



# The Athelstan Trust

## Code of conduct for Staff

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#### Purpose and application

- 1 **Purpose:** Relationships with fellow Staff, employees, governors, trustees, contractors, visitors, volunteers, students and their parents, guardians or carers should be reasonable and mutually respectful at all times. This Code has been produced to place the welfare of children at the centre of the Trust and its culture and to ensure that all those who work in the Trust and may have contact with children are clear on the rules of conduct and the expectations of the Trust. Children place trust in those connected to the Trust creating obligations which we must all meet to ensure the successful outcomes achieved by the children in our care.
- 2 This Code has regard to the Trust's child protection and safeguarding policy and procedures and the following (collectively referred to in this Code as the **Guidance**):
  - 2.1 Department for Education's statutory guidance Keeping Children Safe in Education (2022), Working Together to Safeguard Children (2018) and the Governance Handbook
  - 2.2 Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014, which places a duty on academies and independent schools to safeguard and promote the welfare of students at each school within the Trust
  - 2.3 The Children Act 1989 (and 2004 amendment), which provides a framework for the care and protection of children
  - 2.4 Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the Serious Crime Act 2015, which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
  - 2.5 Statutory guidance on FGM, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
  - 2.6 The Rehabilitation of Offenders Act 1974, which outlines when people with criminal convictions can work with children
  - 2.7 Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, which defines what 'regulated activity' is in relation to children
  - 2.8 Statutory guidance on the Prevent duty, which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- 3 The purpose of the Code is to:
  - 3.1 confirm and reinforce the professional responsibilities of all Staff;
  - 3.2 clarify the legal position in relation to sensitive aspects of **Staff** /student relationships and communication including the use of social media;
  - 3.3 set out the expectations of standards and behaviour to be maintained within the School; and



# The Athelstan Trust

## Code of conduct for Staff

3.4 to help adults establish safe practices and reduce the risk of false accusations or improper conduct.

- 4 **Application:** The Code of Conduct (**Code**) applies to all Staff working in the Trust, whether paid or unpaid, whatever their position, role or responsibilities and **Staff** includes employees, governors, trustees, members, contractors, students and volunteers.
- 5 **Your duty:** It is the contractual duty of every member of Staff to observe the rules and obligations in this Code. You should also follow the Guidance. The Trust also has a duty of care to its Staff, parents, guardians or carers and students and the implementation of the practices in this Code will help to discharge that duty.
- 6 **Wrongdoing:** All staff are required to report their own wrongdoing, or any wrongdoing or proposed wrongdoing of any other member of staff or any conduct which they may suspect to be inappropriate to the Designated Safeguarding Lead. The Trust operates a Whistleblowing Policy.
- 7 **Application with other policies:** The Code should be read in conjunction with the Trust's Child Protection and Safeguarding Policy and Whistleblowing Policy.

### Guiding principles

#### 8 Principles for all Staff

- 8.1 All Staff should put the wellbeing, development and progress of all students first by:
  - 8.1.1 taking all reasonable steps to ensure the safety and wellbeing of students under their supervision;
  - 8.1.2 using professional expertise and judgment for the best interests of students in their care;
  - 8.1.3 demonstrating self-awareness and taking responsibility for their own actions and for providing help and support to students;
  - 8.1.4 raising concerns about the practices of teachers or other professionals where these may have a negative impact on students' learning or progress, or may put students at risk;
  - 8.1.5 being familiar with the Trust's Child Protection and Safeguarding Policy;
  - 8.1.6 reading and understanding Part 1, and where appropriate Annex A of KCSIE (September 2022) and reviewing this guidance at least annually;
  - 8.1.7 knowing the role, identity and contact details of the current Designated Safeguarding Lead and their Deputy;
  - 8.1.8 knowing the role, identity and contact details of the Nominated Safeguarding Trustee and Governor at the respective Schools; and
  - 8.1.9 being aware that they are in a position of trust (i.e. the adult is in a position of power or influence over the student due to his or her work); that the relationship is not a relationship between equals and that this position



# The Athelstan Trust

## Code of conduct for Staff

must never be used to intimidate, bully, humiliate, coerce or threaten students.

