CODE OF CONDUCT FOR ALL CATEGORIES OF SCHOOL

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1. Policy

The purpose of this policy is to clarify expectations regarding the required standards of behaviour for all individuals working within schools. It gives clear advice about what constitutes illegal behaviour and what might be considered as misconduct. It also describes safe practice and which behaviours should be avoided. All policies referred to in this Code of Conduct are held electronically within HMFA Common.

It applies to **all** adults working in education settings whatever their position, role or responsibilities, including supply teachers, self-employed workers and volunteers. **Failure to follow this code of conduct may lead to investigation/disciplinary procedures for employed staff, and termination of contract or removal from duty for other workers and volunteers.**

There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by the employer. It is expected that in these circumstances individuals will always advise senior colleagues of their justification for any such action already taken or proposed.

Teaching personnel should also refer to the 'Teachers Standards' document which provides additional detail of the professional standards expected. This document can be found on the Department of Education Website under 'Teachers' Standards'.

Individuals should also refer to the job description applicable to their role.

This guidance has been produced, in consultation with Union representatives (see log), to help all school workers establish the safest possible learning and working environments. The aims are to safeguard young people and reduce the risk of being falsely accused of improper or unprofessional conduct.

The school should signpost all staff to this policy, and ensure it is easily accessible.

The Human Rights Act 1998 (HRA) sets out the fundamental rights and freedoms that everyone in the UK is entitled to and contains the Articles and protocols of the European Convention on Human Rights (ECHR) (the Convention) that are deemed to apply in the UK.

Under the HRA, it is unlawful for schools and colleges to act in a way that is incompatible with the Convention.

Whilst all acts apply, the specific Convention rights applying to schools and colleges are:

• Article 3: the right to freedom from inhuman and degrading treatment (an absolute right)

• Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals' physical and psychological integrity.

- Article 10: Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

• Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination,

• Protocol 1, Article 2: protects the right to education.

Being subjected to harassment, violence and or abuse, including that of a sexual nature, may breach any or all of these rights, depending on the nature of the conduct and the circumstances. Further information (including on absolute and qualified rights) can be found at https://www.equalityhumanrights.com/en/human-rights

2. Scope

This policy applies to schools with full delegated status as laid down in Herefordshire Council's Local Management of Schools (LMS) Scheme.

Voluntary Aided church schools where Herefordshire Council is not the legal employer, may choose to adopt a different Code of Conduct as determined by the relevant diocesan authority. Academy Schools can also adopt this policy. Schools proposing to change this document, more than just personalisation, will need to consult with the recognised trade unions

3. Standards of Conduct

In performing their duties, school employees should act with integrity, honesty, impartiality and objectivity and uphold the values that underpin the council's work:

People: treating people fairly, with compassion, respect and dignity
Excellence: striving for excellence, and the appropriate quality of service, care and life in Herefordshire
Openness: being open, transparent and accountable
Partnership: working in partnership and with all our diverse communities
Listening: actively listening to, understanding and taking into account people's views and needs
Environment: protecting and promoting our outstanding natural environment and heritage for the benefit of all

4. Principles

- The welfare of students is paramount
- Protect the welfare of school personnel
- Individuals are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions
- Individuals should work, and be seen to work, in an open and transparent way
- Individuals should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident, which may give rise to concern
- Records should be made of any such incident and of decision made/further actions agreed
- Individuals should apply the same professional standards in keeping with the School's Equality Policy available from the Head teacher
- Everyone should know the name of their designated person for child protection, be familiar with child protections arrangements and understand their responsibilities to safeguard and protect students. Appropriate training should be given and recorded on employee's record.
- Individuals should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them
- Individuals should seek advice from their appropriately trained and elected Trade Union representative over any incident which may give rise for concern.

5. Personal & Professional Conduct

All school personnel are expected to demonstrate consistently high standards of personal and professional conduct.

