where a school makes provision for overnight supervision during exam periods and it is necessary for a pupil to stay with a member of staff in their home, this should only be with the parent's permission and after a full risk assessment has been carried out.

Staff should:

- *ensure there is visual access and/or an open door in one to one situations;*
- *inform other staff of the meeting beforehand, assessing the need to have them present or close by;*
- *avoid the use of 'engaged' or equivalent signs wherever possible, as they may create an opportunity for secrecy or the interpretation of secrecy;*
- *always report to a senior colleague any situation which gives rise to complaint, disagreement or misunderstanding or where a child becomes distressed or angry.*

19. Transporting children

19.1 In such cases where children need to be transported between different locations, a designated member of staff should be appointed to plan and provide oversight of all arrangements.

19.2 Wherever practicable, an adult additional to the driver should act as an escort and all arrangements agreed with relevant parties, including pupils, in advance.

All staff:

- *should avoid using private vehicles wherever possible;*
- *must ensure they have the appropriate insurance (for business use) where they do have to use their private vehicle;*
- *should ensure that they are alone with a child for the minimum time possible;*
- *should be aware that a lone pupil should ideally sit in the rear of the vehicle;*
- *should be aware that the safety and welfare of the child is their responsibility until this is safely passed over to the parent/carer;*
- *should report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures;*
- *should ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety, taking into account any specific needs that the child may have.*

20. Photography, videos and other creative arts

20.1 Many school activities involve recording images, but the use of such images needs careful consideration and handling. In particular, children who may have been abused in this way may feel threatened by the use of photography and filming.

20.2 The use of any images of children for publicity purposes will also require the appropriate consent of the individual concerned and their legal guardians.

Staff should therefore:

- *familiarise themselves with the school's Social Networking and IT Usage Policies;*
- *be clear about the purpose of the activity and about what will happen to the photographs when the lesson or activity is concluded;*
- *ensure consent is gained from the pupil and their legal guardians where being used for publicity purposes;*
- *ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose;*
- *ensure that all images are available for scrutiny in order to screen for acceptability;*
- *be able to justify images of children in their possession;*
- *never use personal equipment/mobile phones to take images;*
- *avoid making images in one to one situations.*

21. Internet use

21.1 Accessing child pornography or indecent images of children on the computer is illegal. Under no circumstances should adults in schools access inappropriate images on the internet or access any other site which could call into question the member of staff's suitability to work with children. The same rule applies to the use of the school's equipment by members of staff at home, e.g use of laptops.

- *staff should follow the school policy on the use of IT equipment;*
- *staff should follow the school policy on Social Networking.*

22. Disciplinary Action

22.1. All staff should be aware that a failure to meet these standards of behaviour and conduct may result in disciplinary action, including dismissal.

APPENDIX 1

POLICIES AND OTHER DOCUMENTS TO BE CONSIDERED AND READ IN CONJUNCTION WITH THE STAFF CODE OF CONDUCT (Listed in alphabetical order)

Policy/Procedure/Guidance
Allegations of abuse against staff and volunteers
Child Protection Policy
Data Protection Policy
Disciplinary Policy and Procedure
Drugs and Alcohol Policy
Equal Opportunities Policy
E- Safety/Internet Use/Social Networking/ICT Policies
Guidance for Safer Working Practice* national guidance for those working with children and young people in Education Settings. Link:http://www.safeguardingschools.co.uk/wp-content/uploads/2015/10/Guidance-for-Safer-Working-Practices-2015-final1.pdf
Health and Safety Policy
Intimate Care
Keeping Children Safe in Education*- DfE statutory guidance Link:https://www.gov.uk/government/publications/keeping-children-safe-in-education--2
Mandatory Reporting of Female Genital Mutilation procedural information* Link:https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information
Use of Positive Force
Prevent Duty Guidance* Link: https://www.gov.uk/government/publications/prevent-duty-guidance
Recruitment and Selection Policy
School Record Keeping Policy
Whistleblowing Policy

*It is expected that staff will adhere to the statutory duties and/or best practice outlined within these documents as applicable to their role and responsibilities.