Leigh Academies Trust

Appendix 1
Safeguarding Code of Conduct

1. Introduction

1.1 The governing body of The Federation will foster a culture of the highest professional standards. This Code of Conduct sets out the standards expected and the duty upon staff, volunteers and governors to abide by it. All staff, governors and volunteers have a duty to keep students safe and to protect them from all forms of abuse. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and students and behaviour by adults that demonstrate integrity, maturity and good judgment. Following this Code of Conduct will help to safeguard staff, governors and volunteers from being maliciously, falsely or mistakenly suspected or accused of professional misconduct in relation to students.

1.2 Staff, governors and volunteers must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection. A member of staff who, in good faith, "whistleblows" or makes a public interest disclosure will have the protection of the relevant legislation

1.3 This Code of Conduct cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to students. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the student where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the students in their charge.

1.4 All teachers must by law be registered with the General Teaching Council and comply with the Code of Conduct and Practice for Registered Teachers and the Statement of Professional Values and Practice which are therefore incorporated into this Code of Practice. These documents can be accessed at http://www.gtce.org.uk

1.5 This Code of Conduct forms part of the Trust's disciplinary rules for staff. A serious breach of the Code will be regarded as gross misconduct. A less serious breach may result in a disciplinary warning.

1.6 Where an allegation of abuse is made against a member of staff the DCPC will be contacted immediately, and he/she will contact the West Kent Area Children's Officer (Child Protection) currently Helen Windiate. The guidance set out in "Child Protection Procedures for Managing Allegations against Staff within Schools and Education Services, (updated September 2008) will then be followed. This guidance is about managing allegations that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. It will be used where it is alleged that a member of staff or a volunteer or a governor has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or,
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

2. Principles of Professional Practice

2.1 All staff, governors and volunteers as appropriate to the role and/or job description of the individual, must:

- place the well-being and learning of students at the centre of their professional practice.
- have high expectations for all students, be committed to addressing underachievement, and work to help students progress regardless of their background and personal circumstances.
- treat students fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality.
- model the characteristics they are trying to inspire in students, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people.
- respond sensitively to the differences in the home backgrounds and circumstances of students, recognising the key role that parents and carers play in students' education.
- seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of the Federation.
- reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues.

3. Confidentiality

3.1 Members of staff and governors may have access to confidential information about students in order to undertake their responsibilities. In some circumstances the information may be highly sensitive. Confidential or personal information about a student or her/his family must never be disclosed to anyone other than on a need to know basis. In circumstances where the student's identity does not need to be disclosed the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass the student.

3.2 There are some circumstances in which a member of staff may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated student protection responsibilities.

3.3 Confidential information about students must be held securely. Confidential information about students must not be held off the Federation site/s other than on security protected Federation equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.

3.4 If a member of staff is in any doubt about the storage of sharing of information s/he should seek guidance from a senior member of staff. Any media or legal enquiries should be passed to senior management.

4. Propriety, Behaviour and Appearance

4.1 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general. An individual's behaviour, either in or out of the workplace, should not compromise her/his position within the work setting or bring the Federation into disrepute.

4.2 A person's dress and appearance are matters of personal choice and self-expression. However staff and volunteers must ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.

4.3 Personal property of a sexually explicit nature such as books, magazines or videos must not be brought onto or stored on the Federation premises.

5 Sexual Contact with Children and Young People and Abuse of Trust

5.1 Any sexual behaviour, whether homosexual or heterosexual, by a member of staff, volunteer or governor with or towards a child or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. All adults working in the Federation who have contact with students are in positions of trust. The Sexual Offences (Amendment) Act 2000 specifically established a criminal offence of the abuse of trust in relation to teachers and others who are in relationship of trust with 16 -18 year olds.

5.2 Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children'' defines sexual abuse as "forcing or enticing a child or young person to take

part in sexual activities, whether or not the child is aware of what is happening'.

5.3 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 or young person, and manipulate that relationship so that sexual abuse can take place. Staff and volunteers should be aware that conferring special attention and favour upon a student might be construed as being part of a 'grooming' process, which is a criminal offence.

5.4 A relationship between a member of staff, a volunteer or a governor and a student cannot be a relationship between equals. There is potential for exploitation and harm of students and all adults have a responsibility to ensure that the unequal balance of power is not used for personal advantage or gratification. It is important to recognise that women as well as men may abuse a position of trust.