This means that individuals should:

- Maintain high standards of ethics and behaviour within and outside school
- Treat pupils, colleagues, carers and other school stakeholders with politeness, dignity and respect
- Observe proper professional boundaries
- Have a regard for the need to safeguard pupil's physical and emotional wellbeing, in accordance with the statutory provisions,
- Show acceptance and respect for others
- Have a proper and professional regard for the ethos, policies and practices of the school in which they work
- Not undermine the rule of law, and be respectful and tolerant of others with different views and beliefs
- Maintain high standards in their own attendance and punctuality
- Comply with all policies and procedures of the school in which they work
- Maintain confidentiality
- Treat resources responsibly and exercise financial care
- Escalate issues to the Head teacher and/or Governors if and when appropriate.
- Take care of their own health and safety and that of others who may be affected by their actions at work.
- See also section 6.16 Care, Control and Physical Intervention

6. Safe Working Practices for the Protection of Students and School Personnel

6.1. Duty of care

All school personnel are accountable for the way in which they exercise authority; manage risk; use resources, and protect students from discrimination and avoidable harm.

Everyone, whether paid or voluntary, have a duty to keep young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between school personnel that demonstrates integrity, maturity and good judgement.

There are legitimate high expectations about the nature of the professional involvement of school personnel in the lives of students. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty of care towards their employees which require them to provide a safe working environment and guidance about safe working practices, as well as ensuring a work life balance. Schools should follow the Guidance document, "Assaults on School staff by pupils" available from the Head teacher.

This means that individuals should:

- Understand the responsibilities, which are part of their employment or role, and be aware that sanctions may be applied if these provisions are breached
- Always act, and be seen to act, in the learners' best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and intentions
- Take responsibility for their own actions and behaviour
- Comply with the Lone Working policy (available from School office)

This means that the School should:

- Ensure that safeguarding procedures are in place and reviewed
- Ensure that systems are in place for concerns to be raised
- Ensure that adults are not placed in situations which render them particularly vulnerable

6.2. Exercise of Professional Judgement

The Code of Conduct and guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour. It does highlight however, behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which Individuals have to make decisions or take action in the best interests of the students which could contravene this guidance or where no guidance exists. Individuals are expected to make professional judgements about their behaviour in order to secure the best interests and welfare of the learners in their charge and in so doing, will be seen to be acting reasonably.

This means that where no specific guidance exists individuals should:

- Discuss the circumstances that informed their action, or their proposed action, with a senior colleague. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted
- Always discuss any misunderstanding, accidents or threats with a senior leader
- Always record discussions and actions taken with their justification

6.3. Power and Positions of Trust

All adults working with students in education settings are in positions of trust in relation to the young people in their care. A relationship between school personnel and a student cannot be a relationship of equals. There is potential for exploitations and harm of vulnerable young people; and all school personnel have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

School personnel should always maintain appropriate professionalism and wherever possible, they should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential to the Head teacher or their nominated representative.

There are times where school personnel with children attending the school are ‘acting as a parent’ and not as their capacity as a school employee, however full transparency is advised to protect the individual.

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite such to take place.

This means that individuals should not:

- Use their position to gain access to information for their own advantage and/or a student’s or family’s detriment
- Use their power to intimidate, threaten, coerce or undermine students
- Use their status and standing to form or promote a relationship with a student, which is of a sexual nature
- Attempt to initiate a relationship with an ex-pupil, which is of a sexual nature

6.4. Confidentiality

School personnel may have access to confidential information about students and/or other members of the school team in order to undertake their every-day responsibilities. In some circumstances individuals may be given additional highly sensitive or private information. They should never use confidential or personal

information about a student and/other school personnel, or their family for their own, or others' advantage. Information must never be used to intimidate, humiliate, or embarrass the student.

Confidential information should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where an individual's identity does not need to be disclosed the information should be used anonymously. Individuals should always adhere to the school's Data Protection Policy, which is available from the Head teacher.

There are circumstances in which school personnel may be expected to share information about a student and/or other members of school personnel, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass on information without delay, but only to those with designated child protection responsibilities.

If an individual is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff. School personnel may wish to keep a signed record of the conversation. Any media or legal enquiries should be passed to senior leadership.

Adults need to be aware that although it is important to listen to and support students, they must not promise confidentiality or request students to do the same under any circumstances.

Additional concerns and allegations about adults should be treated as confidential and passed to a senior leader without delay.

This means that school personnel:

- Are expected to treat information they receive about students in a discreet and confidential manner
- In any doubt about sharing information they hold or which has been requested of them should seek advice from a senior member of staff
- Need to be cautious when passing information to others about a student
- Need to know to whom any concerns or allegations should be reported
- When seeking guidance from senior staff, individuals may wish to keep a record of the conversation

6.5. Propriety and Behaviour

All school personnel have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general.