- 8.2 All Staff should demonstrate respect for diversity and take steps to promote equality by:
  - 8.2.1 acting appropriately and in accordance with this Code of Conduct, towards all students, parents, guardians or carers and Staff;
  - 8.2.2 complying with the bullying/ anti-bullying policy of the school, the Trust's Equal Opportunities Policy, Dignity at work Policy and this Code of Conduct;
  - 8.2.3 addressing issues of discrimination and bullying whenever they arise; and
  - 8.2.4 helping to create a fair and inclusive environment.
- 8.3 All Staff should work as part of a unified Staff body by:
  - 8.3.1 developing productive and supportive relationships with colleagues;
  - 8.3.2 exercising any management responsibilities in a respectful, inclusive and fair manner;
  - 8.3.3 complying with all Trust and school policies and procedures;
  - 8.3.4 participating in the school's development and improvement activities;
  - 8.3.5 recognising the role of the Trust and the schools in the life of their respective local communities; and
  - 8.3.6 upholding the reputation of the Trust and its schools and their standing within their respective local communities and building trust and confidence in them.
- 8.4 All Staff should understand that the Trust has a legal duty to have regard to the need to prevent people from being drawn into terrorism, and consequently should be aware of:
  - 8.4.1 what extremism and radicalisation means and why people - including students and fellow staff members - may be vulnerable to being drawn into terrorism as a consequence of it;
  - 8.4.2 what measures are available to prevent people from becoming drawn into terrorism and how to challenge the extremist ideology that can be associated with it; and
  - 8.4.3 how to obtain support for people who may be being exploited by radicalising influences.
- 8.5 All Staff should maintain public trust and confidence in the Trust and in their profession by:
  - 8.5.1 demonstrating honesty and integrity;



# The Athelstan Trust

## Code of conduct for Staff

- 8.5.2 understanding and upholding their duty to safeguard the welfare of children and young people;
  - 8.5.3 understanding and demonstrating fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs;
  - 8.5.4 maintaining reasonable standards of behaviour whether inside or outside of normal school hours and whether on or off Trust premises; and
  - 8.5.5 maintaining an effective learning environment.
- 8.6 All Staff should raise any concerns relating to honour-based abuse (to include female genital mutilation(**FGM**) and forced marriage with the Designated Safeguarding Lead and involve children’s social care as appropriate in accordance with the Trust's child protection and safeguarding policy. Teachers must also report to the police cases where they discover (either through disclosure by the victim or visual evidence) that an act of FGM appears to have been carried out on a girl under the age of 18. The report should be made orally by calling 101, the single non-emergency number. It will be rare for teachers to see visual evidence, and they should not be examining students but those failing to report such cases will face disciplinary sanctions.
- 8.7 All Staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. It is key that staff are aware of how experiences such as abuse, neglect or other potentially traumatic adverse childhood experiences can impact on a child's mental health, behaviour and education. If Staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following the Trust's child protection and safeguarding policy.

### 9 Additional principles for teachers

- 9.1 Teachers should take responsibility for maintaining the quality of their teaching practice by:
  - 9.1.1 meeting the professional standards for teaching applicable to their role and position within the school;
  - 9.1.2 reflecting on their current practice and seeking out opportunities to develop knowledge, understanding and skills;
  - 9.1.3 helping students to become confident and successful learners; and
  - 9.1.4 establishing productive relationships with parents, guardians or carers by:
    - (a) providing accessible and accurate information about their child's progress;



# The Athelstan Trust

## Code of conduct for Staff

- (b) involving them in important decisions about their child's education; and
- (c) complying with this Code.

### Guidance on Staff / student relationships

- 10 **Application:** Allegations of unprofessional conduct or improper contact or words can arise at any time. Professionalism and vigilance are required to ensure the safety of children in our care, and to reduce the risk of an allegation of impropriety against a member of Staff. This guidance applies to all Staff.
- 11 **Sexual contact:** Staff must not:
- 11.1 have any type of sexual relationship with a student or students;
  - 11.2 have sexually suggestive or provocative communications with a student;
  - 11.3 make sexual remarks to or about a student; and
  - 11.4 discuss their own sexual relationships in the presence of students.
- 12 **Abuse of a position of trust and inappropriate relationships with students:** Sexual relationships or sexual contact with any students, or encouraging a relationship to develop in a way which might lead to a sexual relationship or any relationship just considered inappropriate with any student at the school is a grave breach of trust that will usually lead to disciplinary action and may also lead to criminal prosecution. It is the criminal offence of an abuse of a position of trust to have any sexual relationship with any school student under the age of 18, and whilst not a criminal offence, it is a breach of this Code and considered to be gross misconduct to have a sexual relationship with any pupil of the school, even if over the age of 18.
- 13 **Inappropriate relationships with pupils at another school:** Forming relationships with children or young people who are students at another school will be a criminal offence if they are under 16 but may also be a criminal offence if under the age of 18 and will be regarded as gross misconduct. Such behaviour tends to bring the school and/or the Trust into disrepute and gives rise to concern that the Staff involved cannot be trusted to maintain professional boundaries with students. Whilst not a criminal offence, the school and Trust considers it inappropriate for Staff to form inappropriate relationships with a student of any school, irrespective of their age.
- 14 **General guidance:** You should be aware of the general guidance that will apply in all cases. In particular you:
- 14.1 need to exercise professional judgment but always act within the spirit of these guidelines. If you are involved in a situation where no specific guidance exists, you should discuss the circumstances with the Designated Safeguarding Lead. A written record should be kept that includes justification for any action taken;
  - 14.2 must be aware of the risks of peer-on-peer abuse and be familiar with procedures for handling allegations against other children and bullying as set out in the Trust's child protection and safeguarding policy. Examples of peer-on-peer abuse are bullying (including cyberbullying), physical abuse, sexual violence and sexual harassment, sexting and initiation and hazing;



