



Staff Code of Conduct

The following Policy should be read in conjunction with the Kimbolton School *Safeguarding and Child Protection Policy* and adheres to the content and requirements of KCSIE September 2023 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 the Senior Leadership Team 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 the Senior Leadership Team 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. It will

be an annual requirement for Prep Staff and those at the Senior School who support the EYFS, e.g. sports coaches, to complete the Declaration form. 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 and Child Protection 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 2018 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's *Acceptable Use Policy - Staff and Online 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.
- report without delay any breaches of the School's Acceptable Use Policies and Agreements for staff and pupils, particularly in light of the recent KCSIE September 2023 changes around filtering and monitoring

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 Leader. They therefore need to be booked in via the online visitors' calendar. 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 Lanyard 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 (please also see the School's *Whistleblowing Policy*)

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.

Low-Level Concerns (please see appendix for the School's *Low-Level Concerns Policy*)

Staff Code of Conduct and safeguarding policies – KCSIE 2023 statutory requirements

431. As good practice governing bodies and proprietors should set out their Low-Level Concerns Policy within their Staff Code of Conduct and Safeguarding and Child Protection Policies as set out in Part two of this guidance. They should make it clear what a low-level concern is and the importance of sharing low-level concerns, and an explanation of what the purpose of the policy is – i.e., to create and embed a culture of openness, trust and transparency in which the school or college's values and expected behaviour set out in the Staff Code of Conduct are lived, monitored and reinforced constantly by all staff.

432. As set out in Part two of this guidance, the governing body or proprietor should ensure their Staff Code of Conduct, Behaviour Policies and Safeguarding Policies and procedures are implemented effectively and ensure that appropriate action is taken in a timely manner to safeguard children and facilitate a whole school or college approach to dealing with any concerns.

433. Schools and colleges can achieve the purpose of their Low-Level Concerns Policy by:

- *ensuring their staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others*
- *empowering staff to share any low-level safeguarding concerns*
- *addressing unprofessional behaviour and supporting the individual to correct it at an early stage*
- *handling and responding to such concerns sensitively and proportionately when they are raised, and*
- *helping identify any weakness in the school or colleges safeguarding system.*

Reviewed: September 2023

Headmaster

Appendix:



Low-Level Concerns Policy

This policy has been written alongside the School's *Staff Code of Conduct* and with guidance from *KCSIE 2023* and *Guidance for Safer Working Practice 2019*.

Safeguarding is central to the School's operations and its rigorous implementation is embedded in the School's culture. This includes sharing low level concerns. This policy enables all staff to share any concerns – no matter how seemingly insignificant – about their own, or another member of staff's, behaviour with the Headmaster or the Designated Safeguarding Lead (DSL). Safeguarding, and promoting the welfare of children, is everyone's responsibility and therefore the purpose of the policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour, which are set out in the *Staff Code of Conduct*, are constantly lived, monitored and reinforced by all staff.

It is important that low-level concerns are shared, as soon as reasonably possible and, in any event, within 24 hours of becoming aware of the concern (where the concern relates to a particular incident) – although it should also be emphasised that it is never too late to share a low-level concern. Any concerns should be shared with the DSL, or Headmaster (potentially Prep Headmaster if based at the Prep School) or if pertaining to a support member of staff with the Bursar (also a DSP) and Deputy Bursar. If the Headmaster and DSL are absent for any reason, low-level concerns should be shared with the Senior Deputy Headmaster (also a DSP) who should ensure that the DSL is informed as soon as is practically possible. Concerns will still be addressed of course in the absence of the Headmaster and DSL. If any low-level concern relates to the behaviour of the DSL, it should be shared with the Headmaster or the Safeguarding Governors.

What is a low-level concern?

The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that an adult working in or on behalf of the School may have acted in a way that:

- is inconsistent with the *Staff Code of Conduct*, including inappropriate conduct outside of work; and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children.
- having favourites.
- taking photographs of children on their mobile phone, contrary to school policy.
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or
- humiliating children.

Raising the concern:

If the staff member who raises the concern does not wish to be named, then we at Kimbolton School will respect that person's wishes as far as possible. However, we will try to encourage staff to consent to being named, as this will help to create a culture of openness and transparency.

Occasionally a member of staff may find themselves in a situation which could be misinterpreted, or might appear compromising to others. Equally, a member of staff may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the *Staff Code of Conduct*. Self-reporting in these circumstances can be positive for a number of reasons.

Staff will be given the option of sharing their low-level concern verbally with the Headmaster or DSL (or Senior Deputy Headmaster if necessary) in the first instance, or of providing them with a written summary. Where the low-level concern is provided verbally, the DSL (or Senior Deputy Headmaster), will make an appropriate record of the conversation.

Sound professional judgement will be exercised by the Headmaster and DSL in determining what information is necessary to record for safeguarding purposes. Once the low-level concern has been received, these senior staff will review the information and determine whether the behaviour:

- is entirely consistent with the organisation's *Staff Code of Conduct* and the law,
- constitutes a low-level concern,
- is serious enough to consider a referral to the LADO,
- or when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO/other relevant external agencies;

The information collected will categorise the type of behaviour and determine what further action may need to be taken. This information will be recorded electronically in a secure spread sheet, along with the rationale for the decisions and action taken. Where the DSL is in any doubt whatsoever, they should seek advice from the LADO.

If it is a low-level concern:

It will be responded to in a sensitive and proportionate way. Any investigation of low-level concerns should be done discreetly and on a need-to-know basis. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised.

If considered a serious concern:

If there is any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, the LADO will be consulted. If agreed it has met the threshold, it will be formally referred to the LADO, again on a need-to-know basis.

How are low-level concerns stored?

The Headmaster and DSL will retain all records of low-level concerns in a central and secure low-level concerns spread sheet. These records are kept confidential, with access afforded only to a limited number of individuals. The concerns which are documented and records kept are confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). Where multiple low-level concerns have been shared regarding the same individual these should be kept in chronological order as a running record, and with a timeline alongside. Records should be reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, the Headmaster and DSL will choose

a course of action, either through disciplinary policies or where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, in which case it will be referred to the LADO. If a low-level concern is deemed to be serious enough to consider a referral to the LADO and, perhaps following consultation, a referral is made to them, then records relating to the low-level concern will be placed and retained on the staff member's personnel file.

Reviewed: September 2023

Headmaster