

## Staff Code of Conduct

# Leybourne St Peter and St Paul Church of England Primary School

### Approval Arrangements

All statutory policies in the Trust are ultimately the responsibility of the Trust Board. To enable it to discharge this responsibility appropriately and in collaboration with the constituent schools, the Trust Board will

1. set a full Trust wide policy,
2. set a 'policy principles' document (a framework within which Headteachers develop a full and appropriately customised policy),
3. or delegate to Headteachers or LGBs the power to develop their own policy.

This is a **level 1 policy** which was approved by the Chief Executive Officer, for implementation in Tenax Schools Trust on the date below and supersedes any previous Code of Conduct.

<b>Review Body:</b>	<b>Chief Executive Officer</b>
<b>Date Approved:</b>	<b>27 April 2022</b>
<b>Author:</b>	<b>Human Resources Director</b>
<b>Next review due:</b>	<b>On or before 26 April 2025</b>
<b>Review period:</b>	This policy will be reviewed as appropriate, and amended where any clarifications or changes are needed, <b>and at a minimum every 3 years</b>

## 1. Introduction

Staff have a crucial role to play in educating and shaping the lives of young people, and as such high professional standards are expected of them. All staff, whether paid or voluntary, have a duty to keep children safe and to protect them from physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgment. Staff should always act, and be seen to act, in the best interests of the child, avoid **any** conduct which would lead a reasonable person to question their motivation and/or intentions and take responsibility for their own actions and behaviour.

**While not exhaustive**, this guidance sets a standard for professional conduct and highlights behaviour that is illegal, inappropriate or inadvisable.

*In all instances, staff should report and record any situation, which they feel, has potential to compromise the school or their own professional standing. All staff should equally report any behaviour, whether action or inaction by colleagues that raises concern.*

This Code of Conduct aims to establish the high standard of conduct expected of all employees. The Code also aims to safeguard children and reduce the risk of adults being falsely accused of improper or unprofessional conduct. This Code of Conduct should be read in conjunction with Part 1 of Keeping Children Safe in Education 2018, and all the relevant School policies.

## 2. Power and Positions of Trust

All adults are in positions of trust in relation to the pupils in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. Staff must not use that imbalance of power for personal advantage or gratification. Staff should avoid behaviour, which might be misinterpreted by others, and record and report the discussions and actions in any incident with this potential.

## 3. Confidentiality

Staff may have access to confidential information about pupils in order to undertake their everyday responsibilities, which may be highly sensitive or private in nature. Information must be kept in a manner consistent with the Trust Data Protection Policy and the law.

There are circumstances in which staff are expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated safeguarding responsibilities (the Headteacher, Deputy Headteacher, or in a case where the headteacher is suspected of abuse, the Chair of Governors).

*Staff should not respond to any questions about pupils, incidents or any matters concerning school life if approached by parents, friends or acquaintances and should refer them to the class teacher, team leader or Headteacher. 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 a senior member of staff.*

#### **4. Propriety and Behaviour**

Staff must not behave in a way that would lead any reasonable person to question their suitability to work with children, whether that conduct is in, or outside of work. An individual's behaviour in their personal lives must not compromise, or bring into disrepute, the School or Trust.

Criminal offences outside of work, particularly those that involve violence, the possession or use of illegal drugs or sexual misconduct are likely to be regarded as unacceptable and, subject to the Trust's disciplinary procedures, could lead to dismissal. Staff must inform their headteacher if they become subject to any criminal or social services investigation.

All members of the Trust's communities have the right to be treated with dignity and respect, and staff must ensure their own behaviour reflects and promotes these standards. Language used on school property (whether or not pupils are present) must meet professional standards. Use of foul language or swearing by staff is not appropriate in school or in public.

These principles apply both when working formally in school or when out of school for example on a school trip.

#### **5. Dress and Appearance**

Staff should consider the manner of dress and appearance appropriate to their professional role. Staff should dress decently, safely and appropriately for the tasks they undertake.

A standard of personal presentation which at least reflects the expectations demanded of students is required. Smart business dress, should be the norm, adapted where appropriate to specific circumstances, for example where staff undertake significant physical activity where formal dress may pose safety risks.

#### **6. Gifts**

Staff should be aware of the Trust's policy including arrangements for the declaration of gifts received and given. Staff must 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 children or parents wish to pass small tokens of appreciation to staff e.g. end of term/school year or as a thank-you and this is acceptable. If there is any doubt, gifts should be declared.

Any reward given to a pupil should only be in accordance with agreed practice within the school, consistent with the school's behaviour policy, recorded and not based on favouritism. Other gifts to pupils may be misinterpreted as an attempt to bribe or groom a child.

