Learning Accord Multi Academy Trust

Code of Conduct and Practice Policy

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1. Introduction

1.1 This code sets out the minimum standards of conduct that members of staff will be expected to observe, both in carrying out their contracted duties **and** when they are representing the academy in any capacity.

1.2 Elements of this code are adapted from the document 'Guidance for safer working practice for those working with children and young people in education settings', published by the Safer Recruitment Consortium, with additional reference being made to DfE guidance on 'Use of reasonable force' (in schools) and government publications on 'Working together to safeguard children' and 'Keeping Children Safe in Education' (KCSIE).

1.3 Adherence to the code is designed to protect staff and to lessen the likelihood of actions carried out in the course of their employment being subject to challenge.

1.4 If staff members are in any doubt about anything contained within this code and/or are concerned about anything relating to their personal position, they should speak to their line manager immediately.

2. Purpose and scope

2.1 This policy is designed to inform staff in relation to the conduct expected of them in relation both to their personal activities (in matters such as probity and conflicts of interest) and their interactions with children, in order that all parties might be safeguarded against placing themselves in situations which might potentially lead to concerns being expressed about their behaviour or motivation.

2.2 This policy applies to all employed staff as well as to governors, trainees, external contractors, volunteers and other individuals who work for, or provide services on behalf of, the academy. Throughout this policy these individuals may collectively be referred to as either 'staff members' or 'members of staff'.

2.3 The policy aims to ensure that confidence in the integrity of our members of staff and other parties associated with the academy is sustained on an ongoing basis.

2.4 All adults working with children must understand that the nature of their work (and the additional responsibilities related to this) necessarily places them in a position of trust.

2.5 The following guidance (along with the academy's related policies as detailed in the final section of this policy) aims to:

- safeguard children by clarifying which behaviours constitute safe practice and which behaviours are unsafe and should be avoided
- assist adults working with children to work safely and responsibly and to monitor their own standards and practice
- support managers and employers in setting clear expectations of behaviour
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken in relation to such practice
- support safer recruitment practice

- minimise the risk of misplaced or malicious allegations made against adults who work with children and young people
- reduce the incidence of positions of trust being abused or misused.

2.6 Whilst every attempt has been made to cover a wide range of situations, it is recognised that any such guidance cannot cover all eventualities. It is expected that staff will always endeavour to advise senior colleagues, at the earliest opportunity, of the justification for any action proposed (or already taken) where such action might potentially be interpreted (or misinterpreted) as having implications for safeguarding or safe working practice.

2.7 The following points may be considered the overarching principles of this code:

- the welfare of the child is paramount (Children Act 2004)
- 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 and should record relevant incidents and actions in accordance with academy policies and procedures
- staff should consistently apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and/or sexuality
- staff should continually monitor and review their practice and ensure they follow appropriate policies and procedures
- staff should be aware that breaches of the law and professional guidance could result in disciplinary and/or criminal action being invoked, and/or other proceedings, including being barred from working in 'regulated activity' by the Disclosure and Barring Service (DBS) and/or being prohibited from teaching by the Teaching Regulation Agency (TRA).

2.8 All staff should be familiar with local child protection arrangements and should understand their responsibilities to safeguard and protect children and young people. In this context, all staff should know the name of their designated person for child protection (the Designated Safeguarding Lead or DSL) (and the name of any deputy DSL) and should be aware of, and suitably familiar with, systems within their organisation which support safeguarding. These systems should be explained to them in regular staff briefings.

2.8 Breach of this code will be viewed as a serious disciplinary matter. All staff members are expected to be familiar with the content of this policy and ignorance of the guidelines contained therein will not be regarded as a valid excuse.

3. Definitions

3.1 Throughout this code reference may be made to 'child', 'children', 'young people', 'pupil(s)' or 'student(s)'. These terms are effectively interchangeable, and all refer to individuals under the age of 18 years. However, the principles of this document apply to professional behaviours towards all students, and this includes those students over the age of 18 years.

3.2 References to 'staff' or 'adults' include teachers, other employed staff, trainees, governors, volunteers, and anyone working in or on behalf of the academy, in either a paid or unpaid capacity.

3.3 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; or
- possibly committed a criminal offence either against, or related to, a child; or
- behaved towards a child in a way that indicates they may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.*

**The reason for the fourth bullet point (added to KCSIE some years ago) is transferrable risk. If a member of staff is involved in an incident away from work which (even if no children were involved) is assessed to have an impact on their suitability to work with children (for example, domestic violence) schools require to consider what triggered these actions and whether a child in school could potentially trigger the same reaction, thus representing a child being put at risk.*

4. Standards

4.1 Staff members are expected to give the highest possible standard of service to our school community (including members of the public).

4.2 In performing their duties, staff members must always act with integrity, honesty, objectivity and without bias. Should they have any reason to believe that their role may involve a potential conflict of interest this must be declared before an issue arises in practice.

4.3 In the event of any staff member being arrested, cautioned or charged by police in relation to any criminal matter, or convicted by a court of any criminal offence, they must immediately inform the headteacher (or, if the headteacher is the staff member concerned, the chair of governors).

4.4 Staff must never, whilst on duty, consume or be under the influence of alcohol.

4.5 Similarly, staff should never, whilst on duty, consume or be under the influence of any substance (including prescribed medication) which might affect their ability to care for children. Staff should seek appropriate guidance from a health professional if they are taking medication which may affect them in such a way and must inform their line manager in the event of such a situation arising.

4.6 Employees have a responsibility to behave in ways which support a non-hostile working environment for themselves and their colleagues. They should be prepared to challenge inappropriate behaviour and, where necessary, take appropriate action should they observe (or have other evidence of) harassment, either of themselves or of a third party, by reporting such behaviour to senior management.

4.7 Staff members are expected to bring to the attention of their immediate supervisor, through agreed procedures (and without fear of recrimination, retribution, or repercussion), any impropriety or breach of procedure.

4.8 If, for any reason, staff members do not feel it appropriate to express their concerns to their immediate supervisor, they should bring the matter to the attention of a more senior manager including, as and when appropriate, the headteacher (or chair of governors if the concern relates to the headteacher) or (for safeguarding concerns) the academy's Designated Safeguarding Lead.

4.9 If staff members do not feel it appropriate, because of the circumstances, to bring the matter to the attention of any person in authority at the academy they should refer to the

Whistleblowing Policy which details other bodies who may be contacted should the situation fall within the scope of that policy.

5. Politics and religion

5.1 Staff members must not allow their own personal or political opinions to interfere with their work and must not be involved in advising any political group in their capacity as an employee or representative of the academy.

5.2 Staff members must not allow any religious beliefs to interfere with their delivery of the school curriculum, nor must they take advantage of their position in the academy to allow such beliefs to unduly influence, in a manner inconsistent with the ethos of the academy, pupils in our care and/or other members of staff, whether such influence is exerted within the academy or within the wider community.