An individual's behaviour, either in or out of the workplace, should not compromise his/her position within the school setting so it is important to exercise due care and attention when outside of the school environment.

Membership of organisations whose goals are in conflict with the values and equality policies of the school is not acceptable.

For maintained schools only: *School personnel must declare to their Head teacher any financial or non-financial interest that could bring them into conflict with the School's interest.*

You should declare if you are a member (whether or not you think there may be a conflict of interest) of any organisation which has one or more of the following characteristics. Data will be protected in line with GDPR requirements:

- *is a governing body of an educational establishment within Herefordshire*

• it requires members to make promises of mutual aid and support (even if you consider those promises to be merely ceremonial). This category does not apply if members promise aid and support equally to members and non-members.

• has been designated a proscribed terrorist group or organisation by the government (a list is maintained by the Home Office)

• for the avoidance of doubt you do not have to declare if you are a member of a trade union, which is identified as special category data under GDPR.

• any organisation which you are in a position of general control or management. This does not include general management or subscription or where the member is appointed or nominated by the council).

• any organisation exercising functions of a public nature

• any organisation directed to charitable purposes

• any organisation whose principle purposes includes the influence of public opinion or policy (including any political party for those employees who hold a politically restricted post)

• any organisation which is not open to the public without formal membership

• any organisation which has dealings with the council.

School personnel who have an interest, financial or non-financial, should not involve themselves in any decision on allocation of School's services or resources from which they, their friends or family might benefit and should ensure that the matter is referred immediately to their Head teacher.

There may be exceptional circumstances where an employee is a personal friend with a parent. This may mean that employees will have contact with a student during social activities outside of the school setting. All relationships with students outside of work should be declared (see Appendix 1). Generally, if an individual finds themself in a pub or other meeting place in which current pupils are drinking, they should not join the pupils and may need to draw the attention of bar staff to the age of the pupils.

It is difficult to determine exact regulations in this area; if an individual feels that there are exceptional reasons why the general restriction on drinking alcohol with students should not apply (e.g. attendance at a wedding of a mutual friend), they should discuss the matter with a senior member of staff.

This means that school personnel should not:

- Behave in a manner which would lead any reasonable person to questions their suitability to work with students or act as a role model
- Drink alcohol with current pupils in public or private places, where possible. If this is unavoidable, school personnel must maintain professional judgement.
- purchase alcohol for pupils
- Drink alcohol when supervising pupils or on school trips. This is advisable even when there are no pupils present, as school personnel may be called to act if an emergency occurs
- Make inappropriate remarks to a student (including email, text messages, phone or letter etc.)
- Discuss their own sexual relationship with or in the presence of students
- Discuss a student's sexual relationships inappropriate settings or contexts
- Make (or encourage others to make) unprofessional personal comments in any form of communication (e-mail, conversations or social networking comments)

School personnel must:

Be aware that their behaviour in their personal lives may impact upon their work with students

6.6. School Personnel with Children at the School They Work At

School personnel must remember their responsibility to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the School.

Once you become a professional teacher, or work in a school, your standing as a member of the wider community is open to scrutiny and criticism by other school employees, parents and the general public who you may come into conduct with. This makes it very difficult to engage in some social activities as both a Parent and as a school worker. Employees will be supported by the school as appropriate to the circumstances.

Where school personnel have children who are also pupils within the School, they must also be mindful to observe professional and personal boundaries at all times and ensure that any direct or indirect interaction with their own children during their working day is at all times commensurate with their professional responsibilities.

This means that school personnel who are also parents should:

- Evaluate each social situation sensibly and with caution
- Never put themselves in a position where their actions could be misconstrued by others
- Any concerns as a parent of a pupil with the school should be raised through the normal parental channels.

If individuals are in any doubt they should seek further guidance from their Head teacher.

6.7. Dress and Appearance

Individuals should consider the manner of dress and appearance appropriate to their professional role. We require students to be smart in their uniform. Therefore, smart and professional appearance is expected at all times for school personnel. All school personnel should ensure they are dressed decently, safely and appropriately for the tasks they undertake. A person's dress and appearance are matters of personal choice and self-expression, however staff in school should dress in ways which are appropriate to their role and this may need to be different to how they might dress when not at work.

