



# Ashleigh Primary School

# Code of Conduct Policy

Reviewed: September 2022

Staff: September 2022

Approved by Governors: \_\_\_\_\_

Review date: September 2023



### **British Values**

Through its curriculum, extra-curricular activities, teaching and learning this school will promote British values. By doing so, we will ensure that all learners understand the values that have traditionally underpinned British society. The teaching of these values will promote cohesiveness within our school and community. We will prepare pupils for life in England where the population has an increasingly rich diversity of backgrounds, origins, beliefs and cultures by promoting the values on which our society has been built. By teaching pupils these values we will help all to become good citizens of the United Kingdom of Great Britain and Northern Ireland.

### **Race Equality and Racial Harassment**

Implicit in all our policies is a belief in race equality and everything will be done to promote this. We do not tolerate racial harassment. (Refer to School's Race Equality and Racial Harassment Policies).

## **Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings**

*Produced by:*

The National Network of Investigation and Referral Support Co-ordinators

Edited by **Ashleigh Primary School**

This policy should be read in conjunction with the 'Child Protection and Safeguarding Policy 2022' and 'Staff Handbook 2022'

### **Definitions**

Throughout this document <sup>1</sup>references are made to "children", "young people" and "pupils". These terms are interchangeable.

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References to "staff" or "adults" include teachers, other staff/governors, and volunteers, working in or on behalf of a Local Education Authority, a school, an FE institution or other education setting, in either a paid or unpaid capacity.

The term "allegation" means any information that suggests an adult has caused or may cause hurt or harm to a child or young person.

## **Overview**

The vast majority of adults who work with children in education settings act professionally. They seek to provide a safe and supportive environment, which secures the well-being and very best outcomes for children and young people in their care. It is recognised that achieving these aims is not always straightforward. Much relies on pupil and staff interactions where tensions and misunderstandings can occur. It is here that staff behaviours can give rise to allegations being made against them. Allegations may be genuine, malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

Staff working in education settings have expressed concern about their vulnerability and have requested clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. They have asked for practical guidance about which behaviours constitute safe practice and which behaviours should be avoided.

This document has been produced in response to these concerns. It seeks to ensure that the duty of care towards pupils and staff is promoted by raising awareness of illegal, unsafe and unwise behaviour. It is hoped that it will also assist staff to monitor their own standards and practice.

The guidance will also support employers in giving a clear message that unlawful or unsafe behaviour will not be tolerated and that where appropriate, legal or disciplinary action is likely to follow.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that any such guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by their employer. It is expected that in these circumstances staff will always advise their senior colleagues of the justification for any such action already taken or proposed.



## Underpinning Principles

- The welfare of the child is paramount (Children Act 1989).
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work, and be seen to work in an open and transparent way.
- 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.
- Records should be made of any such incident and of decisions made/further actions agreed, in accordance with school policy for keeping and maintaining records.
- Staff should apply the same professional standards regardless of gender or sexuality.
- All staff should know the name of their designated person for child protection (Ian Matthews), be familiar with local child protection arrangements and understand their responsibilities to safeguard and protect children and young people.
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

These guidelines apply to **all** adults working in school whatever their position, roles, or responsibilities.

### 1. Duty of Care

*Adults 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.*



## **2. Exercise of Professional Judgement**

Where no specific guidance exists staff should:

- *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*
- *always discuss any misunderstanding, accidents or threats with a senior manager*
- *always record discussions and actions taken with their justifications.*

## **3. Power and Positions of Trust**

Adults should not:

- *use their position to gain access to information for their own advantage and/or a child's or family's detriment*
- *use their power to intimidate, threaten, coerce or undermine pupils*
- *use their status and standing to form or promote relationships with children, which are of a sexual nature.*

## **4. Confidentiality**

Staff:

- *are expected to treat information they receive about children and young people in a discreet and confidential manner.*
- *in any doubt about sharing information they hold or which has been requested of them should seek advice from a senior member of staff*
- *need to be cautious when passing information to others about a child/young person.*

## **5. Propriety and Behaviour**

Adults 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.*
- *make sexual remarks to a pupil (including email, chat room, app, text messages, phone or letter)*
- *discuss their own sexual relationships with, or in the presence of, pupils*
- *discuss a pupil's sexual relationships in inappropriate settings or contexts*
- *make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such.*



## **6. Dress and Appearance**

*Adults 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*
- *does not distract, cause embarrassment or give rise to misunderstanding*
- *is absent of any political or otherwise contentious slogans*
- *is not considered to be discriminatory.*

## **7. Gifts**

*Staff should:*

- *ensure that gifts received or given, in situations which may be misconstrued, are declared to a senior member of staff immediately*
- *avoid giving gifts to children or families whereby their motives may be questioned*
- *generally, only give gifts to an individual young person as part of an agreed reward system*
- *where giving gifts other than as above, ensure that these are of insignificant value and given to all children/families equally.*

## **8. Infatuations**

Adults should report any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff.

