

Appendix 8



Staff Code of Conduct

Good Practice—for the safety of staff (including volunteers) and pupils

The following Policy should be read in conjunction with the Kimbolton School Safeguarding Policy and adheres to the content and requirements of the KCSIE September 2019 and the Guidance for Safer Working Practice for those working with children and young people in education settings, May 2019.

All employees, those under contractual arrangements, volunteers, members and others involved in the life of the School are required to abide by this Code of Conduct. This is to support the School in providing a welcoming and safe environment.

Staff should always act in the child's best interest

The welfare of the child is paramount and staff should work, and be seen to work, in an open and transparent way. Staff should avoid any conduct which could lead any reasonable person to question their motivation and intentions. The relationship between a person working with a child is one in which the adult has a position of power or influence. It is vital for adults to understand this power and that the relationship cannot be one between equals and the responsibility they must exercise as a consequence. Staff should, therefore, take accountability for their own actions and behaviour.

Behaviour management

Staff should try to avoid private or unobserved situations and encourage open communication with no secrets. Staff should not have favourites and generally only give gifts to a pupil as part of an agreed reward system. Where giving gifts other than as above, staff are to ensure that these are of insignificant value and given to all children equally. This means that staff should:

- ensure that all selection processes of pupils are fair and these are undertaken and agreed by more than one member of staff
- always approve any planned social contact with pupils or parents with senior colleagues
- inform senior management of any relationships with a parent where this extends beyond usual parent / professional relationship
- ensure that they do not behave in a manner which is either favourable or unfavourable to individual pupils
- inform senior management of any requests or arrangements where parents wish to use their services outside of the workplace.

Role model – Standards of Behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interest of the children. Staff should be aware that their behaviour either in or out of the workplace could compromise their position within the work settings. The Childcare (Disqualification) Regulations 2018 set out grounds for disqualifications under the Childcare Act 2006 where the person meets certain criteria set out in the regulations. Staff should be aware that they are a role model and will be observed by the pupils. Staff should not behave in a manner which would lead any reasonable person to question their suitability to work with children or act as a role model. 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 and does not distract, cause embarrassment or give rise to misunderstanding. 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 heterosexual or homosexual infatuation. All situations should be responded to sensitively to maintain the dignity of all concerned. Staff should also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. A member of staff, who becomes aware that a pupil may be infatuated with themselves or a colleague, should discuss this at the earliest opportunity with the DSL so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned. 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
- inform the Headmaster of any cautions, convictions or relevant orders accrued during their employment and 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.
- not use inappropriate language to, or in the presence of, pupils
- not discuss their personal or sexual relationships with, or in the presence of, pupils
- not make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such
- report any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff
- always maintain professional boundaries
- 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 lesson plans
- refer to the Safeguarding Policy and Prevent Duty Risk Assessment

This means that staff should wear clothing which:

- is not likely to be viewed as offensive, revealing, or sexually provocative
- does not distract, cause embarrassment or give rise to misunderstanding as noted previously and
- is absent of any political or otherwise contentious slogans
- is not considered to be discriminatory

This means that staff 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

Sexual conduct

Staff should be aware of the potential for misunderstanding when touching children. If contact is an accepted part of an activity, touching should be appropriate to the situation. Consoling a child who is upset should involve no more than a gentle hand on their arm. Administering first aid or supporting a participant in an activity is acceptable and necessary contact. Staff should endeavour to minimise any possible misinterpretation of their actions by asking the child if it is alright to touch them first and explain exactly what they are going to do and why.

This means that staff should:

- never touch a pupil in a way which may be considered indecent (with particular care to be taken in the genitalia region).
- always be prepared to explain actions and accept that all physical contact be open to scrutiny
- never indulge in horseplay or fun fights
- consider alternatives, where it is anticipated that a pupil might misinterpret or be uncomfortable with physical contact
- report and record situations which may give rise to concern
- report any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff
- be aware of cultural or religious views about touching and be sensitive to issues of gender
- not have any form of sexual contact with 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

Intimate/Personal Care

There may be rare occasions when a confidential interview or a one-to-one meeting is necessary and, in such circumstances, the interview should be conducted in a room with an open door or visual access. Where this is not possible, the member of staff should ensure that there is another adult nearby and that the DSL has been made aware of the situation. Any member of school staff may be asked to administer medication, if they are a qualified first aider. Arrangements for intimate and personal care should be agreed in a care plan, between school and parents and in some circumstances the pupil. This means that staff should:

- ensure that, wherever possible, there is visual access and/or an open door in one to one situations
- always consider the supervision needs of the pupils and only remain in the room where the pupil needs require this
- be vigilant in maintaining a pupil's privacy, including when living in on-site accommodation
- be mindful of the need to avoid placing themselves in vulnerable situations

- adhere to any personal care plans that have been agreed by parents and by a senior member of staff

This means that adults should not:

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

Physical contact / intervention or Reasonable force

In certain curriculum areas, such as PE, drama or music, staff may need to initiate some physical contact with the pupils. This should only take place when it is necessary and in a safe and open environment. If it is necessary to restrain a pupil because they are an immediate danger to themselves or others, or to property, then the minimum amount of force should be used for the shortest amount of time.