#### **7. Infatuations**

Even in a primary school setting staff need to be aware that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop a 'crush'. All situations should be responded to sensitively to maintain the dignity of all concerned.

A member of staff, who becomes aware that a pupil has developed a 'crush', must discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken, as in such circumstances words or actions risk being misinterpreted.

## 8. Personal Living Space and Social Contact

No child should be in or invited into, the home of an adult who works with them, unless the reason for this had been firmly established and agreed with the parents/carers and senior leaders, or the home has been officially designated by the organisation or regulatory body as a work place e.g childminders or foster carers.

Staff are required to maintain professional boundaries and must not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. Contact with parents must be kept to a professional basis. Parents should be addressed formally (Mr/Mrs/Ms Surname) and staff should encourage parents to do likewise to maintain the professional tone of the relationship. Parents wishing to discuss their child's needs will do so through an appointment with the class teacher or, in the case of urgent matters, the class teacher will be freed to meet the parent / carer.

Staff should not give their personal details such as home/mobile phone number; home or e-mail address to pupils or parents unless the need to do so is agreed with senior management.

## 9. Social networking

If using personal social media channels, staff should ensure that privacy settings are set at the highest level. This ensures that pupils and parents do not have access to staff personal data or images, including those of family, friends or other staff. Staff should not allow current or recent pupils to access their profile to avoid being put in a vulnerable position. Mention of school events, or pupils at the school are not appropriate.

Staff are advised that they leave themselves open to allegations of professional misconduct if inappropriate images are made available on a public profile by anyone, even if they date back to before the member of staff was employed at the school.

Where relationships or friendships exist between staff and those who are also parents at the School, social networking is acceptable, but caution must be exercised so that professional standards are maintained, and staff do not compromise themselves, the School or the Trust.

When engaged in online gaming, should staff become aware that they are in an online game with a pupil of the School, they should withdraw and make senior staff at the school aware of what has happened.

Children should not be chosen or accepted as 'friends' and contact with parents / carers should be appropriate.

Staff should inform senior leadership immediately if a pupil does gain access to your social media, or online gaming ID/profile by fraudulent means (impersonation or hacking)

## 10. Physical Contact

Physical contact with pupils and students should be avoided wherever possible. When physical contact with pupils is necessary, this should be appropriate given their age, stage of development, gender, ethnicity and background. Appropriate physical contact in schools may occur most often with younger pupils. *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.*

Necessary physical contact, including the circumstances described overleaf should be for the minimum time necessary to complete the activity and take place in an open environment (see section 14, one-to-one

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situations, below). Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

**a. Pupils in distress**

There may be occasions when a distressed pupil needs comfort and reassurance. This may include age - appropriate physical contact. Staff should remain self-aware at all times to ensure their contact is not threatening, intrusive or subject to misinterpretation.

**b. Physical Education and other activities which require physical contact**

Some staff such as those who teach PE and games, or provide music tuition will on occasions have to initiate physical contact with pupils in order to support them so they can perform a task safely, demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement.

**b. Showers and changing**

Children are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard 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 must avoid any physical contact when children are in a state of undress and avoid any visually intrusive behavior. Where there are changing rooms staff should announce their intention of entering and avoid remaining in the room unless pupil needs require it. Staff must not change in the same place as children.

**11. Behaviour Management**

All pupils have a right to be treated with respect and dignity. Corporal punishment in any form is unlawful. This includes direct physical contact or contact with any object whether held or thrown. Staff should not use any form of degrading treatment to punish a pupil. The use of humour can help to defuse a situation, but the use of sarcasm, belittling, embarrassing, demeaning or insensitive comments towards pupils is not acceptable in any situation, and may be considered to be emotional abuse.

**12. Care Control and Physical Intervention**

All aspects of this are dealt with in the school's procedure for physical restraint. Only trained staff should restrain pupils. Restraint may only be carried out in accordance with the school procedure.

**13. Sexual Contact with Children and Young People**

Sexual activity does not just involve physical contact, but may include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material. Where a person aged 18 or over is in a position of trust with a child under 18, it is a criminal 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.

Staff must not discuss their own sexual relationships with or in the presence of pupils. Staff must not discuss a pupil's sexual relationships in inappropriate settings or contexts or pursue sexual relationships with children either in or out of school. Staff should avoid any form of communication with a child or young

person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact.

#### **14. One to One Situations**

Staff working in one to one situations with pupils may be more vulnerable to allegations. Staff should ensure there is visual access and/or an open door in one-to-one situations. Staff should avoid the use of “engaged” signs when with pupils to avoid suggestions of secrecy or inappropriate conduct.

#### **15. Transporting Pupils**

In certain situations, e.g. out of School activities, staff or volunteers may agree to transport pupils. Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort. Staff should refer to the Trust’s Travel Policy (available on Tenax website) for more information.