# The Athelstan Trust

## Code of conduct for Staff

- 14.3 must be familiar with procedures for reporting concerns in accordance with the Trust's whistleblowing policy and be aware that if Staff raise concerns about working practices within the Trust to the Designated Safeguarding Lead or an appropriate senior member of Staff that they will be protected from detriment under the whistleblowing policy;
  - 14.4 must be familiar with the local reporting guidelines and the Local Safeguarding Children Board reporting threshold document in respect of any concerns relating to children;
  - 14.5 must be familiar with procedures for handling allegations against Staff as set out in the Trust's Child Protection and Safeguarding Policy;
  - 14.6 must seek guidance from the Designated Safeguarding Lead if you are in any doubt about appropriate conduct; and
  - 14.7 must report any actions which could be misinterpreted, any misunderstandings, accidents or threats involving you and a student or a group of students to the Designated Safeguarding Lead.
- 15 **Behaviour giving particular cause for concern:** You should take particular care when dealing with a student who:
- 15.1 appears to be emotionally distressed, or generally vulnerable and / or who is seeking expressions of affection;
  - 15.2 appears to hold a grudge against you;
  - 15.3 acts in a sexually provocative way, or who is inclined to make exaggerated claims about themselves and others, or to fantasise, or one whose manner with adults is over familiar; and
  - 15.4 may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations.
- 16 **Procedure to be followed in these cases:** Some of these behaviours may be indications that a child has been, or is currently being, abused and should therefore be reported to the Designated Safeguarding Lead under the Trust's Child Protection and Safeguarding Policy.
- 17 **Record keeping:** Comprehensive records are essential. All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. Any incident involving children that could give cause for concern must be recorded and reported to the Designated Safeguarding Lead in accordance with the Trust's Child Protection and Safeguarding Policy. If there is any doubt about recording requirements this should be discussed with the Designated Safeguarding Lead.
- 18 **Good order and discipline:** Staff in charge or control of students must maintain good order and discipline at all times when pupils are present on school premises and whenever students are engaged in authorised school activities, whether on Trust or school premises or elsewhere.



# The Athelstan Trust

## Code of conduct for Staff

### General conduct

- 19 **School property:** You must take proper care when using Trust or school property and you must not use Trust or school property for any unauthorised use or for private gain.
- 20 **Use of premises:** You must not carry out on Trust or school premises any work or activity other than pursuant to your terms and conditions of employment without the prior permission of the Headteacher.
- 21 **Behaviour of others:** You should be aware that the behaviour of your partner or other family members or any member of your household may raise concerns which could affect the welfare of a member of the Trust or school community, a member of the public, or bring the Trust or one of its schools into disrepute and you should bring any such behaviour to the immediate attention of the Trust. Such concerns will be given careful consideration as to whether they constitute a potential risk to children at any school.

### Meetings with students

- 22 **One-to-one meetings:** If you are teaching one student, or conducting a one-to-one meeting or teaching session with a student, you should take particular care in the following ways:
  - 22.1 when working alone with a student is an integral part of your role, conduct and agree full risk assessments with the Designated Safeguarding Lead;
  - 22.2 use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open, or inform a colleague that the lesson / meeting is taking place;
  - 22.3 arrange the meeting during normal school hours when there are plenty of other people about;
  - 22.4 do not continue the meeting for any longer than is necessary to achieve its purposes;
  - 22.5 avoid sitting or standing in close proximity to the student, except as necessary to check work;
  - 22.6 avoid using "engaged" or equivalent signs on doors or windows;
  - 22.7 avoid idle discussion;
  - 22.8 avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;
  - 22.9 avoid any conduct that could be taken as a sexual advance;
  - 22.10 report any incident that causes you concern to the Designated Safeguarding Lead under the Trust's Child Protection and Safeguarding Policy, and make a written record (signed and dated); and
  - 22.11 report any situation where a student becomes distressed or angry to the Designated Safeguarding Lead.