## **9. Social Contact**

*Adults 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*
- *always approve any planned social contact with senior colleagues, for example when it is part of a reward scheme or pastoral care programme*
- *advise senior management of any regular social contact they have with a pupil which may give rise to concern*
- *report and record any situation, which they feel, might compromise the school or their own professional standing.*

## **10. Physical Contact**

*Adults 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 be prepared to explain actions and accept that all physical contact be open to scrutiny*
- *never indulge in horseplay, tickling or fun fights.*
- *always explain to a pupil the reason why contact is necessary and what form that contact will take.*

*The school:*

- *has a system in place for recording serious incidents and the means by which information about incidents and outcomes can be easily accessed by senior management. (CPOMS)*
- *provides staff, on a "need to know" basis, with relevant information about vulnerable pupils in their care.*

### **11. Physical Education and other activities which require physical contact.**

*All adults should:*

- *Explain the reason why contact is necessary and what form the contact will take in order to support a child so they can perform a task safely, to 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.*
- *Ensure that contact under these circumstances is for the minimum time necessary to complete the activity and take place in an open environment Remain sensitive to any discomfort expressed verbally or non-verbally by the child.*
- *consider alternatives, where it is anticipated that a pupil might misinterpret any such contact, perhaps involving another member of staff, or a less vulnerable pupil in the demonstration.*

### **12. Toilets, Showers and Changing.**

*All adults should:*

- *avoid entering toilet cubicles when accompanying children to the toilet.*
- *avoid any physical contact when children are in a state of undress.*
- *avoid any visually intrusive behaviour and where there are changing rooms.*
- *announce their intention of entering.*
- *avoid remaining in the room unless pupil needs require it*

### **13. Pupils in Distress**

*Adults should:*

- *consider the way in which they offer comfort to a distressed pupil*
- *always tell a colleague when and how they offered comfort to a distressed child*
- *record situations which may give rise to concern.*



## **14. Behaviour Management**

*Adults should:*

- *not use force as a form of punishment*
- *try to defuse situations before they escalate*
- *keep parents informed of any sanctions*
- *adhere to the school's behaviour management policy.*

## **15. Sexual Contact with Young People**

*Adults should:*

- *not pursue sexual relationships with children and young people either in or out of school*
- *avoid any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative ie verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact.*

## **16. One to One Situations**

*Adults should:*

- *avoid meetings with pupils in remote, secluded areas of school*
- *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 use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy*
- *always report any situation where a child becomes distressed or angry to a senior colleague*
- *consider the needs and circumstances of the child/children involved.*

## **17. Transporting Children**

*Adults should:*

- *plan and agree arrangements with all parties in advance, responding sensitively and flexibly to disagreements*
- *ensure that they are alone with a child for the minimum time possible*
- *be aware that the safety and welfare of the child is their responsibility until this is safely passed over to a parent/carer*
- *report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures*
- *ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety*



## **18. After School Clubs etc.**

*Adults should:*

- *always have another adult present in out of school activities, unless otherwise agreed with senior staff in school*
- *undertake a risk assessment*
- *have parental consent to the activity*
- *ensure that their behaviour remains professional at all times.*

## **19. First Aid and Administration of Medication**

*Adults should:*

- *adhere to the school policy*
- *make other staff aware of the task being undertaken*
- *explain to the child what is happening.*

## **20. 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).

All adults should:

- make other staff aware of the task being undertaken.
- explain to the child what is happening.
- consult with colleagues where any variation from agreed procedure/care plan is necessary.
- record the justification for any variations to the agreed procedure/care plan and share this information with parents

## **21. Whistleblowing**

*Adults should report any behaviour by colleagues that raises concern.*

*See Whistle Blowing Policy 2021*

## **22. Curriculum**

*All adults should:*

- *have clear written lesson plans.*
- *ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.*



- *not enter into or encourage inappropriate or offensive discussion about sexual activity.*

### **23. Photography, Videos and other Creative Arts**

*All adults should:*

- *be clear about the purpose of the activity and about what will happen to the photographs/recording when the lesson/activity is concluded.*
- *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*
- *avoid making images in one to one situations.*
- *not take, display or distribute images of children unless they have consent to do so.*

### **24. Internet Use**

*All adults should:*

- *follow the school policy on the use of IT equipment and social media policy.*

### **25. Sharing Concerns and Recording Incidents**

*Adults:*

- *should be familiar with their school/service system for recording concerns (CPOMS)*
- *should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the school or workplace.*

### **26. Libel/defamation**

*If an employee publishes either an untrue/defamatory statement or comment about another employee in school, or indeed about the school itself, which is deemed to be damaging to the reputation of either the individual or the school, then the individual or the school may choose to take legal action.*