6. Use of financial resources

6.1 Staff members must ensure that they use public funds entrusted to them in a responsible and lawful manner, and in accordance with the financial regulations of the academy and the Education and Skills Funding Agency and all other relevant policies and legislation.

7. Examinations and malpractice

7.1 Malpractice is deemed to be an action or practice which threatens the integrity of public examinations, and/or damages the authority of those responsible for conducting them.

7.2 Staff must always follow the administrative regulations imposed by the examination board or awarding body in addition to any additional academy protocols which may be in place. Failure to do so is likely to constitute malpractice.

7.3 The following (although the list is not exhaustive and other instances of malpractice may be considered and acted upon) are examples of malpractice:

- altering the time or date of a fixed examination (beyond that permitted by the regulations) without notifying the relevant awarding body
- failing to keep examination papers secure prior to the examination
- obtaining unauthorised access to examination material prior to or during an examination
- assisting candidates in the production of coursework (beyond that permitted)
- assisting candidates with direct reference to assessment content/scenarios during an assessment window (beyond that permitted)
- allowing candidates unsupervised access to coursework exemplar material, whether this is the work of former students or that provided by the awarding body
- failing to keep student computer files secure
- assisting or prompting candidates with the production of answers.

7.4 If any staff member is suspicious that malpractice may have taken place, or is about to take place, this should be reported immediately to a member of the senior leadership team.

8. Outside commitments

8.1 Staff members who are directly employed by the academy (regardless of their post and irrespective of whether this is whole or part-time, permanent, temporary etc) must seek the permission of the headteacher and make a written declaration to them (an oral declaration is not sufficient) before engaging in any other work or business which might relate in any way to their duties within the academy or which might constitute a conflict of interest with their current post. This includes both paid and unpaid work and will include ad hoc work as well as regular employment.

8.2 If staff members are permitted (as above) to engage in any other business, or to take up any additional employment, they must not, in school time, undertake any work in connection with their external business or employment.

8.3 If staff members are permitted (as above) to engage in any other business or take up any additional employment, they must not make use of any academy facilities, such as premises or computers (including all related IT hardware and/or software), in connection with their external business or employment.

8.4 If staff members have any doubt in relation to interpretation of the above clauses, they should make a declaration to the headteacher so that a judgement can be made.

9. Fee earning

9.1 Publishing or lecturing and/or interview fees, book royalties or earnings arising from what might be considered normal duties carried out for, or on behalf of, the academy are dealt with as follows:

9.1.1 If the publication is prepared and written or the lecture is prepared and delivered in working time, the lecturing or publication fee is to be paid to the academy (as employer).

9.1.2 If the publication or lecture is either prepared or delivered in working time the employee receives half the fee and the academy (as employer) the other half.

9.1.3 If the employee prepares and delivers the work during their holiday periods, they may keep the fee (but they must be able to demonstrate that the preparation was not done during working time).

9.2 However, where the employee is representing the view of the academy or speaking on issues directly related to their work, the whole fee is to be paid to the academy.

10. Personal interests

10.1 The off-duty hours of staff members are their own personal concern. However, staff members must not put themselves in a position where there is a conflict between their job and their personal interests.

10.2 Staff members must declare in writing any financial or non-financial interests that could in any way be considered to bring about conflict with the academy's interests. If staff members are in any doubt regarding a possible conflict of interest the appropriate course of action is to make a declaration to the headteacher so that an independent judgement can be made.

10.3 Staff members are similarly required to disclose any personal interest that may conflict with the academy's interests, such as involvement with a group or organisation which may seek to influence the academy's policies.

10.4 It may also be appropriate to acknowledge that, in certain circumstances, personal relationships between members of staff within the academy may, on occasion, progress beyond that of a working relationship. Whilst it is understood that this can sometimes be advantageous to the academy, in that personal connections will promote working effectively as a team, such relationships could conceivably lead to a conflict of interest or (perhaps more often) to third parties perceiving that such a conflict exists, and this perception is more likely where there is (in terms of the status of their respective roles) an imbalance of power between the individuals involved.

10.5 Staff should therefore be conscious of the potential for such a perception to have arisen, and should, if in any doubt, ensure that their line manager is aware of any personal relationship which may fall into the above category. This recommendation is in place not to prohibit personal relationships at work, but to provide guidance to manage (actual or perceived) conflicts of interest, the intention being to protect the integrity of colleagues by encouraging them to recognise, and bring to the attention of management, any situation which could conceivably be interpreted as potentially giving rise to concern in relation to the possible misuse of power or application of bias in the performance of an employee's duties.

11. Appointment and other employment matters

11.1 Staff members must not be involved in the appointment of another individual who is a relative, partner or friend. Neither must a staff member be involved in any decisions relating to the discipline, promotion, remuneration or terms and conditions of another employee who is a relative, partner or friend.

11.2 If staff members are responsible for appointing employees, they should comply with the academy's Recruitment Policy and must ensure that decisions are based solely on merit and the applicant's ability to carry out the role. Similarly, staff members must not canvass on behalf of any applicant.

12. Sponsorship

12.1 When an external organisation wishes to sponsor, or is being asked to sponsor, a school activity, the basic conventions concerning the acceptance of gifts and hospitality apply.

12.2 Where the academy, through sponsorship or other means, gives support in the community, staff members should ensure that impartiality is observed and that there is no conflict of interest.

13. Relationships with external contractors

13.1 Staff members must declare in writing to the headteacher any relationships of a business or private nature with any external organisation that has, or may intend to have, a business relationship with the academy.

13.2 Orders and contracts must be awarded on merit and no special favour should be accorded to any business, particularly one in which staff members have a pecuniary

interest. If staff members have such an interest, they must not be involved in any way in the awarding of a contract for provision of goods or services.

13.3 Similarly, staff members must not canvass on behalf of any external organisation or business that has (or may intend to have) a relationship with the academy.

13.4 Staff members must make a declaration in writing to the headteacher if they become aware that the academy is considering entering into a contract with an organisation or business in which they have a direct interest.

13.5 If staff members engage, supervise, or work with contractors with whom they have, or have previously had, some form of relationship or connection in a private, social, domestic or professional capacity, they must declare that relationship or connection to the headteacher.

14. News media

14.1 Staff members must not deal directly with news media unless required to do so as part of their duties, or alternatively have been given express authority to do so by the headteacher (or an appropriate manager).

15. Gifts and hospitality

15.1 It is a serious criminal offence for any staff member, in their official capacity as a public servant, to receive corruptly, or to give corruptly, any gift, loan, fee, reward, or advantage for acts of commission or omission or to show favour or disfavour corruptly to any person. In the event of an allegation of this nature being made it is for staff members to demonstrate that any such rewards have not been obtained (or given) corruptly.

15.2 There may be occasions where pupils or parents wish to pass small tokens of appreciation to staff members (for example as a gesture of thanks at the end of an academic term or year) and this is acceptable. However, it is not acceptable to receive gifts of any significant value, or to receive gifts on a regular basis.