# The Athelstan Trust

## Code of conduct for Staff

- 23 **Pre-arranged meetings:** Pre-arranged meetings with students outside school should not be permitted unless approval is obtained from their parents, guardians or carers and the Designated Safeguarding Lead. If you are holding such a meeting, you should inform colleagues before the meeting.
- 24 **Home visits:** In some circumstances home visits are necessary. You should:
- 24.1 discuss the purpose of any visit with the Designated Safeguarding Lead and adhere to any agreed work plan / contract;
  - 24.2 follow the risk management strategy and ensure appropriate risk assessments are in place. Where there is insufficient information to complete a risk assessment, ensure that you are accompanied by a colleague;
  - 24.3 not visit unannounced if this can be avoided;
  - 24.4 leave the door open where you will be alone with students;
  - 24.5 keep records detailing times of arrival and departure, and work undertaken;
  - 24.6 ensure that any behaviour or situation that gives rise to a concern is reported and actioned;
  - 24.7 discuss with the Designated Safeguarding Lead anything that gives cause for concern in accordance with the Trust's Child Protection and Safeguarding Policy; and
  - 24.8 have a mobile telephone and an emergency contact.

### Language and appearance

- 25 **Language:** You should use appropriate language at all times. You should:
- 25.1 avoid words or expressions that have any unnecessary sexual content or innuendo; avoid displays of affection either personally or in writing (e.g. messages in birthday cards, text messages, emails etc);
  - 25.2 avoid any form of aggressive or threatening words;
  - 25.3 avoid any words or actions that are over-familiar;
  - 25.4 not swear, blaspheme or use any sort of offensive language in front of students;
  - 25.5 avoid the use of sarcasm discriminatory or derogatory words when punishing or disciplining students and avoid making unprofessional personal comments about anyone. Any sanctions should be in accordance with the Trust's behaviour policy; and
  - 25.6 be aware that some parts of the curriculum may raise sexually explicit subject matters. Care should be taken in subjects where rules / boundaries are relaxed (e.g. drama or art). Staff should have clear lesson plans and should take care to avoid overstepping personal and professional boundaries.





# The Athelstan Trust

## Code of conduct for Staff

- 26 **Dress:** You should dress appropriately and in a professional manner. Dress must not be offensive, distracting, revealing, or sexually provocative, embarrassing or discriminatory. Political or other contentious slogans or badges are not allowed.

### The use of force or physical restraint

- 27 **Physical restraint:** All forms of corporal punishment are unlawful and the use of unwarranted physical force is likely to constitute a criminal offence. The use of physical intervention should be avoided if possible. There are circumstances when it is appropriate for Staff to use force to safeguard children. This is enshrined in law and applies to any member of Staff within the Trust. It can also apply to people whom the Headteacher has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.
- 28 **Application of code of restraint:** It only applies where no other form of control is available and where it is necessary to intervene. The use of force or physical contact may be reasonable and proportionate in the circumstances to prevent a student from doing, or continuing to do any of the following:
- 28.1 committing a criminal offence;
  - 28.2 injuring themselves or others;
  - 28.3 causing damage to property, including their own; or
  - 28.4 engaging in any behaviour prejudicial to good order and discipline at the school or among any of its students, whether that behaviour occurs in a classroom or elsewhere.
- 29 **Before intervening:** Before intervening physically you should, wherever practicable, tell the student to stop and what will happen if he or she does not. You should continue attempting to communicate with the student throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. You should always avoid touching or holding a student in a way that might be considered indecent. You should also avoid any form of aggressive contact such as holding, pushing, pulling or hitting which could amount to a criminal assault, nor act in a way that might reasonably be expected to cause injury.
- 30 **Inform senior staff:** You should inform the Headteacher immediately following an incident where force has been used. This is to help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful in the event of a complaint. You should provide a written report as soon as possible afterwards. This should include written and signed accounts of those involved, including the student. The parents, guardians or carers of the student should be informed about serious incidents involving the use of force. The Headteacher will advise as to when parents should be contacted.
- 31 **Action taken in self-defence or in an emergency:** The law allows anyone to defend themselves against an attack provided they do not use more force than is necessary. Similarly, a student is at risk of immediate injury or on the point of inflicting injury on someone else, any member of Staff (whether authorised or not) would be entitled to intervene.
- 32 **Using reasonable force:** There is no legal definition of "reasonable force". It will always depend on the circumstances. The term "reasonable force" covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from



# The Athelstan Trust

## Code of conduct for Staff

guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. "Reasonable" in these circumstances means "using no more force than is needed". The use of force may involve either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of the classroom. Note that:

- 32.1 any use of force should be proportionate to the behaviour of the student involved and the seriousness of the harm prevented;
- 32.2 you should recognise the additional vulnerability of children with SEN, disabilities and certain medical conditions before using reasonable force;
- 32.3 physical force could not be justified to prevent a student from committing a trivial misdemeanour;
- 32.4 any force should always be the minimum needed to achieve the desired result; and
- 32.5 whether it is reasonable to use force and the degree of force that could be reasonably employed might also depend on the age, understanding and sex of the student.

