



## CODE OF CONDUCT FOR TEACHING AND SUPPORT STAFF IN ACADEMIES

Originator	Reviewed by	Date of Review	Approved by	Date of Approval	Next Review Date	Website
School	R&A S&C	11/01/2021 18/01/2021	Board	08/02/2021 23/05/2022	March 2023	Yes

### Vision Statement

#### ‘Creating an irresistible climate for achievement’

- We challenge, support and encourage every student to **achieve their potential.**
- We believe **effort** and **dedication** lead to success and we **raise aspirations.**
- We **personalise our provision** to meet the needs of individuals.
- We enable our students to flourish as **confident learners and leaders** of our community.
- We create a culture where all stakeholders **feel valued, supported and proud.**
- We **work collaboratively** to improve outcomes for our students and support other schools to improve.

# Index

## Part 1: General Staff Conduct

Section	Page
What is it?	3
Who does it apply to?	3
What are employee responsibilities?	3
Teaching staff responsibilities	3
What are the main points?	4
Are there any exemptions?	8
Headteacher responsibilities	8
Further advice and information	8

## Part 2: Conduct in relation to safeguarding

<b>Section 1:</b> Overview and Rationale	9
<b>Section 2:</b> Using the Code of Conduct Underlying Principles	10
Definitions	10
<b>Section 3:</b> Code of Conduct for Safe Working Practices	12
1. Context	12
2. Duty of Care	12
3. Confidentiality	12
4. Making a Professional Judgement	13
5. Power and Positions of Trust	13
6. Propriety and Behaviour	14
7. Personal Living Space	14
8. Gifts, Rewards & Favouritism	14
9. Infatuations	15
10. Communication with Children & Young People	15
11. Social Contact	15
12. Sexual Contact	16
13. Physical Contact	16
14. Other Activities that require Physical Contact	18
15. Behaviour Management	18
16. Children & Young People in Distress	19
17. Intimate & Personal Care	19

<b>18. First Aid &amp; Administration of Medication</b>	20
<b>19. One to One Situations</b>	20
<b>20. Trips &amp; Outings</b>	20
<b>21. Photography &amp; Videos</b>	21
<b>22. Access to Inappropriate Images &amp; Internet Usage</b>	21
<b>23. Sharing Concerns &amp; Recording Incidents</b>	22
<b>24. Speaking Up</b>	22
<b>25. Prevent Duty</b>	23
<b>Frequently asked questions</b>	24

## Part 1

### General staff conduct

#### What is it?

1. This Code of Conduct:
  - sets out minimum standards of behaviour for employees;
  - provides guidelines to help maintain and improve standards;
  - aims to protect the reputation of both employees and the school;
  - aims to protect the rights and interests of children and young people involved with the school
2. This Code of Conduct is not exhaustive and does not replace the general requirements of the law, common sense and good conduct.
3. This Code of Conduct should be read in conjunction with a number of policies and schemes relating to conduct which are set out at the end of this document.

#### Who does it apply to?

4. This policy applies to all employees of The John of Gaunt School including supply workers.

#### What is my responsibility?

5. School employees need to:
  - read this policy;
  - ensure they understand it;
  - ask if there are any points that are unclear;
  - use this Code of Conduct, alongside other school policies, to guide them in their role.
6. Breach of any part of this Code of Conduct may lead to action being taken under the School's Disciplinary Procedure, which could result in dismissal. Please refer to the disciplinary procedure for more information.

#### Additional Teaching staff responsibilities

7. In addition to this policy, all teaching staff must adhere to:
  - the terms and conditions outlined in the school teachers pay and conditions document (STPCD). A copy of STPCD can be downloaded from <https://www.gov.uk/>.
  - the Teachers Standards as set out by the Department for Education. These cover both teaching standards and personal and professional conduct. Teacher's performance will be regularly reviewed against these professional standards.

## **What are the main points?**

8. All staff who work in schools set examples of behaviour and conduct which can be copied by pupils/students. Staff must therefore avoid using inappropriate or offensive language at all times.
9. All staff must, demonstrate the highest standards of conduct at all times in order to encourage our pupils/students to do the same.
10. Employees represent the School and are trusted to act in a way which promotes the School's interests and protects its reputation. This Code helps all staff to understand what behaviour is and is not acceptable
11. Employees are accountable for their actions and should ask the Headteacher for advice if they are not sure of the appropriate action to take.

## Interests

12. Conflicts of interest may occur if a decision of the school could affect an employee, or close friends and relatives, either positively or negatively.
13. Interests could include:
  - involvement with businesses which have existing or proposed contracts with the school;
14. Employees should ask themselves the question "Would a member of the public think that they or their family would benefit from the connection between their personal interest and their employment with the school?"
15. If the answer is yes then they must declare their interest to the Headteacher in writing.
16. Employees may hold their own personal and political views but must act professionally at work and not allow these views to interfere with their work.

## Outside Commitments

17. Employees should ensure that their activities outside work do not conflict with their duty to the school.
18. All employees should consult the Headteacher before engaging in any other business or accepting additional employment.
19. Any additional employment should not conflict with the school's interests or have the potential to bring the school into disrepute.
20. Employees may not set up a business, or accept a job with a business, which is in direct competition with the school. Employees should check with the Headteacher where further clarification is required.