### **27. Obscene material**

*Employees should never publish anything that is classed as obscene - this would be deemed to be a criminal offence. Obscene material is that which is designed to deprave or corrupt the audience. For the purpose of this policy 'obscene material' is that which will cause extreme offence to the school as a whole, its pupils or employees.*

### **28. Offensive material**

*Employees should never publish anything that is classed as offensive. 'Offensive', for the purpose of this policy, is material which is defamatory, racist or discriminatory on the*



*grounds of religion, disability, gender or sexual orientation or alternatively which is designed, or is likely to, harass, victimise or bully, cause pain or distress to other employees, pupils or the school as a whole.*

## **29. Online bullying and harassment**

*Social media can have potential dangers and drawbacks as both adults and children have found themselves the target of online abuse, harassment and bullying which is often referred to as 'cyber bullying' which includes:*

- Name calling*
- Malicious comments*
- Exclusion*
- Intimidation*
- Spreading of rumours*
- Bombarding with unwanted messages*

*Cyber bullying can have a significant impact on health and wellbeing and will not be tolerated.*

*Should any employee feel they have been a victim of cyber bullying this should be reported to the Headteacher in the first instance.*

## **30. Mobile Phones**

***Mobile phones must not be used for private or personal use during lessons or in formal school time. They should be switched off (or set to silent) at all times.***

- Use of mobile phones by staff during working hours for social networking activity (other than in accordance with curriculum use) is strictly prohibited.*
- Mobile phones are not permitted to be used in certain designated areas within the school premises such as changing rooms and toilets.*
- Staff members are not permitted to use their own mobile phones for contacting children or their families in a professional capacity (either on or off duty) other than in an emergency.*

*The use of mobile phones by staff for the purpose of making or receiving personal calls and/or texts, tweets etc during the working day is discouraged for the following reasons:*

- It does not set a professional and positive example to pupils and parents*
- It is disruptive and interrupts lessons*
- It is often discourteous to colleagues (eg during meetings)*
- It is a misuse of the school's time and has potential to impact adversely on the children's learning*



### **31. Policies**

*All members of the school community must comply with school policies and procedures without exception.*

**The following is taken from the GTC Code of Conduct 2004.**

#### **Notes on the Code of Conduct and Practice**

In determining unacceptable professional conduct or serious professional incompetence, hearing committees will make decisions in relation to the facts of the case and by taking into account the provisions of the Code. Instances of unacceptable professional conduct and serious professional incompetence have included the following.

#### **Unacceptable professional conduct**

##### *Paragraph 1: Demeaning or discriminatory behaviour*

- Swearing at pupils and calling them by offensive names
- Making a racist remark to pupils.

##### *Paragraph 2: Reasonable care*

- Endangering pupils through instructing them to undertake inappropriate manual handling
- Failing to safeguard the health and safety of pupils by not taking reasonable steps to ensure they remained on school premises
- Intimidating a child with special educational needs.

##### *Paragraph 3: Co-operation and collaboration*

- Acting to the detriment of newly qualified and junior teachers
- Deliberately undermining the authority of the head teacher and staff colleagues.

##### *Paragraph 4: Confidentiality*

- Sending a letter to parents of children in a class, which was in breach of the school's policy and guidelines with regard to communications with parents and children
  - misrepresented a confidential discussion between the teacher and the head teacher
  - invited an involvement of parents in defence of a refusal to undertake contractual obligations.



*Paragraph 5: Examination and assessment arrangements*

- Altering, adding to or completing scripts for SATs
- Persistent failure to co-operate with arrangements for furthering the educational progress of pupils with special educational needs, including by the submission of Annual Review documentation
- Providing unauthorised photocopies of forthcoming examination papers to students at a private tutorial college.

*Paragraph 6: Standards of honesty and integrity*

- Failure to comply with school and LA financial and accounting procedures
- Misrepresenting the true state of school trip funds
- Theft of school property
- Submission of false mileage expenses
- Using school administrative staff and facilities for private interests
- Using school equipment to view pornography.

*Paragraph 7: Professional position*

- False claims to possess qualifications
- Falsifying a reference for a teaching post
- Misrepresenting the pattern of past employment on a teaching application form.

*Paragraph 8: Bringing the profession into serious disrepute*

Conduct in this category would include behaviour which was seriously detrimental to the standing.

**All adults working in school should know that the named member of staff for Child Protection is Mr. Matthews, if Mr. Matthews is unavailable Mrs Harty is the Deputy Designated Person and you should refer any child protection concerns to her, using the CPOMS system.**

**All staff have a duty to report any child protection concerns to a designated person for child protection.**

**Chair of Governors:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Headteacher:** \_\_\_\_\_ **Date:** \_\_\_\_\_