6 Infatuations and Crushes

6.1 Adults must recognise that a student may be strongly attracted to a member of staff or volunteer and/or develop a heterosexual or homosexual infatuation. A member of staff or volunteer, who becomes aware that a student may be infatuated with him/herself or a colleague, should report this without delay to a senior colleague so that appropriate action can be taken The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the student. It should also be recognised that careless and insensitive reactions may provoke false accusations. Whilst the risk of infatuation is not limited to younger members of staff, newly qualified teachers must recognise their particular vulnerability to adolescent infatuation.

6.2 Examples of situations which must be reported are given below:

- Where a member of staff or volunteer is concerned that he or she might be developing a relationship with a student which could have the potential to represent an abuse of trust,
- Where a member of staff or volunteer is concerned that a student is becoming attracted to him or her or that there is a developing attachment or dependency.
- Where a member of staff or volunteer is concerned that actions or words have been misunderstood or misconstrued by a student such that an abuse of trust might be wrongly suspected by others.
- Where a member of staff or volunteer is concerned about the apparent development of a relationship by another member of staff or volunteer, or receives information about such a relationship

7 Gifts

7.1 It is against the law for public servants to take bribes. Staff need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when

students or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis over the value of £50. Any gift received over a value of £20 must be declared.

7.2 Personal gifts must not be given to students. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a student should be consistent with the Federation's behaviour policy, recorded, and not based on favouritism.

8 Social Contact

8.1 Adults in the Federation should not establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a student seeks to establish social contact, or if this occurs coincidentally, the adult should exercise her/his professional judgment in making a response and be aware that such social contact could be misconstrued.

8.2 Staff and volunteers must not give their personal details such as home/mobile phone number; home or e-mail address to students unless the need to do so is agreed with senior management.

9 Physical Contact and Personal Privacy

9.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role. When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one student in one set of circumstances may be inappropriate in another, or with a different student.

9.2 Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If a member of staff or volunteer believes that an action could be misinterpreted, the incident and circumstances should be reported.

9.3 Physical contact, which occurs regularly with a student or students, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to students with SEN or physical disabilities). Any such contact should be the subject of an agreed and open Federation policy and subject to review. Where feasible, staff should seek the student's permission before initiating contact. Staff should listen, observe and take note of the student’s reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the student for the minimum time necessary.

9.4 The Federation will provide accredited training in ‘Positive Handling’ for staff as appropriate.

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

9.6 Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a senior manager.

9.7 Some staff, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with students in order to support a student 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 student's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the student.

9.8 Students are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the students concerned and sensitive to the potential for embarrassment.

9.9 Staff with a job description, which includes intimate care duties, will have appropriate training and written guidance. No other member of staff or volunteer should be involved in intimate care duties except in an emergency.

10 Behaviour Management and Physical Intervention

10.1 All students have a right to be treated with respect and dignity. Corporal punishment is unlawful in all educational establishments. Staff and volunteers must not use any form of degrading treatment to punish a student. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation. Shouting aggressively or hectoring is not acceptable in any situation. Deliberately intimidating students by overwhelming physical presence is not acceptable in any situation.

10.2 The circumstances in which staff can physically intervene with a student are covered by the 1996 Education Act. Staff may legitimately intervene to prevent a student from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others. 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.

The Federation has a separate policy on the use of physical intervention which forms part of this Code of Conduct.

10.3 Each Academy will have trained first aiders/appointed persons. Staff must have had the appropriate training before administering first aid or medication except in an emergency.

11 One to One Situations and Meetings with Students

11.1 Staff working in one to one situations with students are more vulnerable to allegations. Staff must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and students are met. Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker and student. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas of the Federation and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any arrangements should be reviewed on a regular basis.

11.2 Pre-arranged meetings with students away from the Federation premises or on the Federation site/s when the Federation is not in session are not permitted unless approval is obtained from their parent/ guardian and the Principal or other senior colleague with delegated authority.

12 Transporting Students

12.1 In certain situations e.g. out of school activities, staff, volunteers or governors may agree to transport students. Wherever possible transport arrangements should be made in advance by a designated member of staff. Wherever possible and practicable transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.