21. If an employee works for another organisation they may not act as a messenger between that organisation and the school. Formal channels of communication must be maintained.
22. Any secondary employment must not be carried out during an employee's contracted school working hours, nor whilst on standby for official call-out purposes unless such employment can be undertaken from their home.
23. It is an employee's responsibility to monitor the number of hours they work and to ensure that they are rested and refreshed and able to carry out their role. On average employees should not work more than 48 hours in total each week unless they have opted out of the Working Time Regulations. If an employee requires assistance to manage their workload they should seek support and guidance from their line manager(s).

### Confidentiality and GDPR

24. Under the General Data Protection Regulations 2016 (GDPR), there are strict legal guidelines in place as to how data should be both 'controlled' and 'processed', which the school is fully aware of and complies with. These regulations apply to 'personal data', 'special categories of personal data' and personal data relating to 'criminal convictions and offences'.
25. Employees are expected to comply with these requirements at all times and further information can be found in the Data Protection Policy.
26. Employees must take all reasonable steps to ensure that the loss, destruction, inaccuracy or improper disclosure of information does not occur as a result of their actions. This includes information relating to school business and pupil data.
27. Employees must not disclose personal or financial information about any other member of staff without the express consent of that individual or authorisation from the Headteacher.
28. Confidential information, belonging to the school, should not be disclosed to any person not authorised to receive it.
29. Employees must not use any information obtained in the course of their employment to cause damage to the school or for personal gain or benefit. Nor should they pass information on to others who may use it in such a way.
30. Employees should also be aware that under Section 13 Education Act 2011 that it is a criminal offence to disclose the identity of a teacher who is the subject of an allegation of a criminal offence made by or on behalf of a pupil until a teacher is charged with this offence. This includes disclosing any information that could make that person identifiable. Further details are available from the Headteacher.

## Responsible use of Social Media

31. The John of Gaunt School understands the popularity and benefits of social media sites if used responsibly. Such sites allow for, and promote, general communication, online discussion and provide the ability to share information about yourself and others quickly and easily.
32. If an individual's personal internet presence does not make any reference to The John of Gaunt School, and its employees, students or partners cannot be identified, then the content is unlikely to be of concern to the School.
33. Individuals covered by this policy must not use social media sites to make comments about, or post contact details or photographs of, other employees, students or other associates of the School, or the school itself, where these might be deemed as offensive or breaching privacy. Comments or other postings of this nature may constitute unacceptable behaviour. This includes where individuals or the school are not named, but can be readily identified by themselves or others from the information posted.
34. Individuals must not disclose confidential information relating to the School, its staff, students or business partners.
35. Internet traffic is monitored and reported by the IT Support Team and can be traced to the individual user. Discretion and professional conduct is essential.
36. Online conduct out of school could have an impact on an employees' role and reputation within school. Civil, legal or disciplinary action could be taken if employees are found to bring the profession or institution into disrepute, or if something is felt to have undermined confidence in their professional abilities.
37. Paragraphs 33 and 34 above are in line with the School's Online Safety Policy.

## Time, facilities and publications

38. Employees must spend all of their contracted hours working for the school.
39. Employees may not make personal use of the school's property or facilities (stationery, photocopiers, car parks etc.) unless authorised to do so by the Headteacher. Computers and software may only be used in line with the school's Acceptable Use Policy.
40. Employees may only use the school telephones to make or receive private calls in exceptional circumstances.
41. In line with the school's Behaviour Policy, employees are expected to set a positive example to students in relation to use of personal mobile devices during school hours. Whilst use of these in school is not explicitly prohibited, all employees are expected to exercise discretion and limit the use of devices to only when necessary. This should be occasional and only at times when they are not in the company or vicinity of students, during which times mobile

devices should not be visible. The exception to this is when staff are on duty or need to be contacted as a matter of urgency – e.g. SLT members / site staff.

42. Any public funds entrusted to an employee must be used in a responsible and lawful manner in line with JOG policies and procedures.
43. Employees who want to publish any material which they have written in connection with their duties or in which they describe themselves as holding a position within the school must first gain the consent of the Headteacher.
44. If, in the course of their work, an employee creates a copyright work (for example a procedures manual or a software programme); patentable invention; design capable of registration; this would become the property of the school and, if appropriate, they would be required to cooperate in the registration formalities.
45. Employees may retain fees for any lectures delivered with the prior agreement of the Headteacher.

#### Equality

46. The school is firmly committed to the principles of equality and diversity and has a positive duty to promote these within the community it serves.
47. Employees must treat colleagues, pupils, parents, carers, governors and members of the public and the local community with respect and must not discriminate unlawfully against any person.
48. Employees involved in making appointments should ensure that decisions are based only on the ability of the candidate to undertake the duties of the post. If any applicant is a close personal friend or relative they should not be involved in the appointment process.
49. Employees should not be involved in any decisions relating to discipline, pay or promotion of close personal friends or relatives.

#### Gifts, Hospitality and Sponsorship

50. Employees must not accept any fee or reward for work done other than their pay and allowances as set out in their contract of employment except as set out in paragraphs (\*a) and (\*b) below.
51. It is an offence under the Prevention of Corruption Acts for employees to accept gifts, loans, fees or rewards as an inducement to act in a certain way in their official capacity.
  - (\*a) Employees may accept small items (e.g. inexpensive pens, diaries, flowers, chocolates). They should check the process for this with the Headteacher.