### Physical contact in other circumstances

- 33 **When physical contact may be appropriate:** Physical contact with a student may be necessary and beneficial to demonstrate a required action, or a correct technique in, for example, singing and other music lessons or during PE, sports and games. Any physical contact should be in response to the student's needs, of limited duration and appropriate to the student's age, stage of development, gender, ethnicity and background. Physical contact can be easily misinterpreted and should be limited. Staff should use professional judgement.
- 34 **Guidance on using physical contact:** You should observe the following guidelines (where applicable):
  - 34.1 explain the intended action to the student;
  - 34.2 do not proceed with the action if the student appears to be apprehensive or reluctant, or if you have other concerns about the student's likely reaction;
  - 34.3 ensure that the door is open and if you are in any doubt, ask a colleague or another student to be present during the demonstration; and
  - 34.4 consider alternatives if it appears likely that the student might misinterpret the contact.
- 35 **Report concerns:** If you are at all concerned about any instance of physical contact, inform the Designated Safeguarding Lead without delay, and make a written record in the incident book and on the student's file if necessary.
- 36 **Offering comfort to distressed students:** Touching may be appropriate where a student is in distress and needs comforting. You should use your own professional judgement when you feel a student needs this kind of support and should be aware of any special circumstances relating to the student. For example, a child who has been abused may find physical contact particularly difficult. You should always notify the Designated Safeguarding Lead when comfort has been



# The Athelstan Trust

## Code of conduct for Staff

offered, record the action and should seek guidance if unsure whether it would be appropriate in a particular case.

- 37 **Administering first aid:** When administering first aid you should explain to the child what is happening and ensure that another adult is present or is aware of the action being taken. The treatment must meet the Trust's health and safety at work rules and practice for intimate care, and parents, guardians or carers should be informed. Staff should:
- 37.1 adhere to the Trust's policies on first aid and administering medication;
  - 37.2 comply with the necessary reporting requirements;
  - 37.3 make other adults aware of the task that is being undertaken;
  - 37.4 explain what is happening;
  - 37.5 report and record the administration of first aid;
  - 37.6 have regard to any health plans; and
  - 37.7 ensure that an appropriate health / risk assessment is undertaken prior to undertaking certain activities.
- 38 **Students' entitlement to privacy:** Children are entitled to privacy when changing or showering. However there still must be an appropriate level of supervision to ensure safety. You should:
- 38.1 avoid physical contact or visually intrusive behaviour when children are undressed;
  - 38.2 announce yourself when entering changing rooms and avoid remaining unless required;
  - 38.3 not shower or change in the same place as children; and
  - 38.4 not assist with any personal care task which a student can undertake themselves.
- 39 **Intimate care:** Sometimes intimate care is required, for example when assisting with toileting or removing wet clothes. You should:
- 39.1 comply with the Trust's practice on intimate care;
  - 39.2 advise other Staff of the task being undertaken and consult where there is any change from the agreed procedure. A record should be kept of the justification for any variations and this information should be shared with parents, guardians or carers;
  - 39.3 explain to the child what is happening;
  - 39.4 comply with applicable professional codes of practice, as appropriate; and
  - 39.5 comply with regularly reviewed, formally agreed plans, as appropriate.
- 40 **Where a child has been abused:** Where a child has previously been abused, Staff should be informed on a 'need to know' basis and should be extra cautious when considering the necessity of physical contact. Some children may seek inappropriate physical contact. Staff should sensitively deter the student and help them understand the importance of personal boundaries.



# The Athelstan Trust

## Code of conduct for Staff

Such incidents should be reported and discussed with the Designated Safeguarding Lead and parents, guardians or carers where appropriate.

- 41 **Children with special educational needs or disabilities:** Some children may need more physical contact to assist their everyday learning, which should be agreed and understood by all concerned, justified, openly applied and open to scrutiny. The Designated Safeguarding Lead and SENCO will establish whether any reasonable adjustments are required for such students.