Dress and appearance should promote and reflect the ethos of the school. All employees should ensure that they are dressed decently, safely and appropriately for a school environment. Clothing should not should not distract, cause embarrassment or give rise to misunderstanding and should be absent from any political or otherwise contentious slogans or discrimination.

The Governing Body will be sympathetic to cultural and religious dress and will make adjustments as appropriate for employees with disabilities. However, it is crucial that staff meet the expectations of suitable clothing and footwear. Careful consideration will been given to freedom of thought, conscience and religion, and to race equality.

This means that all school personnel should ensure their appearance and clothing:

- is appropriate to their professional role and the lessons they are due to take
- is smart, clean and tidy without stains, rips or tears.
- is smart-casual in style, and does not include loungewear etc..

- is decent, safe and appropriate for the tasks they undertake, specifically should not include low cut or deep V tops or vests; short shorts; short skirts / dresses without leggings or opaque tights underneath; 'see-through' items without opaque clothing under.
- Hair must be neat and not shaped or shaved into patterns or motifs and no unconventional hair styles. E.g. Mohawk
- Obscene, offensive or discriminatory tattoos should remain covered and invisible
- Scents should be discreet and kept to a minimum as they can, on occasions, prove overbearing for the students with complex sensory processing needs.
- Jewellery should be kept to a minimum and is always worn at the individual's own risk. Dangly or hooped earrings or nose rings should not be worn due to this being a health and safety risk.
- Nails must be short and smooth to allow safe physical interactions and physical interventions.
- does not distract, cause embarrassment or give rise to misunderstanding.
- does not contain any overt branding, or political or otherwise contentious slogans.
- is appropriate bearing in mind religious beliefs, cultures and customs and disabilities.
- follows national guidance e.g. clothing when undertaking swimming lessons.
- does not include items which may cause harm to themselves or others in a situation involving physical intervention. This could include: long nails, earrings, necklaces, bracelets, rings (other than plain bands), scarves and neckties, etc.
- is in line with policies for children in school e.g. where children are not allowed brightly coloured dyed hair, school personnel should lead by example.

Transgender employees should be allowed to follow the dress code in a way that matches their gender identity.

Staff who have concerns about this are encouraged to discuss their concerns with their line manager or member of SLT team in the first instance.

Those who dress or appear in school in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation. Any concerns should initially be raised with the individual through informal discussion.

6.8. Gifts

School personnel should be made aware by their Head teacher of the school's policy regarding arrangements for the declaration of gifts received and given.

There are occasions when students or parents wish to pass small tokens of appreciation to school personnel, for example at Christmas 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.

All gifts from an individual or family valued over £20 should be declared to the Head teacher (Appendix 2). If a gift might be construed as a bribe by others, or lead the giver to expect preferential treatment, it should politely be declined.

Any individual concerned about whether they or their colleagues may be at risk of giving or receiving a bribe (financial or otherwise) should contact their Head teacher.

School personnel may not give personal gifts to students. It is acceptable for school personnel to offer tokens of small value for certain tasks, competitions or as a special treat for the whole class (e.g. sweet treats, small toys or stationary).

This means that individuals should:

- Ensure that gifts received or given in situations which may be misconstrued are declared
- Ensure that gifts of significant value are declared
- Generally, only give gifts as part of an agreed reward system
- Where giving gifts other than as above, ensure that these are of insignificant value and given to all students equally.

6.9. Infatuations

Individuals need to be aware that it is not uncommon for students to be strongly attracted to school personnel and/or develop an infatuation. School personnel should be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against school personnel.

Indivduals who become aware that a student may be infatuated with themselves or a colleague should discuss this at the earliest opportunity with a senior colleague so that appropriate actions can be taken. In this way steps can be taken to avoid hurt and distress for all concerned.

It is advisable for any infatuations reported to be recorded on the low level concerns log, and for the individual to note when the issue was raised and to whom.

This means that individuals should:

- Report to senior colleagues any indications (verbal, written or physical) that suggest a student may be infatuated with a member of school personnel
- Be mindful if you are alone in a room with a student. Leave the door open or ensure you are in view of a glass window.

6.10. Personal Living Space

No student should be invited 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 and senior leaders of the home or the home has been designated by the organisation or regulatory body as a work place e.g. childminders, foster carers.