- (\*b) Employees may only accept an offer of a more significant gift (as a guide worth more than £25) or hospitality (e.g. visits, meals, sporting events etc.) if there is a genuine need to do so in order to represent the school in the community.
52. Gifts, benefits and hospitality offered to employees or members of their family as a consequence of their employment must be declared to the Finance Manager in writing whether accepted or not.
53. Employees should never accept significant gifts or hospitality from pupils, parents, carers, actual or potential contractors or outside suppliers.
54. If an external organisation wishes, or is sought, to sponsor a school activity the rules concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors. The Headteacher must be involved in any decision.
55. Where the school wishes to sponsor an event or service no employee or member of their family must benefit unless full disclosure of interest has been made to the Headteacher. All sponsorship must be recorded.

#### Dress and personal protective equipment

56. Employees should ensure that their dress is appropriate to the professional nature of their role at the school, the activities they are involved in and any health and safety requirements related to these. Further information can be found within the school dress code.
57. Suitable personal protective equipment will be issued and must be worn where a risk assessment indicates it is appropriate.

#### Speaking to the media

58. It is advisable for any approaches regarding school related issues, from all press, radio or TV stations or specialist press to be directed to the Headteacher.

#### Misconduct

59. All employees should conduct themselves in a professional manner at work. Serious misconduct and/or criminal offences committed during or outside of working hours which bring them or the school into disrepute may be the subject of disciplinary action which could lead to dismissal.
60. Employees are required to inform the Headteacher and HR Manager of any police investigation, charge, caution, reprimand, fine or conviction within 48 hours of the incident occurring. This requirement is regardless of whether the incident occurs within term time or school holidays as email contact is available at all times. All such disclosures will be handled sensitively and in confidence but this may result in a suspension from duties while an investigation takes place.

### **Are there any exemptions?**

61. No – however some parts of the Code of Conduct will have more of an effect on senior, managerial and professional staff than others.
62. Many employees are responsible under their own professional codes of conduct. In cases where professional codes of conduct appear to conflict with the school's own code advice should be obtained from the Headteacher.

### **Headteacher responsibilities:**

63. Provide additional advice and guidance on any points within the Code of Conduct.
64. Signpost employees to relevant policies, documents and guidelines.

### **Further advice and information**

65. The school may also operate a number of policies and schemes relating to conduct at work which employees are required to follow for further information or clarification employees should speak to the Headteacher.

## Part 2

### Conduct in relation to safeguarding

This document should be read in conjunction with The John of Gaunt School's policies and procedures available on the intranet, which staff are expected to refer to. In particular staff should have particular regard to the Equality and Diversity Policy, Safeguarding and Child Protection Policy and Procedures, Safety Online (E-safety) Policy, Speak Up Procedure and the DfE document Keeping Children Safe in Education, information for all school and college staff (Section 1 of KCSIE September 2018) and you are to work according to its guidance. If you have any questions about it or related Safeguarding matters you must speak to the Designated Safeguarding Lead (DSL).

#### Section 1: Overview and Rationale

All adults working or volunteering at The John of Gaunt School who come into contact with children and young people must comply with this Code of Conduct as part of their contractual and professional obligations and in order to meet their duty of care to safeguard and promote the welfare of pupils. This Code of Conduct provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts. The Code of Conduct aims to:

- keep children safe by raising awareness of and clarifying which behaviours constitute safe practice and which behaviours should be avoided;
- assist adults working with children to work safely and responsibly and to monitor their own standards and 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.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this Code of Conduct cannot cover all eventualities. There may be times when professional judgements have to be made in situations not covered by this document. However, it is expected that in these circumstances individuals will always advise their line manager of the justification for any such action already taken or proposed. This Code of Conduct is also designed to help prevent misplaced or malicious allegations which can be distressing and difficult for all concerned. Equally, it must be recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children. It is therefore essential that all possible steps are taken to safeguard children and young people and ensure that the adults working with them are safe to do so.

It is also recognised that not all adults who work with children and young people work at The John of Gaunt School do so as paid or contracted employees. The principles and guidance outlined in this document still apply and should be followed by all adults whose work brings them into contact with children and young people.

The guidance contained in this document has due regard to current legislation and statutory guidance.

## **Section 2: Using the Code of Conduct Underlying Principles**

All those who work at The John of Gaunt School must be familiar with this Code of Conduct and comply with the School's Safeguarding Policy and Procedures together with other policies relevant to their work. This includes voluntary work. Adults whose practice deviates from this Code of Conduct may bring into question their suitability to work with children and young people. Any adult who is unclear about their obligations or how any aspect of this Code of Conduct relates to them should seek further guidance from their line manager. It is the responsibility of all adults working for The John of Gaunt School to safeguard and promote the welfare of children and young people.

This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people.

- Adults who work with children are responsible for their own actions and behaviour and therefore should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Adults should work and be seen to work, in an open and transparent way.
- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
- Adults should continually monitor and review their practice and ensure they follow the guidance contained in this document and in other policies relevant to their work at the School.

### **Definitions**

**Children and Young People:** Throughout this document references are made to 'pupils, children and young people'. These terms are interchangeable and refer to children who have not yet reached their 18th birthday. This guidance, however also has value for those working with vulnerable adults, and for adults who work with pupils who have reached their eighteenth birthday while still at school.