### Code of conduct for contact outside school

- 42 **Contact outside school:** You should avoid unnecessary contact with students outside school. You should:
- 42.1 not give students your home address, home telephone number, mobile telephone number or email address;
  - 42.2 not send personal communications (such as birthday cards or faith cards, text messages etc) to children unless agreed with the Headteacher;
  - 42.3 not make arrangements to meet students, individually or in groups, outside school other than on school trips authorised by the Headteacher;
  - 42.4 avoid contacting students at home unless this is strictly necessary, and you should keep a record of any such occasion;
  - 42.5 not give a student a lift in your own vehicle other than on School business and with permission from the Deputy Head / Headteacher;
  - 42.6 avoid inviting students (groups or individuals) to your home unless there is a good reason and it has been approved by the Headteacher. This prohibition also applies if you have on site accommodation;
  - 42.7 report and record any situation which may place a child at risk or which may compromise the School's or your professional standing;
  - 42.8 ensure that students do not see anything in your home that may cause embarrassment or that might become the subject of inappropriate gossip or rumour; and
  - 42.9 never engage in secretive social contact with students or their parents, guardians or carers.
- 43 **Social contact:** You should be aware that where you meet children or parents, guardians or carers socially, such contact could be misinterpreted as inappropriate, an abuse of a position of trust or as grooming. Any social contact that could give rise to concern should be reported to the Headteacher.
- 44 **Friendships with parents, guardians or carers and students:** Members of Staff who are friends with parents, guardians or carers of students or who, for example, are voluntary workers in youth organisations attended by students, will of course have contact with those students outside school. However, members of Staff should still respect the above advice wherever possible and should keep the Headteacher informed of such relationships.



# The Athelstan Trust

## Code of conduct for Staff

- 45 **Scope of application of code on contact outside school:** The same guidelines should be applied to after school clubs, school trips, and especially trips that involve an overnight stay away from the School. There are separate, more detailed guidelines for school trips in the policies governing educational visits for each school. The principles of this guidance also apply to contact with children or young people who are students at another school.
- 46 **Transporting students:** There may be some situations when Staff are required to transport students. You should:
- 46.1 ensure that you are fit to drive and free from any substances that may impair your judgement or ability to drive;
  - 46.2 be aware that until the student is passed over to a parent / carer, you have responsibility for that student's health and safety;
  - 46.3 record the details of the journey;
  - 46.4 record, be able to justify impromptu or emergency lifts and notify the Deputy Head / Headteacher;
  - 46.5 ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety, including appropriate insurance, seat belts, adherence to maximum capacity guidelines etc; and
  - 46.6 wherever practicable, you should avoid using private vehicles and should try and have one adult additional to the driver to act as an escort.
- 47 **After school activities:** When taking part in after school activities, you should:
- 47.1 be accompanied by another adult unless otherwise agreed with the Headteacher;
  - 47.2 undertake a risk assessment; and
  - 47.3 obtain parental consent.
- 48 **Educational visits:** When taking part in educational visits, you should:
- 48.1 follow the school's policy covering educational visits;
  - 48.2 be accompanied by another adult unless otherwise agreed with the Headteacher;
  - 48.3 undertake a risk assessment;
  - 48.4 obtain parental consent; and
  - 48.5 never share bedrooms unless in a dormitory situation and arrangements have been discussed and agreed previously with the Headteacher and where appropriate parents, guardians or carers and students.
- 49 **Overnight supervision:** Where overnight supervision is required to preserve the integrity of the examination process:
- 49.1 you should ensure that a risk assessment has been undertaken and that all members of the household have had the appropriate checks;



# The Athelstan Trust

## Code of conduct for Staff

- 49.2 arrangements should be made with and agreed by parents, guardians or carers and the student;
- 49.3 one to one supervision should be avoided where possible;
- 49.4 choice, flexibility and contact with "the outside world" should be incorporated, so far as it is consistent with appropriate supervision and the school's-guidelines;
- 49.5 whenever possible, independent oversight of the arrangements should be made; and
- 49.6 any misinterpretation, misunderstanding or complaint should be reported.

### Communication with students (including the use of technology)

- 50 **Communicating with children and parents, guardians or carers:** All communication with children or parents, guardians or carers should conform to Trust and school policy and be limited to professional matters. Except in an emergency communication should only be made using Trust / school property.
- 51 **Application:** These rules apply to any form of communication including new technologies (including 3G / 4G technologies) such as mobile telephones, web cameras, social networking websites and blogs. You should also ensure you comply with the more detailed IT Acceptable Use Policy, and Social Media Policy.
- 52 **Dealing with "crushes":** Crushes, fixations or infatuations are part of normal adolescent development. However they need sensitive handling to avoid allegations of exploitation. Such crushes carry a high risk of words, actions and expressions being misinterpreted, therefore, the highest levels of professionalism are required. If you suspect that a student has a crush on you or on another colleague you should bring it to the attention of the Designated Safeguarding Lead at the earliest opportunity. Suggestions that a student may have developed a crush should be recorded. Staff should avoid being alone with students who have developed a crush on them and if the student sends personal communications to the member of Staff, this should be reported to the Designated Safeguarding Lead and recorded.
- 53 **Acceptable use:** Adults must establish safe and responsible online behaviours and must comply with the IT Acceptable Use Policy and Social Media Policy. Adults should report to senior colleagues, any new and emerging technologies which may have a bearing on school practices and on the review of the IT Acceptable Use Policy. Local and national guidelines on acceptable user policies should be followed. Staff should also:
  - 53.1 ensure that your own personal social networking sites are set as private and ensure that students are not approved contacts;
  - 53.2 ensure that you do not use any website or application, whether on a school, Trust or personal device, which publicly identifies your location while on Trust premises or otherwise in the course of your employment;
  - 53.3 never use or access social networking sites of students and do not use internet or web-based communication channels to send personal messages to students;