15.3 Staff members must not, either directly or indirectly, accept from a pupil (or from a parent or carer) any gift, reward or benefit other than small gifts which are of modest value.

15.4 Similarly, staff members must not, either directly or indirectly, accept such gifts from any group or organisation with whom they are brought into contact by reason of their duties (gifts in this category normally being limited either to items of a promotional or advertising nature or to mementos offered during official authorised hospitality, such as on the conclusion of any courtesy visit). Where appropriate, such gifts shall be shared between staff members.

15.5 Staff members should always exercise discretion both in offering and accepting gifts and/or hospitality. When considering offers of hospitality staff members should consider whether:

- the invitation comes from an organisation likely to benefit from the connection with the academy
- the organisation is seeking (or has already been awarded) a contract with the academy
- the hospitality is being offered on a frequent basis

- the hospitality is being offered solely to the staff member concerned or to others as well
- the hospitality is purely a social or sporting event as opposed to an event which the staff member is attending in an official capacity
- the scale and location of the hospitality is proportionate to the event
- the event takes place outside of normal working hours
- the business element of the hospitality is genuinely instructive or whether the hospitality constitutes more of a social function.

15.6 In all instances where staff members wish to accept hospitality, they must, in advance, seek approval in writing from the headteacher, except either where the hospitality is limited to that of a minimum common courtesy, or where that hospitality forms an integral part of a conference or seminar and is being offered to all the delegates.

15.7 Staff members should bear in mind how accepting gifts and/or hospitality might affect their relationship with the party offering it (and vice versa) as well as how it might be viewed by colleagues and/or other potential suppliers/contractors, and by the public. Accordingly, any gifts and/or hospitality other than as described above must be declined (or returned).

15.8 Staff members should handle the refusal of gifts or (offers of) hospitality with tact and courtesy: the intentions of those offering gifts or hospitality are seldom corrupt but simply inappropriate to professional relationships in the public sector.

15.9 All offers of gifts (including inducements such as air miles, trading discounts, vouchers etc) or hospitality over the value of £10 must be declared (including those that have been declined) and recorded in an appropriate register.

15.10 On occasion, children, young people or parents may wish to pass small tokens of appreciation to adults as a gesture of recognition and thanks. Whilst this is acceptable, any gift over £10 in value should similarly be declared.

16. Promoting equality of opportunity and diversity

16.1 In line with the academy's Equality Policy all members of staff are expected to work to eliminate discrimination, promote equality of opportunity and encourage good relations.

16.2 All members of the community should be treated with respect and every staff member should endeavour to provide a service of high quality appropriate to their respective role.

17. Duty of care

17.1 Teachers and other staff are accountable for the way in which they exercise authority, manage risk, use resources, and protect pupils from discrimination and avoidable harm.

17.2 All staff, whether employees or volunteers, have a duty to keep young people safe and to protect them from neglect, abuse (whether sexual, physical, or emotional) and harm while treating them with respect and dignity.

17.3 This duty is in part exercised through the development of respectful, caring and professional relationships between staff and pupils and by behaviour from staff that demonstrates integrity, maturity and good judgement in accordance with KCSIE and ‘Working together to safeguard children’.

17.4 Employers have a duty of care towards their employees, under the Health and Safety at Work Act 1974, which requires them to provide both a safe working environment for staff and guidance about safe working practices. This act also imposes a duty on employees to take care of themselves and of anyone else who may be affected by their actions or failings.

17.5 In this respect, the duty of care towards both staff and children can be demonstrated through adherence to these guidelines. An employer's duty of care and the staff duty of care towards children should not conflict.

17.6 There should be a culture of openness and support ensuring that systems are in place for concerns to be raised. Neither adults nor children should ever be put in a situation which renders them vulnerable.

17.7 This means that adults should:

- take responsibility for their own actions and behaviour
- understand the responsibilities which form part of their employment or role, and be aware that sanctions will be applied if these principles are breached
- always act, and be seen to be acting, in the child's best interests
- avoid conduct which would lead any reasonable person to question their motivation and/or intentions.

18. Making a professional judgement

18.1 Individuals are expected to make judgements about their behaviour to secure the best interests and welfare of the children in their charge. In following this principle, they will be seen to be acting reasonably.

18.2 This means that where no specific guidance exists staff should always:

- discuss with a senior colleague (and/or the academy's DSL) the circumstances that informed their action or proposed action
- discuss with a senior colleague (and/or the academy's DSL) any misunderstanding, accident or threat
- record such discussions and actions taken along with the justification for the latter
- record any areas of disagreement and if relevant refer to another agency (such as the local authority or the appropriate regulatory body).

18.3 This will help to ensure that safest practices are employed and will reduce the likelihood of actions being misinterpreted.

19. Power and positions of trust

19.1 As a result of their knowledge and status (in addition to the authority invested in their role) all adults working with children and young people in education settings are in positions of trust in relation to all pupils on roll.

19.2 A relationship between a member of staff and a pupil can never be a relationship between equals. Such a relationship always carries inherent potential for exploitation and harm of

vulnerable young people and, accordingly, staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

19.3 Wherever possible, staff should avoid behaviour which is capable of misinterpretation by others and should both record and report any incident with this potential.

19.4 Where a person aged 18 or over is in a position of trust with a child under 18 it is, under the Sexual Offences Act 2003, 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 to watch, sexual activity.

19.5 This means that adults should not:

- use their position to gain access to information for their own advantage or to 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 (or which might become so).

20. Confidentiality

20.1 It is acknowledged that members of staff may require access to confidential (personal) information about pupils to undertake their everyday responsibilities. They should never use confidential or personal information about a pupil or their family for their own advantage or that of others (including partners, friends, relatives, or any other business or organisation).

20.2 Information must never be used to intimidate, humiliate, or embarrass a pupil.

20.3 Confidential information about a child or young person should never be used casually in conversation or shared with any person (other than on a 'need to know' basis). In circumstances where there is no requirement for the child's identity to be disclosed any such information should be shared anonymously.

20.4 There are certain circumstances in which a member of staff may be expected to share information about a child, for example when abuse is alleged or suspected. In such instances, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities. If in doubt, staff should refer to the academy's Safeguarding Policy for further details.

20.5 The storage and processing of personal information about pupils is governed (as indeed is that of personal information about staff) by the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Staff must ensure that all systems on which personal information is recorded (whether manual or computerised) are kept secure, in accordance with the academy's Data Protection Policy, which reflects the relevant legislation.

20.6 Any enquiries from a third party (including media or legal representatives) in relation to confidential personal information (or indeed politically or commercially sensitive information) should be passed to senior management.

20.7 No politically or commercially sensitive information, or confidential personal information protected by either the Data Protection Act or General Data Protection Regulation (GDPR), should be released to any party without appropriate authorisation from the headteacher or chair of governors (although any disclosure which satisfies relevant

legislative requirements, and which complies fully with the stipulations of the academy's Whistleblowing Policy, will qualify as a protected disclosure).