**Adults:** References to 'adults' or 'volunteers' refer to any adult who is employed, commissioned or contracted to work with or on behalf of, children and young people, in either a paid or unpaid capacity.

**Manager / line manager:** The term 'manager' or 'line manager' refers to those adults who have responsibility for managing services including the supervision of employees and/or volunteers at any level.

**Employer:** The term 'employer' refers to The John of Gaunt School. In the context of this document, the term 'employer' is also taken to include 'employing' the unpaid services of volunteers.

**Safeguarding:** The process of protecting children from abuse or neglect; preventing impairment of their health and development, and ensuring they are growing up in

circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.

**Duty of Care:** The duty which rests upon an individual or organisation to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity or interaction for which that individual or organisation is responsible. Any person in charge of, or working with children and young people in any capacity is considered, both legally and morally to owe them a duty of care. This document is relevant to both individuals and organisations working with or on behalf of children and young people. Where an individual works independently and does not work as part of an organisation references made to the 'senior manager' should be taken to refer to parents or those with parenting responsibilities.

### Section 3: Code of Conduct for Safe Working Practices

<p><b>1. Context</b> All adults who work with children and young people have a crucial role to play in shaping their lives. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This Code of Conduct has been produced to help adults working in our setting to establish safe and responsive environments which safeguard young people and reduce the risk of adults being unjustly accused of improper or unprofessional conduct.</p>	<p>This means that these guidelines:</p> <ul style="list-style-type: none"> <li>• apply to all adults working in all settings whatever their position, role, or responsibilities</li> <li>• may provide guidance where an individual's suitability to work with children and young people has been called into question.</li> </ul>
<p><b>2. Duty of Care</b> All adults who work with, and on behalf of children are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children and young people. Whether working in a paid or voluntary capacity, these adults have a duty to keep children and young people safe and to protect them from sexual, physical and emotional harm. Children and young people have a right to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of children and young people. Failure to do so may be regarded as neglect. Everyone expects high standards of behaviour from adults who work with children and young people. When individuals accept such work, they need to understand and acknowledge the responsibilities and trust inherent in that role.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached</li> <li>• always act, and be seen to act, in the child's best interests</li> <li>• avoid any conduct which would lead any reasonable person to question their motivation and intentions</li> <li>• take responsibility for their own actions and behaviour</li> <li>• comply with safeguarding and child protection policies and procedures as set out in The John of Gaunt Safeguarding and Child Protection Policy and related documents / policies.</li> </ul>

<p><b>3. Confidentiality</b></p> <p>The storing and processing of personal information about children and young people is governed by Legislation. Expectations include compliance with GDPR regulations. Adults may have access to confidential information about children and young people in order to undertake their responsibilities. In some circumstances they may have access to or be given highly sensitive or private information. These details must be kept confidential at all times and only shared when it is in interests of the child to do so. Such information must not be used to intimidate, humiliate, or embarrass the child or young person concerned. Whilst adults need to be aware of the need to listen to and support children and young people, they must also understand the importance of not promising to keep secrets. Neither should they request this of a child young person under any circumstances. Additionally, concerns and allegations about adults should be treated as confidential and passed to a senior manager without delay.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• be clear about when information can be shared and in what circumstances it is appropriate to do so</li> <li>• treat information they receive about children and young people in a discreet and confidential manner</li> <li>• seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them</li> <li>• know to whom any concerns or allegations should be reported</li> <li>• Follow guidelines for managing information as outlined in GDPR policies, regulations and legislation.</li> </ul>
<p><b>4. Making a Professional Judgement</b></p> <p>This Code of Conduct cannot provide a complete checklist of what is, or is not inappropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge. Such judgements, in these circumstances, should always be recorded and shared with a senior manager or if the adult does not work for an organisation, with the parent or carer. In undertaking these actions individuals will be seen to be acting reasonably. Adults should always be able to justify that their actions are warranted, proportionate and safe and applied equitably.</p>	<p>This means that where no specific guidance exists adults must:</p> <ul style="list-style-type: none"> <li>• discuss the circumstances that informed their action, or their proposed action, with a senior manager and report any actions which could be misinterpreted to their senior manager</li> <li>• always discuss any misunderstanding, accidents or threats with a senior manager always record discussions and reasons why actions were taken.</li> <li>• record any areas of disagreement about course of action taken and if necessary referred to a higher authority</li> </ul>
<p><b>5. Power and Positions of Trust</b></p> <p>A relationship between an adult and a child or young person cannot be a</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• comply with the law and not engage in sexual activity with any child or in the</li> </ul>