This means that staff should:

- treat pupils with dignity and respect and avoid contact with intimate parts of the body
- always explain to the pupil the reason for the contact and what form the contact will take
- not use force as a form of punishment
- try to defuse situations before they escalate e.g. by distraction
- avoid shouting at children other than as a warning in an emergency/safety situation

Confidentiality

Staff are expected to treat information they receive about children in a discreet and confidential manner. All staff are aware of the GDPR 2017 and Data Protection Act 2018. Staff should not use their position to gain access to information for their own advantage and/or a child's or family's detriment. Personal Data about pupils should not be stored on an unsecure memory stick.

Any media or legal enquiries should be passed immediately to the Headmaster. All tablets and phones with access to school files or emails should have a secure password.

This means that staff should:

- seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them
- be clear about when information can/must be shared and in what circumstances
- ensure that, where personal information is recorded using modern technologies, systems and devices are kept secure as per the School's Acceptable Use Policy
- only publish images of pupils where parents have given explicit written consent to do so, see AA for list of consents
- only take images where the pupil is happy for them to do so
- never take images of a child's injury following a disclosure of abuse even if requested by outside agencies
- never make audio recordings of a child's disclosure
- 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 the DSL 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 staff 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

Social contact out of workplace

Staff should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. Staff should not give their personal details (unless to a relation) such as home/mobile phone number; home or personal e-mail address to pupils unless the need to do so is agreed with senior management. Staff should not use social networking sites to contact current pupils or pupils who have left the School within the past two years. Staff are advised to set all networking sites to the Private Settings so pupils and parents cannot view personal details and photographs. Staff who are also parents of children at the School will inevitably have social contact with other pupils; this is obviously necessary and normal. Staff should be generally aware of any comments, photographs posted on social media sites and actions, even in their own home, which may be overheard or misconstrued. Internal email systems should only be used in accordance with School policy.

This means that staff should:

- advise the DSL of any regular social contact they have with a pupil which could give rise to concern
- not seek to communicate/make contact or respond to contact with pupils outside of the purposes of their work
- follow the School/setting's Acceptable Use Policy and E-Safety Policy
- ensure that their use of technologies will not bring the School into disrepute
- 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
- Agree the purpose of any home visit with their manager, with a risk assessment which should be adhered to. All details should be recorded including dates, and times of arrival and departure.

Former pupils

As indicated by the law, staff should not have a sexual relationship with an ex-pupil where the pupil was at the School for any time in the previous 2 years. Those pupils departing before the end of the U6th should not be in direct contact with staff until they are at least 20. Inevitably, there will be times when staff will meet ex-pupils in more informal circumstances and staff should conduct themselves with the same degree of care and integrity as they would with a pupil at the School. The relationship between a teacher and an ex-pupil is still one of a role model / mentor and will have developed as a result of contact with the pupil at School. If a member of staff is concerned about relationships with ex-pupils, they should discuss it with a senior manager for clarification and advice.

Transportation

If it is necessary to transport a child in your car, staff should (if possible) plan and agree arrangements with all parties in advance, responding sensitively and flexibly to disagreements. Staff should report the nature of the journey, the route and timings to a senior manager and ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety.

This means that staff should:

- adhere to the educational visits guidance
- undertake risk assessments
- have parental consent to the activity
- ensure that their behaviour remains professional at all times
- have an appropriate licence / permit for the vehicle
- ensure that they are fit to drive

Visitors

Visiting speakers and advisers are of great benefit to the pupils and the School. Adults visiting the School who will not come into contact with children, or who will be meeting pupils in large groups supervised by teachers, do not need extra child protection checks. However, for security reasons, their name and details of their visit should be passed to the relevant senior manager. Adults who are visiting the School on a short-term but regular basis, and who will have regular contact with the children, should be subject to the appropriate DBS checks. The member of staff responsible for overseeing these visitors is responsible for contacting the Bursary to put DBS checks in place and to notify the DSL about the nature and extent of the visits. All adult visitors should wear a visitor's badge to show they are known to be in School. They should register at the Bursary/Prep Reception.

This means that staff should:

- never leave a guest speaker alone with pupils
- intervene if the guest speaker is proselytising a message counter to the School's safeguarding procedure

Whistleblowing

A vital corollary of a safe environment for children is that adults, whether employed by the School or volunteers, and pupils themselves, should feel confident about expressing their concerns to others and, in particular, to senior leaders. Any concern made in good faith will be treated seriously, (where possible) confidentially, and the 'whistleblower' will be fully supported throughout.

Staff should be prepared to discuss the circumstances that informed their action, or their proposed action, with a senior colleague. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted. This means that staff should:

- report any behaviour by colleagues that raises concern
- report any allegations against staff and volunteers
- acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded
- 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)
- know how to contact the LADO if required

- take responsibility for recording any incident and passing on information where they have concerns.

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 the DSL of the justification for any such action already taken or proposed. (See also the Kimbolton School Whistleblowing Policy).

Reviewed: September 2019
Headmaster