21. Standards of behaviour

21.1 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. They should adopt, and maintain, high standards of personal conduct and thus retain the confidence and respect of peers, pupils and the public in general.

21.2 The Department for Education (DfE) 'Teachers' Standards' defines the behaviour and attitudes which constitute the required standard for conduct throughout a teacher's career. Staff should also be aware that the behaviour and actions of their partners (or, in certain limited circumstances, other members of their household) may raise questions about their suitability to work with children.

21.3 Teachers are expected to uphold public trust in the profession and maintain high standards of ethics and behaviour, both within and outside of school. These standards should also be observed by all other members of the school staffing community.

21.4 An individual's behaviour, either in or out of the workplace, should not compromise their position within the work setting. This includes any actions which might bring the employer into disrepute, or otherwise lead to loss of trust and confidence in the relationship between employer and employee. Such behaviour may result in prohibition from teaching by the TRA or punitive action from another regulatory body.

21.5 This means that adults should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as a role model
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate (or might be interpreted as so doing)
- make (inclusive of means such as email, text messages, telephone, or letter) sexual remarks to a pupil or use inappropriate language when speaking to (or in the presence of) pupils
- discuss their own sexual relationships with (or in the presence of) pupils
- discuss a pupil's sexual relationships (other than within the context of an appropriate setting such as a strategy meeting).

22. Dress and appearance

22.1 All staff should consider the manner of dress and appearance suitable to their professional role. Staff should ensure they are dressed decently, safely, and appropriately for the tasks they undertake, and this includes when undertaking virtual teaching or any other form of online learning.

22.2 Those who dress or appear in a manner which could be considered as offensive or inappropriate could render themselves vulnerable to criticism or allegation.

22.3 This means that adults should wear clothing which:

- promotes a positive and professional image
- is appropriate to their role and compliant with professional standards

- 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.

23. Infatuations and 'crushes'

23.1 Staff need to be aware that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop an infatuation or 'crush'. All such 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 similarly represent a potential opportunity for allegations to be made against them.

23.2 Any member of staff who becomes aware that they (or a colleague) may be the subject of a pupil's infatuation should discuss this with a senior colleague at the earliest opportunity so that appropriate action can be taken to avoid any hurt, distress or embarrassment. Any such conversation should be fully documented with a record being retained in hard copy by the DSL.

23.3 This means that adults should report any indications (whether verbal, written or physical) that may suggest a pupil is infatuated with a member of staff. Staff must always acknowledge and maintain professional boundaries and should always be provided with appropriate support in the event of occurrences such as infatuations.

24. Social contact outside the workplace

24.1 If a child or parent seeks to establish social contact, or if this occurs coincidentally, the adult should exercise appropriate professional judgement in making a response but should always discuss the situation with, respectively, the parent of the child or their own manager. Adults should be aware that social contact in certain situations can be misconstrued as grooming.

24.2 Staff should also be aware that social contact may provide opportunities for other types of grooming such as sexual exploitation or radicalisation. Such contact (for example attending a political protest or circulating propaganda) could potentially be perceived as harmful or exerting inappropriate influence on children and may bring the academy into disrepute.

24.3 Where social contact is an integral part of work duties, such as pastoral work in the community, care should be taken to maintain appropriate personal and professional boundaries. It is recognised that some members of staff may be required to support a parent who is experiencing particularly difficult circumstances. This situation should be discussed with senior management and, where necessary, referrals made to the appropriate support agency.

24.4 No child should enter, or be invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed in advance with parents/carers and senior managers.

24.5 This means that adults should:

- always seek approval from senior management prior to any planned social contact with pupils or parents (for instance as part of a reward scheme)
- inform senior management of any requests or arrangements where parents wish to use their services outside of the workplace (such as babysitting or tutoring)
- have no secret social contact with children or their parents and refrain from sending personal communication to pupils or parents unless agreed with senior management
- advise senior management of any regular social contact or relationship they have with a child or a parent which may give rise to concern
- report and record any situation which may place a child at risk, or which may compromise their employer or their own professional standing
- be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations.

24.6 Staff should not share any sensitive personal information with a child. They should not request, or respond to, any personal information from the child, other than in a way which is fully in accordance with their professional role. Staff require to ensure that all communications with children are transparent and open to scrutiny.

24.7 Staff should also be circumspect in their communications with children to avoid any possible misinterpretation of their motives and should take care to avoid any behaviour which could conceivably be (mis)construed as grooming.

24.8 Staff should not give their personal contact details (including email address, mobile or home telephone numbers) to children. Text or email communication (this also includes communication through websites) between an adult and a child outside agreed protocols may lead to disciplinary and/or criminal investigation.

24.9 Internal email systems should only be used in accordance with the organisation's policy. If in doubt on this point staff should refer to the academy's Social Media Policy for further guidance.

25. Communication with children (including use of technology)

25.1 Communication with children should always be within explicit professional boundaries. Staff should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and agreed policies on acceptable use.

25.2 In this context, 'communication' covers (in addition to personal contact) the use of electronic technology (such as computers, tablets, phones/smartphones and equivalent devices) and includes texts, emails, instant messaging, social media (Facebook, Twitter, chatrooms, blogs, gaming sites etc) as well as items such as digital cameras, videos, webcams and other handheld and/or wearable devices etc.

25.3 This means that adults should:

- not seek to communicate or initiate contact with (or respond to contact from) pupils which does not relate directly to their work
- not divulge their personal contact details to pupils
- only use equipment and internet services provided by the academy when communicating with pupils
- follow the academy's Acceptable Use Policy

- ensure that their actions do not bring either themselves or their employer into disrepute.

25.4 If pupils locate personal details of a member of staff and attempt to contact them the employee should not respond directly but should report the matter to their manager. Staff should follow the guidance on standards of behaviour in this document.

26. Physical contact

26.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in relation to the pupil's individual needs and in ways appropriate to their professional role. Staff should always exercise professional judgement in such circumstances.

26.2 When physical contact is made with pupils this should be in response to their needs at that time and should always be of limited duration. It should always be appropriate to the age, stage of development, gender, ethnicity, and background of the pupil.

26.3 Physical contact should never be secretive, or for the gratification of the adult, and neither should it represent a misuse of authority. If a member of staff believes that their actions (or those of others) are capable of misinterpretation, the incident and circumstances should be reported to the DSL and recorded as soon as possible in the academy's incident book and, if appropriate, a copy placed on the child's file. It may also be appropriate to contact the Local Authority Designated Officer (LADO) for additional advice and guidance.

26.4 Physical contact which occurs regularly with an individual child or young person is liable to be misinterpreted unless the justification for this is recorded as part of a formally agreed plan (for example in relation to pupils with special educational needs and disabilities). Any such contact will be subject to an agreed academy policy and open to regular review. Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and should take care, so far as is possible, to use a level of contact which is acceptable to the child for the minimum time necessary.