<p>relationship between equals. There is potential for exploitation and harm of vulnerable young people.</p> <p>Adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.</p> <p>Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.</p>	<p>presence of that child, or to cause or incite that child to engage in or watch sexual activity.</p> <ul style="list-style-type: none"> <li>• not use their position to gain access to information for their own or others' advantage</li> <li>• not use their position to intimidate, bully, humiliate, threaten, coerce or undermine children or young people</li> <li>• not use their status and standing to form or promote relationships which are of a sexual nature, or which may become so.</li> </ul>
<p><b>6. Propriety and Behaviour</b></p> <p>All adults working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people.</p> <p>It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work. The behaviour of an adult's partner or other family members may raise similar concerns and require careful consideration by The John of Gaunt School as to whether there may be a potential risk to children and young people in the workplace.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• not behave in a manner which would lead any reasonable person to question their suitability to work with children or act as a role model.</li> <li>• not make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such</li> <li>• be aware that behaviour in their personal lives may impact upon their work with children and young people</li> <li>• understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to work with children and young people and comply with any investigations into such matters</li> </ul>
<p><b>7. Personal Living Space</b></p> <p>No child or young person should be in or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/ carers and a member of the Senior Leadership Team.</p> <p>Under no circumstances should children or young people assist with chores or tasks in the home of an adult who works with them. Neither should they be asked to do so by friends or family of that adult.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations</li> <li>• challenge any request for their accommodation to be used as an additional resource for The John of Gaunt School</li> <li>• be mindful of the need to maintain professional boundaries</li> <li>• refrain from asking children and young people to undertake personal jobs or errands</li> </ul>
<p><b>8. Gifts, Rewards and Favouritism</b></p> <p>Adults should exercise care when selecting children and/or young people for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be transparent and subject to scrutiny. Care should also be taken to ensure that adults do not accept any gift that might be construed as a bribe by</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• ensure that gifts received or given in situations which may be misconstrued are declared</li> <li>• generally, only give gifts to an individual young person as part of an agreed reward system</li> <li>• where giving gifts other than as above, ensure that these are of insignificant value</li> </ul>

<p>others, or lead the giver to expect preferential treatment.</p> <p>There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.</p>	<ul style="list-style-type: none"> <li>ensure that all selection processes which concern children and young people are fair and that wherever practicable these are undertaken and agreed by more than one member of staff</li> </ul>
<p><b>9. Infatuations</b></p> <p>Occasionally, a child or young person may develop an infatuation with an adult who works with them. These adults should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>report to the Designated Senior Lead and record any incidents or indications (verbal, written or physical) that suggest a child or young person may have developed an infatuation with an adult in the workplace</li> <li>always acknowledge and maintain professional boundaries</li> </ul>
<p><b>10. Communication with Children and Young People</b> (including the Use of Technology)</p> <p>Any communication between children and adults, by whatever method, should take place within clear professional boundaries. This includes the wider use of technology such as mobile phones text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs.</p> <p>They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role.</p> <p>Adults should ensure that all communications are transparent and open to scrutiny.</p> <p>Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. E-mail or text communications between an adult and a child or young person outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites. Internal e-mail systems should only be used in accordance with School guidelines in the Staff Handbook and Acceptable Use of IT Policy.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>comply with policies relating to portable devices and use of the internet</li> <li>not give their personal contact details to children or young people, including their mobile telephone number and details of any blogs or personal websites</li> <li>where possible only use equipment provided by The John of Gaunt School to communicate with children, making sure, where possible, that parents have given permission for this form of communication to be used</li> <li>not share any personal information with a child or young person</li> <li>only make contact with children for professional reasons It should only be used as a last resort when other forms of communication are not possible and recognise that text messaging is rarely an appropriate response to a child in a crisis situation or at risk of harm.</li> <li>not use internet or web-based communication channels to send personal messages to a child/young person</li> <li>ensure that if they use a social networking site details are not shared with children and young people and privacy settings are set at maximum</li> <li>not become 'friends' with current students or ex-students of The John of Gaunt School until the student is at least</li> </ul>

	20 years old and has left the school for at least 2 years, whichever is later.
<p><b>11. Social Contact</b></p> <p>Adults who work with children and young people should not seek to have social contact them or their families, unless the reason for this contact has been firmly established and agreed with senior managers, or where an adult does not work for an organisation, the parent or carers.</p> <p>Adults should be aware that social contact in certain situations can be construed as grooming. Where social contact is made through interests outside of The John of Gaunt School or through the adult's own family or personal networks, care should be taken to maintain appropriate personal and professional boundaries.</p> <p>It is recognised that some adults may provide support to a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the adult for support outside their professional role. This situation should be discussed with senior management and where necessary referrals made to the appropriate support agency.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• have no secret social contact with children and young people or their parents</li> <li>• consider the appropriateness of the social contact according to their role and nature of their work</li> <li>• advise senior management of any social contact they have with a child or a parent with whom they work, which may give rise to concern</li> <li>• report to the DSL and record any situation, which may place a child at risk or which may compromise The John of Gaunt School or their own professional standing</li> <li>• be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with a line manager</li> <li>• understand that some communications may be called into question and need to be justified.</li> </ul>
<p><b>12. Sexual Contact</b></p> <p>All adults working at The John of Gaunt School are expected to comply with guidance about safeguarding and understand the need to maintain appropriate boundaries in their contacts with children and young people.</p> <p>Intimate or sexual relationships between children/young people 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.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• comply with the School's Safeguarding and Child Protection Policy</li> <li>• be familiar with statutory guidance and the law as it relates to sexual relationships with those they work with</li> <li>• attend training as required by the School to ensure that they are familiar with safeguarding issues not seek or have sexual relationships with any pupil</li> <li>• have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact</li> <li>• make sexual remarks to, or about, a child/young person</li> <li>• discuss their own sexual relationships with or in the presence of children or young people</li> <li>• take care that their language or conduct does not give rise to comment or speculation</li> <li>• recognise that attitudes, demeanour and language all require care and thought,</li> </ul>