12.2 Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded

13 Educational Visits and Federation Clubs

13.1 Staff and volunteers should take particular care when supervising students in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply. The Federation has a policy on educational visits, which forms part of this Code of Conduct.

14 Curriculum

14.1 Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to 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.

14.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to students' questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff.

14.3 The governing body is required by law to have a policy on sex and relationships education and it forms part of this Code of Conduct.

15 Photography, Videos and other Creative Arts

15.1 Many Federation activities involve recording images. These may be undertaken as part of the curriculum, extra Federation activities, for publicity, or to celebrate achievement. The Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child for any images made such as those used for Federation web sites, productions or other purposes.

15.2 Staff need to be aware of the potential for such images to be misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable students who may be unable to question why or how the activities are taking place. Students who have been previously abused in this way may feel threatened by the use of photography, filming etc in the teaching environment.

15.3 Staff should remain sensitive to any student who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

15.4 Using images of students for publicity purposes will require the age-appropriate consent of the individual concerned and their legal guardians. Images must 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 Federation have access.

15.5 When using a photograph the following guidance must be followed:

- if the photograph is used, avoid naming the student
- if the student is named, avoid using the photograph
- images must be securely stored and used only by those authorised to do so.
- 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 for what purpose.
- ensure that all images are available for scrutiny in order to screen for

acceptability
- be able to justify the images made
- do not make images in one to one situations.
- do not take, display or distribute images of students unless there is consent to do so.

15.6 The Federation has additional guidance on the use of images, which includes a consent form.

16 Internet Use

16.1 The Federation has a separate policy on Internet use and electronic communication.

16.2 Under no circumstances should adults within the Federation access inappropriate images. Deliberately accessing pornography on Federation equipment will be treated as gross misconduct and may be a criminal offence. Accessing indecent images of children on the Internet, and making, storing or disseminating such material, is illegal and is likely lead to criminal prosecution and may result in barring from work with children and young people.

17 Sharing Concerns and Recording Incidents

17.1 All staff, volunteers and governors must be aware of the Federation's child protection procedures. Staff, volunteers and governors must be vigilant and share concerns and report incidents. Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. The following “Red Flag Behaviours” give indications of the kinds of situations, which should be shared with a senior member of staff.

An adult who:

- Allows a student/young person to be treated badly; pretends not to know it is happening
- Gossips/shares information inappropriately
- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way which is inappropriate for the job role
- Does not treat students fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses his/her position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a student or students
- Appears to have special or different relationships with a student or students
- Seems to seek out unnecessary opportunities to be alone with a student

18 Child Safeguarding Competences for staff and volunteers who work with Children and Young People

The following competences are necessary:

- Emotional Awareness
    - Aware of the range of emotions in self and others
    - Demonstrates empathy for the concerns of others
    - Listens to and understands directly and indirectly expressed feelings
    - Encourages others to express themselves openly
    - Manages strong emotions and responds constructively to the source of problems
    - Listens to personal comments without becoming defensive
    - In highly stressful situations, keeps own feelings in check, takes constructive action and calms others down
    - Has a range of mechanisms for dealing with stress, can recognise when to use them and does so
    - Shows respect for others' feelings, views and circumstances

- Working within Professional Boundaries
    - Demonstrates professional curiosity
    - Accepts responsibility and accountability for own work and can define the responsibilities of others
    - Recognises the limits of own authority within the role
    - Seeks and uses professional support appropriately
    - Understands the principle of confidentiality

- Self-awareness
    - Has a balanced understanding of self and others
    - Has a realistic knowledge of personal strengths and weaknesses
    - Can demonstrate flexibility of approach
    - Shows a realistic appreciation of the challenges of working with this client group

- Ability to Safeguard and promote the welfare of children and young people
    - Appreciates the significance of safeguarding and interprets this accurately for all individual children and young people whatever their life circumstances
    - Has a good understanding of the safeguarding agenda
    - Can demonstrate an ability to contribute towards a safe environment
    - Is up-to-date with legislation and current events

- Can demonstrate how s/he has promoted ‘best practice’
- Shows a personal commitment to safeguarding children
- Children with specific medical needs
- Any student identified with a specific medical need is given a health plan in liaison with parents/carers