26.5 Extra caution may be required where it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to staff being vulnerable to allegations of abuse. It is recognised that many such children are extremely needy and may seek out inappropriate physical contact and, in these circumstances, staff should direct the child sensitively by helping them to understand the importance of personal boundaries.

26.6 The general culture of 'safe touch' should be adapted, where appropriate, to the individual requirements of each child. Children with special educational needs and disabilities may require a greater degree of physical contact to assist their everyday learning. Appropriate arrangements for such children should always be:

- agreed and understood by all concerned
- justified in terms of the child's needs
- applied consistently
- open to scrutiny.

26.7 This means that adults should always:

- 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
- be aware of cultural or religious views on touching
- be sensitive to issues of gender
- consider alternatives to physical contact, where it is anticipated that a pupil might misinterpret or be uncomfortable with this (staff must always be prepared to explain actions and accept that all physical contact must be open to scrutiny)
- allow, and encourage, pupils to undertake self-care tasks independently (when capable of this)
- inform a colleague when they have offered comfort to a distressed pupil
- follow the academy system for recording relevant incidents

and should never:

- indulge in playful activities with pupils in an inappropriate manner
- touch a child in a way which may be considered indecent.

27. Activities that require physical contact

27.1 Some staff, for example those who teach PE and games or who offer music tuition, may on occasion be required to initiate physical contact with pupils. This may be to support a child so that they can perform a task safely, to demonstrate the use of a particular piece of equipment or instrument, to assist with an exercise, or to help adjust posture.

27.2 Contact in these circumstances should take place only when it is necessary and for the minimum time required to complete the activity, and this should always be done with the pupil's agreement and in line with codes of best practice.

27.3 Physical contact should always take place in an open environment (see one-to-one situations, below). Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child and should keep the parents/carers informed as appropriate.

27.4 This means that adults should always:

- be familiar with, and follow, recommended government guidance
- consider alternatives, where it is anticipated that a pupil might misinterpret any such contact, by involving another member of staff or a less vulnerable pupil in the demonstration
- be aware of age, gender, cultural or religious issues that may need to be considered prior to initiating physical contact
- explain to a pupil the reason why contact is necessary and what form that contact will take
- treat children with dignity and respect and avoid contact with intimate parts of the body.

28. Pupils in distress

28.1 There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. In all such situations staff should remain

self-aware to ensure that their contact is not perceived as threatening or intrusive or has the potential to be liable to misinterpretation.

28.2 This means that adults should always:

- consider the most appropriate way to offer comfort to a distressed child
- tell a colleague when, how and why they have offered comfort to a distressed child
- record all situations which may give rise to concern

and should never make an assumption that all children seek physical comfort if they are distressed.

28.3 Where a member of staff has a particular concern about the need to provide a pupil with care or reassurance of this nature it is appropriate that they should seek further advice from a senior manager.

29. Intimate/personal care

29.1 Young people are entitled to respect and privacy in all circumstances but especially when in a state of undress, changing clothes, bathing, or undertaking any form of personal care. An appropriate level of supervision needs to be in place to safeguard young people, to satisfy health and safety considerations and to ensure that bullying or teasing does not occur. Such care should not be carried out by an adult that the child is not familiar with.

29.2 All young people have a right to safety, privacy and dignity when contact of a physical or intimate nature is required. Depending on their abilities, age, and level of maturity they should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. A care plan should be drawn up and agreed with parents for all children who require intimate care on a regular basis. Any changes to the care plan should be made in writing and without delay, even if arrangements are temporary, such as in response to staff shortages, changes to rotas, etc.

29.3 When assistance is required, staff should ensure that another appropriate adult is in the vicinity and is aware of the task to be undertaken. Staff should also be mindful of factors which may impact on the child's behaviour (such as bullying and/or abuse) and where necessary should take appropriate action to report any concerns.

29.4 Intimate or personal care procedures should not involve more than one member of staff unless stated in the pupil's care plan. A signed record should be kept of all intimate and personal care tasks undertaken which, where these have been carried out in a separate room, should include times left and returned.

29.5 Additional vulnerabilities that may arise from special educational needs and disabilities should be considered in relation to individual teaching and care plans for each child. As with all arrangements for intimate care needs, agreements between the child, their parents/carers and the educational establishment must be negotiated and agreed outcomes recorded. In addition, the views and/or emotional responses of children with special educational needs must be actively sought, regardless of age and ability, in regular reviews of these arrangements.

29.6 Supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment. Staff need to be vigilant about their own behaviour, ensure that they follow agreed guidelines and always be mindful of the needs of the pupils.

29.7 This means that adults should always:

- adhere to the academy's intimate and personal care policies
- make other staff aware of the task being undertaken
- explain to the pupil what is happening before a care procedure begins
- consult with colleagues where there is a variation from procedure and record the justification for the variation and share this with the pupil and parents/carers
- avoid any visually intrusive behaviour

and (in respect of changing rooms) should always:

- announce their intention of entering
- avoid remaining in the room unless pupil needs require this.

29.8 Additionally, adults should never:

- change or toilet in the same place as children
- shower or bathe with children
- assist with intimate or personal care tasks if the pupil is deemed capable of undertaking these independently.

30. Behaviour management

30.1 All pupils have a right to be treated with respect and dignity. Staff should not use any form of degrading treatment to punish a pupil. The use of humour de-escalation, distraction, or diversion tactics can help to defuse a situation. However, the use of sarcasm, or of demeaning or insensitive comments towards pupils, is never acceptable, regardless of the circumstances.

30.2 Staff should follow the academy's behaviour and discipline policy using appropriate strategies for the situation. Where a pupil has specific needs (such as displaying challenging behaviour) a positive handling plan, including risk assessment, should be drawn up and agreed with all relevant parties, and where such a plan is in place it should be followed to the letter.

30.3 This means that adults should:

- not use force as a form of punishment
- try to defuse situations before they escalate (such as by distraction)
- keep parents informed of any sanctions
- be mindful of and sensitive to factors (inside and outside the school) which may impact on a pupil's behaviour
- act as a role model for pupils and avoid shouting at pupils (other than as a warning in an emergency etc)
- refer to national and local policy guidance regarding restrictive physical intervention
- adhere to the academy's behaviour management policy whilst taking account of relevant legislation and guidance on human rights and restriction of liberty.

30.4 The academy's behaviour management policy includes clear guidance about the use of isolation and seclusion. Staff should ensure that they avoid use of any practice which might conceivably be interpreted as representing one or more of the following:

- an unlawful act
- a breach of the pupil's human rights
- false imprisonment.

31. Use of restraint/physical intervention

31.1 Staff may legitimately intervene to maintain good order and discipline or to prevent a pupil from injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order or committing a criminal offence.

31.2 Staff should have received the appropriate training and must ensure that they use minimum force for the shortest period necessary.

31.3 Staff should always have regard to the health and safety of themselves and others. The full government guidance on 'Use of reasonable force' (advice for headteachers, staff and governing bodies) can be found online. In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported.