	<p>particularly when members of staff are dealing with adolescent boys and girls.</p>
<p><b>13. Physical Contact</b>  Many jobs within the children’s workforce require physical contact with children as part of their role. There are also occasions when it is entirely appropriate for other adults to have some physical contact with the child or young person with whom they are working.  However, it is crucial that in all circumstances, adults should only touch children in ways which are appropriate to their professional or agreed role and responsibilities. Not all children and young people feel comfortable about physical contact, and adults should not make the assumption that it is acceptable practice to use touch as a means of communication. Permission should be sought from a child or young person before physical contact is made. If the child does not have the capability to understand or give consent, there should be a discussion with the parent or carer about what physical contact is acceptable and/or necessary. When physical contact is made with a child this should be in response to their needs at the time, of limited duration and appropriate to 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 child in one set of circumstances may be inappropriate in another, or with a different child.  Adults, nevertheless, should use their professional judgement at all times, observe and take note of the child's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary. Physical contact which occurs regularly with an individual child or young person is likely to raise questions unless there is explicit agreement on the need for, and nature of, that contact. This would then be part of a formally agreed plan or within the parameters of established, agreed and legal professional protocols on physical contact e.g. sport</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• be aware of relevant guidance and policies in respect of physical contact with children and meeting medical needs of children and young people where appropriate</li> <li>• 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</li> <li>• never touch a child in a way which may be considered indecent, for personal gratification or represent a misuse of authority</li> <li>• be prepared to report and explain actions and accept that all physical contact be open to scrutiny</li> <li>• not indulge in ‘horseplay’</li> <li>• always encourage children, where possible, to undertake self-care tasks independently</li> <li>• work within Health and Safety regulations</li> <li>• be aware of cultural or religious views about touching and always be sensitive to issues of gender</li> <li>• understand that physical contact in some circumstances can be easily misinterpreted</li> <li>• report incidents where physical contact has occurred and which may be interpreted as being outside normal practice</li> <li>• report any instance where a child seeks or initiates inappropriate physical contact with an adult, and ensure that contact is not exploited in any way</li> </ul>

<p>activities or medical procedures. Any such arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.</p> <p>As a school we would not permit physical intervention by an adult in situations where there is a student attempting to leave a classroom due to the risk posed to both the student and the adult. Likewise, adult physical intervention when there is a physical altercation between students should be a last resort, when all other methods of stopping the altercation have been attempted.</p>	
<p><b>14. Other Activities that require Physical Contact</b></p> <p>Adults who work in certain settings, including sports, drama or outdoor activities may have some physical contact with children, for example, to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a child so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing codes of conduct, regulations and best practice. Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the senior manager and parent or carer. It is good practice if all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers, children and young people informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• treat children with dignity and respect and avoid contact with intimate parts of the body</li> <li>• always explain to a child the reason why contact is necessary and what form that contact will take and seek their agreement</li> <li>• seek consent of parents where a child or young person is unable to do so because of a disability.</li> <li>• consider alternatives, where it is anticipated that a child might misinterpret any such contact,</li> <li>• be familiar with and follow recommended guidance and protocols</li> <li>• conduct activities where they can be seen by others</li> <li>• be aware of gender, cultural or religious issues that may need to be considered prior to initiating physical contact</li> <li>• seek guidance from colleagues or relevant organisations about safe and appropriate contact</li> </ul>
<p><b>15. Behaviour Management</b></p> <p>All children and young people have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour. Any sanctions or rewards used should be in accordance with the B4L Policy which is regularly reviewed.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• adhere to The John of Gaunt School's Behaviour Policy</li> <li>• not use corporal punishment or force as a form of punishment</li> <li>• not use any form of degrading treatment to punish a child.</li> <li>• must try to diffuse situations before they escalate</li> </ul>

<p>The use of corporal punishment is not acceptable and whilst there may be a legal defence for parents who physically chastise their children, this does not extend, in any circumstances, to those adults who work with or on behalf of children and young people. Where children display difficult or challenging behaviour, adults must follow the B4L, and use strategies appropriate to the circumstance and situation.</p> <p>The use of physical intervention can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed and a child is at serious risk of harm to themselves or another person.</p>	<ul style="list-style-type: none"> <li>• inform parents of any behaviour management techniques used (through the website etc.) and in discussions if necessary.</li> <li>• be mindful of factors which may impact upon a child or young person's behaviour (e.g. bullying, abuse, SEN) and where necessary take appropriate action</li> <li>• work with colleagues to devise/implement positive behaviour plans for individual pupils</li> </ul>
<p><b>16. Children and Young People in Distress</b></p> <p>For all adults working with children there will be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Younger children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Adults should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries. Where an adult has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this should be reported and discussed with and the DSL and thereafter in most cases also with the parents/carers.</p>	<p>This means the adult must:</p> <ul style="list-style-type: none"> <li>• consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way</li> <li>• be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances</li> <li>• never touch a child in a way which may be considered inappropriate</li> <li>• record and report to the DSL situations which may give rise to concern from either party</li> <li>• not assume that all children seek physical comfort if they are distressed</li> </ul>
<p><b>17. Intimate and Personal Care</b></p> <p>Some roles necessitate physical contact with children on a regular basis, for example those who require help with changing clothes due to disability or in the provision of medical care. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed.</p> <p>The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and be recorded as part of an agreed care plan. All children have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• make other staff aware of the task being undertaken</li> <li>• explain to the child what is happening</li> <li>• consult with senior managers and parents/carers where any variation from agreed procedure/care plan is necessary</li> <li>• record the justification for any variations to the agreed procedure/care plan and share this information with parents</li> <li>• ensure that any changes to the agreed care plan are discussed, agreed and recorded.</li> <li>• avoid any visually intrusive behaviour where there are changing rooms</li> <li>• announce their intention of entering</li> <li>• not change in the same place as children</li> <li>• not shower or bathe with children</li> </ul>