# The Athelstan Trust

## Code of conduct for Staff

- 53.4 never use your own equipment (e.g. mobile telephones) to communicate with students - use equipment provided by the school and ensure that parents, guardians or carers have given permission;
- 53.5 only contact students for professional reasons; and
- 53.6 recognise that text messaging should only be used as part of an agreed protocol and only when other forms of communication are not possible.
- 54 **Personal details:** Adults should not give their personal contact details to students, including email addresses, home or mobile telephone numbers, unless the need to do so is agreed with the Headteacher and parents, guardians or carers.
- 55 **Personal mobile telephones and electronic devices:** It is understood that staff may need to check text messages and / or personal emails in the case of an emergency or during break times. Personal use must not interfere with your work commitments (or those of others). It is a privilege and not a right. Staff shall set an example and shall never use their own mobile telephones or other electronic devices whilst they are on duty (whether in a classroom or otherwise) and any such mobile devices should be switched off except in the case of an emergency and be kept out of sight of parents or students.
- 56 **Communicating outside the agreed protocols:** Email or text communications between an adult and any student outside agreed protocols may lead to a report to external agencies in accordance with the Trust's Child Protection and Safeguarding Policy, disciplinary action and / or criminal investigations. This also includes communications through internet based websites.

### Code of conduct for photographs and videos

- 57 **Permission required:** You should seek permission from the Headteacher before taking photographs or video camera footage of any pupils in class, at any school events or on a trip. You should also seek permission before displaying these photographs. You must not take images of children using personal mobile telephones.
- 58 **Consent:** Subject to paragraph 62 below, appropriate consents for taking and displaying photographs should be obtained from parents, guardians, carers or from the students themselves if sufficiently mature (most students are seen as being sufficiently mature from the age of 12 years). Consent must be freely given so it must be a genuine choice. Unless you have been told otherwise, the Headteacher is responsible for obtaining the appropriate consent. Please see the Trust's Data Protection policies for further information. Where the use of a photograph or video is less privacy intrusive (e.g. used in an internal school display) it is sufficient for parents and students to have been informed about this in the Trust's privacy notices, in which case consent is not required. Please speak to the GDPR lead if you require guidance on whether consent should be obtained.
- 59 Some students cannot be featured in photographs or videos under any circumstances (for example, because of safeguarding concerns). Please speak to the Designated Safeguarding Lead if you are unsure to which students this applies.
- 60 **Guidance where permission obtained:** Where permission has been obtained, the following should be considered:



# The Athelstan Trust

## Code of conduct for Staff

- 60.1 the purpose of the activity should be clear as should what will happen to the photographs or videos. You must be able to justify images in your possession;
  - 60.2 all images should be made available in order to determine acceptability;
  - 60.3 images should not be made during one-to-one situations;
  - 60.4 ensure that the student is appropriately dressed;
  - 60.5 ensure that the student understands why the images are being taken and has agreed to the activity;
  - 60.6 only use equipment provided or authorised by the school;
  - 60.7 if a photograph or video is to be displayed in a place to which the public have access it should not display the student's name unless specific consent has been obtained. If the use of a photograph or video is more privacy intrusive consent may need to be obtained even if the student's name is not used (e.g. using an unnamed photograph of a student in an advertisement). Consent should be obtained from the student and / or their parents as appropriate. Please see paragraph 61 below for further guidance on consent;
  - 60.8 all images of children should be stored securely and only accessed by those authorised to do so; and
  - 60.9 images must not be taken secretly.
- 61 **Consent:** Children are usually considered mature enough to exercise their own data protection rights when they are aged 12 years or older. Whether consent should be obtained from the parents, the student or both will depend on the age of the student. The Trust's policy is that when consent is required it should be obtained as follows:
- 61.1 where the student is in Year 7 or below, consent should be sought from a parent, guardian or carer;
  - 61.2 where the student is in Year 8, 9, 10 or 11 then consent should be sought from both the student and their parent, guardian or carer;
  - 61.3 where the student is in Year 12 or 13 then only the student's consent will need to be obtained.
- 62 **Personal social media:** You must not publish anything which could identify students, parents or guardians on any personal social media account, personal webpage or similar platform without the prior consent of the Headteacher in writing. This includes photos, videos, or other materials such as pupil work.
- 63 **Appropriate material:** The Trust recognises that many children have unlimited and unrestricted access to the internet via 3G and 4G. You must ensure children are not exposed to inappropriate or indecent images. Viewing, retrieving or downloading of pornographic, terrorist or extremist material, or any other material which the Trust believes is unsuitable is strictly prohibited and constitutes gross misconduct. This includes at any time when on Trust premises or otherwise in the course of your employment, including using the Trust's ICT network, or via 3G or 4G, whether or not on a school, Trust or personal device. You should not allow