31.4 The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force is reasonable will always depend on the circumstances of the individual case. In every instance, however, **the use of force must be reasonable, proportionate, necessary and in the best interests of the young person.**

31.5 This means the degree of force used should be no more than is needed to achieve the desired result. Where it is anticipated that physical intervention is likely to be required a plan should be put in place which is agreed with the pupil and parents/carers.

31.6 Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported to a senior manager and parents/carers.

31.7 This means that staff should always:

- adhere to the academy's physical intervention policy
- seek to defuse situations and avoid the use of physical intervention where possible
- (in the event that physical intervention is deemed necessary) use only minimum force and for the shortest time needed.

32. Sexual contact

32.1 All adults should clearly understand the need to maintain appropriate boundaries in their contacts with children and young people. Intimate or sexual relationships between children and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

32.2 Any sexual activity between an adult and the child or young person with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action. Children and young people are protected by specific legal provisions regardless of

whether or not the child or young person ‘consents’ (in other words no validity can be accorded to consent given by a child).

32.3 The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material, irrespective of whether the child is aware of what is happening.

32.4 Adults should take care that their demeanour and language does not give rise to comment or speculation, especially when dealing with children. Accordingly, adults should not:

- pursue sexual relationships with children or young people either in or out of school
- have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative including verbal comments, letters, notes, email, phone calls or texts as well as physical contact
- make sexual remarks to, or about, a child or young person
- discuss sexual matters with or in the presence of children or young people, other than within agreed curriculum content or as part of their recognised job role.

33. Grooming

33.1 There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child to manipulate that relationship to their advantage. This may be so that sexual abuse can take place, or in furtherance of social or political agendas (such as radicalisation). Many children and young people do not understand that they have been groomed or appreciate that what has happened represents a form of abuse.

33.2 Staff should be aware that conferring special attention and favour upon a child (which can involve providing gifts) might be construed as being part of a grooming process, which is an offence. All staff need to be aware (for their own protection as well as that of others) that the giving of gifts can be misinterpreted by third parties as a gesture either to bribe, or to groom, a young person.

33.3 Accordingly, any reward to a pupil must be in accordance with agreed practice, consistent with school policy, recorded appropriately, and must not be based on favouritism. Adults should exercise care to avoid such perceptions when selecting children or young people for specific activities or privileges, and methods and criteria for selection should always be transparent and subject to scrutiny.

33.4 Care should also be taken to ensure that adults neither give nor accept any gift that might be construed by others as a bribe or which might lead either the giver or the receiver to expect preferential treatment.

33.5 All staff should undertake appropriate training in safeguarding so that they are fully aware not only of those behaviours that may constitute (or potentially be misinterpreted as) grooming but also of their individual responsibility to report to a senior manager any concerns about the behaviour of a colleague which might indicate that a pupil is being groomed.

34. One-to-one situations

34.1 Staff working in one-to-one situations with children and young people may be more vulnerable to allegations and/or complaints. Teachers and others should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs of both pupils and staff are met.

34.2 Managers should undertake a risk assessment in relation to the specific nature and implications of one-to-one work for each staff member. In addition, these assessments should take into consideration the individual needs of each pupil. Any such arrangements should be reviewed on a regular basis. Where staff are expected to work one-to-one with a pupil on a virtual platform, clear expectations should be set out (for all parties involved) that are reflective of the academy's safeguarding policies and procedures.

34.3 Pre-arranged meetings with pupils away from the school premises should not be permitted unless prior approval is obtained from their parent and the headteacher (or other senior colleague with delegated authority in this regard).

34.4 This means that adults should always:

- avoid having a meeting with pupils in remote or secluded areas of school
- ensure there is visual access and/or an open door in one-to-one situations
- ensure (where practical) that they are/remain in the line of sight of a third party
- inform other staff of the meeting beforehand, assessing the need to have them present or close by
- avoid use of 'engaged' or equivalent signs if possible, given that such signs may create an opportunity for secrecy or the interpretation of secrecy
- report to a senior colleague any situation where a child becomes distressed or angry
- consider the needs and circumstances of the child (or children) involved.

35. Home visits

35.1 All work with pupils and parents/carers will normally be undertaken on school premises. However, there may be occasions where it is necessary to make a home visit and appropriate policies and risk assessments should be in place to safeguard both pupils and staff.

35.2 A risk assessment should be carried out prior to any home visit and this should include an evaluation of any known factors regarding the pupil, parents/carers and any other persons living in the household.

35.3 Consideration should be given to any circumstances which might render the staff member becoming more vulnerable to an allegation being made (such as a history of hostility or behavioural issues, or previous submission of a complaint etc).

35.4 Appropriate risk management measures should be put in place prior to the visit. If insufficient information is available, visits should not be undertaken alone.

35.5 This means that staff should always:

- agree the purpose of any home visit with their manager
- adhere to the risk management assessment/strategies
- avoid unannounced visits wherever possible

- ensure that there is visual access and/or an open door in one-to-one situations
- make detailed records of arrival and departure
- ensure that any behaviour or situation giving rise to concern is discussed with their manager.

36. Transporting pupils

36.1 In certain situations, such as out of school activities, staff or volunteers may agree to transport children. This should always (other than in an emergency) be subject to a risk assessment being carried out. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.

36.2 Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult (in addition to the driver) acting as an escort. Staff should not offer lifts to pupils unless the need has been agreed in advance by a manager.

36.3 Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should be fit to drive, hold a current driving licence and be free from drugs, alcohol or any medication which is likely to impair judgement.

36.4 The academy's health and safety policy and/or educational visits policy set(s) out the arrangements under which staff may use private vehicles to transport pupils. This should include the requirement for staff to ensure that their vehicle is roadworthy and appropriately insured (and that the maximum capacity is not exceeded) and should also indicate that all relevant documentation will be checked by senior management.

36.5 This means that adults should always:

- plan and agree arrangements with all parties in advance, responding sensitively and flexibly to disagreements
- ensure that if they are alone with a child this is 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 the expected time of arrival in accordance with agreed procedures
- make sure that their behaviour and all arrangements to ensure vehicle, passenger, and driver safety (including the wearing of seat belts) take into consideration any specific needs that the child may have
- ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified (including those outside working hours).

37. Educational visits and after-school activities

37.1 The academy's health and safety policy and/or educational visits policy will specify procedures for off-site visits which may include residential visits and school-led adventure activities. Staff responsible for organising educational visits should be familiar with their duties under the Health and Safety at Work Act 1974 and the DfE's advice on health and safety which is available on the internet: www.gov.uk/government/publications/health-and-safety-advice-for-schools.

37.2 Risk assessments should be carried out in line with The Management of Health and Safety at Work Regulations (1999) which impose a duty on employers to produce suitable and adequate risk assessments.

37.3 The risk assessment undertaken should include measures to minimise any identified risks. For regular activities (such as swimming) the risks should be considered under the academy's policies and procedures and a check to make sure that the recommended precautions remain suitable may be all that is required.