<p>on their abilities, age and maturity should be encouraged to act as independently as possible.</p> <p>The views of the child should be actively sought, wherever possible, when drawing up and reviewing formal arrangements. As with all individual arrangements for intimate care needs, agreements between the child, parents/carers and the School must be negotiated and recorded.</p>	<ul style="list-style-type: none"> <li>not assist with any personal care task which a child or young person can undertake by themselves</li> </ul>
<p><b>18. First Aid and Administration of Medication</b></p> <p>Adults must be suitably trained and qualified before administering first aid and/or any agreed medication. Parents should always be informed when first aid has been administered. In circumstances where children need medication regularly a health care plan should have been established to ensure the safety and protection of children and the adults who are working with them. Depending upon the age and understanding of the child, they should where appropriate, be encouraged to self-administer medication or treatment including, for example any ointment, use of inhalers.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>adhere to The John of Gaunt School procedures for administering first aid or medication</li> <li>always ensure that an appropriate health/risk assessment is undertaken where needed</li> <li>refer pupils to named, trained individuals to undertake comprehensive first aid</li> <li>make the necessary referral to the emergency services if required</li> <li>comply with the necessary reporting requirements</li> <li>explain to the child what is happening.</li> <li>always act and be seen to act in the child's best interests</li> <li>report and record any administration of first aid or medication</li> <li>have regard to any health plan which is in place</li> </ul>
<p><b>19. One to One Situations</b></p> <p>This Code of Conduct and the School's Safeguarding and Child Protection Policy and Procedures together frame the guidance for The John of Gaunt School employees when working alone with pupils as working in one to one situations can pose additional risks to them and pupils. There are occasions where line managers will need to undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments should take into account the individual needs of the child/young person and the individual worker and any arrangements should be reviewed on a regular basis. Meetings with children and young people outside agreed working arrangements should not take place without the agreement of senior managers and parents or carers.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed where appropriate</li> <li>avoid meetings with a child or young person in remote, secluded areas</li> <li>always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to have them present or close by</li> <li>avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy</li> <li>always report any situation where a child becomes distressed or angry to an appropriate colleague</li> <li>carefully consider the needs and circumstances of the child/children when in one to one situations</li> </ul>
<p><b>20. Trips and Outings</b></p> <p>Adults should take particular care when supervising children and young people on</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>comply with the School Trips Policy and undertake appropriate risk assessments</li> </ul>

<p>trips and outings, where the setting is less formal than the usual workplace. This includes those taken by 6<sup>th</sup> form students. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries.</p> <p>Where activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child ratios and to the gender mix of staff especially on overnight stays.</p>	<ul style="list-style-type: none"> <li>• always have another adult present in out of workplace activities, unless otherwise agreed with a senior manager</li> <li>• have parental consent to the activity where applicable</li> <li>• ensure that their behaviour remains professional at all times</li> <li>• never share beds with a child/children or young people</li> <li>• not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with senior manager, parents and children and young people.</li> </ul>
<p><b>21. Photography and Videos</b></p> <p>Working with children and young people may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and wellbeing of children and young people. Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.</p> <p>Adults need to remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• comply with any policies and guidance regarding taking and storing images</li> <li>• be clear about the purpose of the activity and about what will happen to the images when the activity is concluded</li> <li>• be able to justify images of children in their possession and not take photographs of children for their personal use</li> <li>• avoid making images in one to one situations or which show a single child with no surrounding context</li> <li>• ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed</li> <li>• only use equipment provided or authorised by the John of Gaunt School</li> <li>• report any concerns about any inappropriate or intrusive photographs found</li> <li>• always ensure they have parental permission to take and/or display photographs</li> <li>• not display or distribute images of children unless they have consent to do so from parents/carers</li> <li>• not use images which may cause distress</li> <li>• not take images 'in secret', or take images in situations that may be construed as secretive.</li> </ul>
<p><b>22. Access to Inappropriate Images and Internet Usage</b></p> <p>Accessing, making and storing indecent images of children on the internet are</p>	<p>This means that adults must:</p> <ul style="list-style-type: none"> <li>• follow The John of Gaunt School's guidance on the use of IT equipment and</li> </ul>