# The Athelstan Trust

## Code of conduct for Staff

unauthorised access to school or academy equipment and should keep your computer passwords safe. If you discover material that is potentially illegal or inappropriate, you must isolate the equipment and contact the Designated Safeguarding Lead under the Trust's Child Protection and Safeguarding Policy immediately. Students must not be exposed to unsuitable material on the internet and Staff should ensure that any film or material shown is age appropriate.

### Gifts and rewards

- 64 **Anti-bribery and corruption policy:** Before accepting or giving any gifts or rewards, Staff must familiarise themselves with the Anti-Bribery and Corruption Policy contained in this Employment Manual.
- 65 **If a gift is received:** If you receive a gift from a student or parent you should:
- 65.1 declare the gift where there is a possibility it could be misconstrued, or in any event where the gift is of a value of more than £100. The Head may in their absolute discretion require you to decline the gift; and
  - 65.2 decline outright gifts that could be perceived as a bribe or that have created an expectation of preferential treatment. Although it is accepted for parents, guardians or carers or children to make small gifts to show appreciation, you must not receive gifts on a regular basis or receive anything of significant value.
- 66 **Giving gifts and rewards:** Where you are thinking of giving a gift or reward:
- 66.1 it should only be provided as part of an agreed reward system;
  - 66.2 in all cases except the above, the gift or reward should be of little monetary value and should be discussed and agreed with the Headteacher and where appropriate the parent, guardian or carer;
  - 66.3 selection processes should be fair and where possible should be agreed by more than one member of Staff; and
  - 66.4 gifts should be given openly and not based on favouritism.
- 67 **Allocation of gifts and rewards:** Decisions regarding entitlement to benefits or privileges such as admission to school trips, activities or classroom tasks must avoid perceptions of bias, grooming or favouritism. The selection process must be based on transparent criteria.

### Reporting Obligations

- 68 **The Trust's position:** It is a contractual requirement as well as in your interests to follow this Code so as to maintain appropriate standards of behaviour and your own professional reputation. A breach of this Code may be treated as misconduct and will render you liable to disciplinary action including in serious cases, dismissal.
- 69 **Exit interviews:** All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with the Trust's policies (including the whistleblowing policy, the child protection and safeguarding policy and this Code). Safeguarding children is at the centre of the Trust's culture and is accordingly



# The Athelstan Trust

## Code of conduct for Staff

considered formally during staff performance development reviews and appraisal and finally at exit interviews which may be held with leavers.

- 70 **Termination of employment:** If the Trust ceases to use the services of a member of staff because they are unsuitable to work with children, a settlement agreement (formerly known as a compromise agreement) will not be used and a referral to the Disclosure and Barring Service will be made as soon as possible if the criteria for a referral are met. Any such incidents will be followed by a review of the safeguarding procedures within the school, with a report being presented to the Trustees / Governors without delay. The Trust may also need to consider a referral to the Disclosure and Barring Service if a member of Staff is suspended, or deployed to another area of work that is not regulated activity.
- 71 **Resignation:** If a member of Staff tenders his or her resignation or ceases to provide his or her services to the school at a time when child protection concerns exist in relation to that person, those concerns will still be investigated in full by the school and a referral will be made to the Disclosure and Barring Service as soon as possible if the criteria for a referral are met.
- 72 **Teaching Regulation Agency (TRA)** Separate consideration will also be given to making a referral to the TRA where a teacher has been dismissed, or would have been dismissed had they not resigned, separate consideration will be given as to whether a referral to the Teaching Regulation Agency should be made (he or she not resigned) because of unacceptable professional conduct, conduct that may bring the profession into disrepute, or a conviction at any time for a relevant offence. An interim referral to the TRA may also be considered and made if appropriate.