37.4 Staff should take particular care when supervising pupils in the less formal atmosphere of a residential setting, field trip or after-school activity.

37.5 Staff remain in a position of trust and need to ensure that their behaviour is appropriate and cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

37.6 Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Staff should never share beds with a child/pupil and should not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed and agreed with senior management, parents/carers, and the pupils concerned.

37.7 Health and safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of school activity. Staff must be aware of and follow appropriate guidance.

37.8 Working safely means that adults should always:

- refer to local and national guidance for educational visits, including exchange visits
- adhere to the academy's educational visits guidance
- have another adult present in out of school activities (unless otherwise agreed with senior management and documented accordingly)
- undertake a risk assessment and adhere to relevant staff/child ratios
- have parental consent to the activity
- ensure that their behaviour remains professional throughout.

38. First aid and administration of medication

38.1 All schools/academies must have an adequate number of trained first aiders/appointed persons. Staff may volunteer to undertake this role which is not normally a contractual requirement. Staff should receive appropriate training and reach the necessary level of competency before being permitted to administer medication or first aid (other than in an emergency).

38.2 Pupils may need medication during school hours. In circumstances where a child needs medication on a regular basis a health care plan should be drawn up to ensure the safety and protection of pupils and staff. With the permission of parents/carers, the child should (in circumstances where this is appropriate to their age and abilities) be encouraged to administer the medication themselves.

38.3 If a member of staff is concerned or uncertain about the amount or type of medication being given to a child, this should be discussed with the appropriate senior colleague (normally the DSL) at the earliest opportunity.

38.4 When administering first aid staff should, wherever possible, ensure that another adult is present, or is aware of the action being taken. Parents should always be informed when first aid has been administered.

38.5 This means that, before administering medication or first aid to a child (other than in an emergency), adults should always:

- ensure that they are fully trained and competent to administer first aid/medication
- adhere to the academy's safety policy
- adhere to the academy's intimate care policy
- make other staff aware of the task being undertaken
- have due regard for the child's health care plan
- explain to the child what is happening
- act in the best interests of the child.

39. Photography and video (including virtual teaching)

39.1 Many educational activities involve recording images, whether as part of the curriculum, or to celebrate achievement, or in relation to extracurricular school activities or publicity purposes. Staff need to be aware of the potential for these aspects of teaching to be misused, either in a manner that breaches data protection legislation (the academy's Data Protection Policy should be referred to for further information in relation to CCTV and other imagery) or, more sinisterly, for purposes of pornography and/or grooming.

39.2 Careful consideration should be given as to how activities involving photography and related imaging are organised and undertaken and under no circumstances should staff be expected or allowed to use their personal equipment to take images of pupils at or on behalf of the academy. Extra care needs to be taken when the activity of this nature involves young or vulnerable pupils who may be unable to question why or how such practice is taking place.

39.3 Children who have been previously abused in a manner that involved photographic or digital images may feel particularly threatened by use of photography, filming etc in the teaching environment. Staff should remain sensitive to any child who appears to be uncomfortable in such circumstances and should recognise the potential for misinterpretation.

39.4 Care should be taken to ensure that all parties understand the implications of, and have given informed consent to, the image being taken, especially if the intention is for such images to be used for publicity purposes or published in the media or on the internet. There also needs to be documented agreement as to whether the images will be destroyed or retained for further use, and if the latter where they will be stored and who will have access to them.

39.5 Using images of children for publicity purposes and/or in advertisements will always require the consent of either the individual concerned (where this is age-appropriate) or their parents/carers. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the academy have access.

39.6 When a photograph is used by the academy in connection with publicity, advertising or other legitimate purpose, no pupil should be identified by name and images should be securely stored and accessible only to those authorised.

39.7 This means that adults should always:

- adhere to the academy's policies and procedures
- only use equipment provided by (or authorised by) the academy
- be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded
- ensure that a senior member of staff is aware that the photography/image equipment is being used and to what purpose
- ensure that all images are available for scrutiny to enable screening for acceptability
- be able to justify images of children in their possession
- avoid making images in one-to-one situations
- take care when recording digital/video images that pupils are appropriately dressed and are not participating in activities that might bring the individuals or the academy into disrepute (such as indecent images)
- avoid taking, displaying or distributing images of children unless they have consent to do so
- be aware that all photographs (or other imaging) taken by pupils for official academy use will be controlled and appropriately stored by the academy in accordance with data protection policies and relevant legislation.

39.8 No member of staff should ever use their own photographic equipment (including mobile phones etc) to photograph a student, nor should they ever allow themselves to be photographed by students in inappropriate circumstances.

39.9 Academy mobile phones may be used for photographic purposes only in connection with making an official record of a recognised school activity.

39.10 All online safety and acceptable use policies will be reviewed and amended as necessary, ensuring that all staff involved in virtual teaching (or the use of related technology to contact pupils for any other purpose) are briefed not only on best practice but also on any temporary changes to academy policies or procedures (such as, for instance, those necessitated by a pandemic).

39.11 When selecting a platform for online/virtual teaching, managers should satisfy themselves that the provider has incorporated an appropriate level of security. Staff should use school devices and contact pupils only via the pupil school email address or log in. This will ensure that appropriate filtering and monitoring software is enabled.

40. Exposure to inappropriate images

40.1 There are no circumstances which will justify adults possessing indecent images of children. Adults should not use equipment belonging to school to access pornographic images and neither should personal equipment containing such images (or links to them) be brought into the workplace.

40.2 Accessing such images, whether using the academy's or their own personal equipment, either on or off school premises, is illegal, as is making, storing, or disseminating such material. Participation in any such activity will be regarded as gross misconduct.

40.3 All staff should ensure that pupils are not exposed to any inappropriate images or web links. All staff will ensure that internet equipment used by pupils has appropriate controls with regards to access (for instance all personal passwords should be kept confidential).

40.4 Using academy equipment to access inappropriate or indecent material, including adult pornography, is likely to give serious cause for concern which will be compounded if, as a result, there is a possibility that pupils might be exposed to such material. This means that staff should always adhere to academy policies on the use of IT equipment.

40.5 Where indecent images of children (or other unsuitable images) are identified, staff should immediately bring this to the attention of the DSL or the headteacher, who will in turn contact the Local Authority Designated Officer (or LADO). The police may subsequently be contacted if deemed appropriate. In such circumstances the relevant images (and any related equipment) should be secured but staff should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated (which in itself could lead to a criminal prosecution).

41. Personal living accommodation

41.1 Staff should not invite any pupils into their living accommodation unless the reason has been firmly established with the DSL and the pupil's parents/carers. It is not expected that staff should use their private living space for any activity, play or learning (and this includes discussion of reports, academic reviews, tutorials, counselling etc).

41.2 Pupils should never be asked to assist adults with jobs or tasks, either for or without reward, at or in the latter's private accommodation.