#### **16. Educational Visits**

Staff should take particular care when supervising pupils in the less formal atmosphere of a residential setting or after school activity. 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. Staff must ensure their behaviour remains professional and appropriate.

#### **17. First Aid and the Administration of Medication**

The School has trained first-aiders/ appointed people. Staff should receive appropriate training before administering first aid or medication. First aid will be carried out as appropriate and must be non – invasive. In case of doubt of the severity of an injury a member of the Senior Leadership Team should be consulted and the parents will be called.

#### **18. Intimate Care**

All children have a right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A care plan should be drawn up and agreed with parents for all children who require intimate care on a regular basis.

#### **19. Photographic, Videos and Other Creative Arts**

Activities involving the recording of moving or still images may be undertaken as part of the curriculum, extra-School activities, for publicity, or to celebrate achievement. Staff should be sensitive to any pupils who appear uncomfortable and should recognise the potential for misinterpretation. Staff taking images must familiarise themselves with the consents for the use of images for each pupil involved in the activity. Where consent is not given, images must not be taken of the pupil.

Images should not be displayed on websites, in publications or in a public place without relevant consent. The definition of a public place includes areas where visitors to the School have access.

Images should only be taken and retained on School/Trust equipment, and must not be stored on personal cameras, devices or home computers. Images must not be shared other than through the School network/website, with the permission of parents/carers and Senior Leadership Team.

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## 20. Internet Use

The School has a clear policy about access to and the use of the Internet. Please refer to the School ICT/Internet Acceptable Use policy for further guidance.

Under no circumstances should adults in the School access inappropriate images. Accessing child pornography or indecent images of children on the internet and making, storing or disseminating such material is a criminal offence.

Staff must not use School equipment to access inappropriate or indecent material, including pornography of any sort.

## 21. Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Please refer to the Trust's Whistleblowing Policy.

Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of senior leadership, the Trust Board, and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

## 22. Contact with the Media

Only those employees with specific permission from the headteacher or the Trust may speak, write or give an interview or information to the media on school property or about any matter to do with pupils, the School or the Trust. Any question from a journalist about the School, the Trust or any pupil or employee must not be answered but referred to the Headteacher. Staff should be mindful that even seemingly "off-the-record" comments may be used and taken out of context.

## 23. Staff duty of loyalty to the school/Trust

It is implied in the employment contracts of all staff that there is a duty to maintain mutual trust and confidence, and a duty of fidelity on all staff, to be loyal to the organisation. Staff must be mindful of these duties in all interactions at or about school/Trust business.

### **Associated Documents/Further Reading:**

*Keeping Children Safe in Education 2021*  
*Tenax Whistleblowing Policy*  
*Tenax Data Protection Policy*  
*Tenax Disciplinary Policy*  
*Tenax Health and Safety Policy*  
*School Safeguarding Policy*  
*School Supporting Children with Medical Needs Policy*  
*Procedure for the Administration of Medicines*  
*Behaviour Policy*  
*Teacher Standards*  
*ICT and Internet Acceptable Use Policy*

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## 24. Low Level Concerns

Keeping Children Safe in Education September 2021 reminds us that “schools and colleges should ensure that they promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school or college (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.” (paragraph 407)

All concerns about adults should be shared responsibly with the right person, recorded and dealt with in the right way.

What is a low level concern?

Any behaviour or concern which is inconsistent with the staff code of conduct, including conduct outside of work. It may include –

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

How does it differ to an allegation?

An allegation is made about behaviour which indicates that an adult who works with children has:

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

A low level concern doesn't meet the threshold for an allegation but is a concern, no matter how small about behaviour that causes a sense of unease or nagging doubt about its appropriateness. Staff should report low level concerns to the Headteacher and/or Designated Safeguarding Lead, if the DSL is not the headteacher.

## 25. Managing Allegations Against Staff

Schools follow local area arrangements for the management of allegations against staff. Within Kent the arrangements are outlined [here](#) – and in East Sussex they are outlined [here](#).

Where headteachers are unsure how to respond, they will seek advice from the Local Authority Designated Officer in Kent or Human Resources should also be informed at the same time advice is sought from the LADO.

Kent guidance is here - [https://www.kscmp.org.uk/\\_data/assets/pdf\\_file/0017/111950/Managing-Allegations-Against-Staff-Practice-Guidance-Oct-2021.pdf](https://www.kscmp.org.uk/_data/assets/pdf_file/0017/111950/Managing-Allegations-Against-Staff-Practice-Guidance-Oct-2021.pdf)

East Sussex guidance is here –

<https://new.eastsussex.gov.uk/children-families/professional-resources/allegations/lado>