<p>illegal. Adults who do so will be viewed as posing a significant threat to children and raise serious concerns about their suitability to continue to work with children. This will lead to criminal investigation and the individual being barred from working with children and young people, if proven. Where indecent images of children or other unsuitable material are found, the Police and Designated Officer for Allegations (DOFA) must be immediately informed. Adults should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.</p>	<p>its Safeguarding and Child Protection Policy</p> <ul style="list-style-type: none"> <li>• not use equipment belonging to their organisation to access adult pornography; neither should personal equipment containing these images or links to them be brought into the workplace</li> <li>• seek to ensure that children are not exposed to unsuitable material on the internet</li> <li>• ensure that any films or material shown to children and young people are age appropriate</li> <li>• ensure that children and young people are not exposed to any inappropriate images or web links. Adults need to ensure that internet equipment used by children has the appropriate controls with regards to access. e.g. personal passwords should be kept confidential.</li> </ul>
<p><b>23. Sharing Concerns and Recording Incidents</b></p> <p>Individuals should be aware of The John of Gaunt School's Safeguarding Procedures, including procedures for dealing with allegations against adults. All allegations must be taken seriously and properly investigated in accordance with local procedures and statutory guidance. Adults who are the subject of allegations are advised to contact their professional association. In the event of any allegation being made, to someone other than a manager, information should be clearly and promptly recorded and reported to the DSL or the Headteacher without delay, in accordance with procedures. Adults should always feel able to discuss with their line manager any difficulties or problems that may affect their relationship with children and young people so that appropriate support can be provided or action can be taken. It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of children and young people.</p>	<p>This means that adults:</p> <ul style="list-style-type: none"> <li>• should be familiar with the school's system for reporting concerns</li> <li>• should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the workplace</li> <li>• The John of Gaunt School has an effective, transparent and accessible system for recording and managing concerns raised by any individual in the workplace</li> </ul>
<p><b>24. Speaking Up</b></p> <p>All individuals should be aware of the Speaking Up Procedures designed to deal with the disclosure of information by an employee when the welfare of children or other employees is put at risk, or when</p>	

<p>there is some danger, fraud or other unlawful or unethical conduct in the School.</p> <p>It is intended to provide protection to employees who disclose such matters from being subjected to any personal detriment, including being unfairly dismissed from their post as a result. The employee is not expected to prove the truth of a disclosure but will need to demonstrate sufficient grounds for their concern.</p>	
<p><b>25. Prevent Duty</b></p> <p>All staff should be aware of their obligations in relation to preventing radicalisation and ensured they have completed the statutory training.</p>	

### Frequently asked questions

- **What should an employee do if they know that someone is breaching this Code of Conduct?**

Often it is those closest to an organisation who realise that there is something wrong. Sometimes people are reluctant to act upon their concerns because they think that they are being disloyal, or because they are afraid that they might be victimised if they speak up.

The school has in place a Speak Up policy to enable employees to raise concerns in an appropriate manner and to ensure that they do not suffer any detriment as a result of doing so.

- **Can an employee's partner's business tender for a contract?**

The Code of Conduct does not preclude anyone from having the opportunity to tender for business. However, the process must be, and be seen to be, fair open and transparent. To this end, employees would need to make the Headteacher aware of their interest, take no part in the tendering process and ensure that they do not pass on any information which would give that business any advantage in the process.

- **Can an employee's relative apply for a job in the school?**

Yes. They can apply and would be considered on the basis of their suitability for the role. They should declare their relationship on the appropriate section of the application form.

If the employee is involved in recruiting for the role they should not be involved in any stage of the appointment and should disclose the relationship as soon as they are aware that their relative or close personal friend is applying for the role so that someone else can be assigned to the appointments process.

- **Can an employee take a second job?**

All staff should consult their Headteacher prior to taking on any additional work.

In all circumstances employees must remember:

- They should not do work which is in direct competition with the school;
- The work they are doing should not bring the school into disrepute;
- They may not act as a “go-between” between the school and the other business;
- They must not undertake other work when they are on duty for the school, including during standby or call out duties unless the work can be undertaken from home;
- That they are responsible for ensuring they get enough rest and do not exceed working time regulations, particularly where the current role is undertaken on a full-time basis.

- **What if a pupil buys an employee a box of chocolates – should they accept them?**

Generally, gifts which are of low value (under £25) can be accepted. Employees should be guided by school procedures and by common sense.

- **Can employees accept discounts because they work for the school?**

Any other discount offered should be treated in the same way as gifts and hospitality and generally should not be accepted.

- **Can employees campaign for a political party outside of work?**

Employees may campaign on behalf of a political party however when engaged on school business they must remain politically neutral and not allow their personal or political views to interfere with their duties.

- **What types of interests should be declared?**

An interest is anything which could cause a reasonable member of the public, knowing all facts, to think that an employee might be influenced when making a decision in the course of their work.

Interests could include:

- Land or property ownership
- Relationships with people involved
- Acting as a governor for another school
- Involvement with an organisation or pressure group which may oppose a school policy

Individuals are free to take part in activities organised and authorised by the Trade Unions without declaring an interest.

- **Can an employee make a comment to the press if they are approached for example, as a union member on a picket line?**

In these circumstances the employee should direct the press to the correct contact. If an employee does make a comment to the press, whilst in their role as a member of a union, they will need to consider any potential conflict of interest or impact on their work role with the school and the school's reputation.

- **Can an employee use the school photocopier to make personal copies?**  
Employees should get authorisation from the Headteacher before using any work facilities for personal use.
- **What should an employee do if the Code of Conduct doesn't cover their specific situation?**

In the first instance seek advice from the Headteacher.