41.3 This means that staff should always:

- maintain appropriate personal and professional boundaries
- be vigilant in maintaining their privacy
- avoid asking pupils to undertake jobs or errands for their personal benefit
- avoid placing themselves in vulnerable positions
- refuse any request for their accommodation to be used as an additional resource for the academy.

42. Curriculum

42.1 Certain subject areas of the curriculum can include, or cause to be raised, topics or content which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and that these clearly relate to the learning outcomes identified by the lesson plan. This plan should, where appropriate, highlight areas of particular risk and sensitivity, such as may occur in relation to, for instance, drama.

42.2 Similarly, the curriculum can sometimes lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to questions from pupils can require careful judgement and, in circumstances such as this, staff may wish to seek appropriate guidance from the academy's DSL or headteacher.

42.3 Care should also be taken to abide by the governing body's required policy on spiritual, moral, social, and cultural development (SMSC) which promotes fundamental British values. This policy should be reviewed regularly and rigorously to ensure both that it complies with requirements and that it is being applied consistently.

42.4 Staff should also comply with the governing body's policy on sex and relationships education (SRE). Parents have the right to withdraw their children from all or part of any sex education provided (but not from the national curriculum for science).

42.5 This means that teachers should have clear written lesson plans and that they should be careful neither to engage in, nor to encourage or facilitate, inappropriate or offensive discussion about sexual activity.

42.6 Similarly, teachers should not attempt to influence pupils by imposing on them, or advancing, their own personal values, attitudes, or beliefs.

43. Sharing concerns and recording incidents

43.1 All staff should be aware of the academy's safeguarding and child protection procedures, including procedures for dealing with allegations against staff and volunteers as detailed in KCSIE. Staff who are the subject of allegations are advised to contact their trade union or professional association for appropriate support.

43.2 Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with pupils so that appropriate support can be provided in such circumstances. It is the responsibility of staff to ensure that any such issues relating to themselves are reported to management.

43.3 Should an incident occur which has potential for an action being misinterpreted, and/or an allegation being made against a member of staff or volunteer, all relevant details should be clearly and promptly documented and reported to the headteacher or DSL as appropriate. Early discussion with a parent or carer is recommended as this may avert any possible misunderstanding.

43.4 This means that staff should be familiar with the academy's system for recording concerns (including low-level concerns) and should take responsibility for recording any incident and passing on that information if they have concerns about any matter pertaining to the safeguarding of an individual in the school or workplace.

43.5 It should be made clear that the term 'low-level concern' does not mean that such concern is insignificant. A low-level concern is any concern (regardless of how small, and even if no more than simply causing a sense of unease) that an adult working with children may have acted (including inappropriate conduct outside of work) in a way that is inconsistent with this policy but which does not meet the harm threshold, and accordingly is not considered serious enough to warrant referral to the LADO.

44. Dealing with allegations of abuse made against staff (including volunteers)

44.1 In the event of the academy being made aware of any allegations of child abuse against a member of staff (whether initially reported internally or externally) advice should be sought directly (in line with KCSIE) from the DSL who may in turn contact the LADO and/or the police.

44.2 The LADO and/or the police may deem it necessary to arrange for a multi-agency strategy meeting to be held (or at the very least a discussion with, if applicable, the child's case manager) before an investigation is undertaken or disciplinary process (if indicated in relation to a member of staff) is initiated. The LADO's role is not to investigate the allegation, but to ensure that an appropriate investigation is carried out, whether that is by the academy itself (in straightforward cases, this should normally be undertaken by a senior member of academy staff) or by police, local authority children's social care, or a combination of these.

44.3 Such a meeting (or discussion) will determine the precise nature, content and context of the allegation and the appropriate course of management. Sharing information in this way is vital to ensure that the correct action is taken.

44.4 Further investigation may be necessary, in which event the academy may (depending upon available resources) wish to appoint an external investigator to undertake this task.

44.5 If (in the event of an allegation being made against an individual) suspension of a member of staff is deemed appropriate, the staff member involved will be afforded support and will be provided with a named contact within the academy. In all cases the matter should be dealt with as quickly as possible in accordance with disciplinary process.

44.6 When determining the outcome of investigations into such allegations the following definitions should be used:

- substantiated – there is sufficient evidence to prove the allegation
- malicious – there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- false – there is sufficient evidence to disprove the allegation
- unsubstantiated – there is insufficient evidence to either prove or disprove the allegation: the term therefore implies neither guilt nor innocence
- unfounded – to reflect cases where there is no evidence or proper basis which supports the allegation being made.

44.7 On completion of an investigation, schools and academies should always consider the facts and determine whether any lessons can be learned and improvements made, and this should be done irrespective of whether the allegation has been substantiated.

44.8 Further details relating to the handling of suspension and the management of allegations are outlined in the academy's Disciplinary Policy.

44.9 Any allegations made against an employee who is no longer employed by the academy should be referred directly to the police by the DSL or headteacher.

45. Conflict of interest process

45.1 Any conflict (or perceived conflict) of interest must be declared, and there are six steps to the process.

45.1.1 <u>Step one – inform</u>

The staff member should inform their line manager of the potential area of conflict.

45.1.2 <u>Step two – complete form</u>

The staff member should complete a ‘conflict of interest declaration form’ (see Appendix 1) giving details of the potential conflict. They should then pass this to their line manager who will add supporting information as necessary and will outline their view and comments. This should include the level of involvement which managers anticipate having and should also, where appropriate, detail any safeguards that could be put in place.

45.1.3 Step three – submit form

The completed form should be sent to the headteacher (or the chair of governors if it is the headteacher who is making the declaration).

45.1.4 Step four – decision

The headteacher (or chair of governors) will be responsible for deciding whether a conflict of interest exists. They will need to be satisfied that this would neither interfere with the performance or duties of the staff member concerned nor lead to any suspicion of improper influence. All declarations of a conflict of interest will be considered on an individual basis according to their circumstances.

45.1.5 Step five – confirmation

The headteacher (or chair of governors) will write to the staff member outlining their decision. All declarations of conflict of interest will be recorded in the academy’s ‘Register of Interests’.

45.1.6 Step six – appeal

If they wish to appeal against the decision reached, staff members should use (the appeal stage of) the academy's grievance procedure.

45.2 If the circumstances of staff members change it is their responsibility to inform their line manager and make a new declaration as above (in other words by returning to step 1).

46. Other policies and procedures

46.1 This policy will be supported by the following policies and procedures:

- Data Protection Policy
- Equality Policy
- E-safety Policy
- Recruitment Policy
- Safeguarding Policy
- Social Media Policy
- Whistleblowing Policy

Appendix 1: Conflict of interest declaration form

Ref:

Name:

Post:

School:

Nature of declaration/relevant paragraph in Code of Conduct and Practice:

Extent of declaration:

I certify that the above declaration is true and that to the best of my knowledge no material omissions have been made.

Signature of employee making declaration:

.....

Name of authorising manager:

.....

Date: .....