The school recognises that there may be occasions when a school personnel are acting in their role as a parent.

This means that school personnel should:

- Be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations
- Be mindful of the need to maintain professional boundaries

6.11. Communications with students (including the use of technology)

Communication between students and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, text messaging, emails, digital cameras, videos, web-cams, websites, social networking sites, online gaming and blogs and other emerging technology. Adults should not share any personal information with a student. They should not request, or respond to, any request for personal information from the student, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.

Adults should be circumspect in their communications with students so as to avoid any possible misinterpretation of their motives or any possible misinterpretation of their behaviour, which could be construed as grooming.

School personnel should not give their personal details such as their home or email address; social networking sites, gamer tags or web pages to students. If students do become aware of your gamer tag you must change it.

If school personnel become aware that they are in an online game with a student of the School, they should cease to play against that student and should not enter any games containing that player as part of the group.

Under no circumstances should school personnel seek out students and/or share their own gamer tags/ID with students, or use school equipment to play on-line games.

Email or text communications between an adult and a student outside agreed protocols may lead to disciplinary and/or criminal investigations. This includes communication through intercommunication through internet based web sites, such as social networking, instant messaging or gaming.

Communication with ex-students who are over 18 is left to school personnel discretion. Please be conscious of the fact that ex-students may be in contact with current students.

Be aware that actions that bring the school into dispute could lead to disciplinary procedures being taken.

School personnel should not establish or seek to establish social contact with students, or their families, for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the individual should exercise her/his professional judgement in making a response but should always discuss this with a senior leader. School personnel must be aware that social contact, in certain situations, could be misconstrued as grooming.

School personnel may use social networking sites for personal use. However, the school requires that profile and photos of all school personnel are “locked down” as private so that students or parents do not have access to your personal data or images.

Where staff are subject to online trolling or abuse on social media, they should refer to HR026 Unreasonable Behaviour in Schools Policy.

School personnel must deny all current students or ex-students under the age of 18 access to your profile so you do not put yourself in a vulnerable position.

School personnel should be aware that they leave themselves open to a charge of professional misconduct if images of themselves in a compromising situation are made available on a public profile.

If a student does gain access to the profile of school personnel by fraudulent means (impersonation or hacking) senior leadership should be informed immediately.

Where relationships exist between school personnel and those who are also parents at the school, or personal friends who are parents at the school, social networking is acceptable but caution must be exercised so that professional standards are maintained and individuals do not compromise themselves or the school.

This means that school personnel should:

- Be careful when talking about your professional role in any capacity when using social media such as Facebook and You Tube or similar. This should not include any detail that may be considered to be confidential.

- Not put online any text, image, sound or video that could upset or offend any member of the whole school community or be incompatible with your professional role.
- Only use school ICT systems and resources for all school business. This includes your school email address, school mobile phone number and school video camera.
- Not disclose any passwords and ensure that personal data (held in Management Information Systems software) is kept secure and used appropriately.
- Only take images of students and/or school personnel where appropriate consent is held by the school, for professional purposes, in accordance with school policy and with the knowledge of the senior leadership team.
- Not browse, download, upload or distribute any material that could be considered offensive, illegal or discriminatory.
- Ensure your online activity both in and out of school, will not bring the school or profession role into disrepute.
- Check emails daily as a minimum on working days or every other day if one day is particularly busy.
- Report any safety incident which may impact on you, your professionalism or the School.
- Communicate with students in an appropriate and professional manner, making sure that parents have given permission for this form of communication to be used
- Only make contact with students for professional reasons using authorised and appropriate communication mechanisms
- Not use internet or web-based communication channels to send personal messages to a student
- Not to have images of students stored on personal cameras, devices or home computers
- Not to make images of students available on the internet, other than through the school network/website, without permission from parents and senior leadership
- Be cautious in their contact with ex-pupils, as there is still a professional relationship and there may be contact with current pupils
- Have no secret contact with students
- Consider the appropriateness of the social contact according to their role and nature of their work
- Always approve any planned social contact with senior leadership, for example when it is part of a reward scheme or pastoral care programme
- Advise senior leadership of any regular social contact they have with a student or parent which may give rise to concern
- Report and record any situation, which they feel, might compromise the school or their own professional standing
- Lock down your profiles on all social media to ensure that data and images are not freely available. Seek advice if you are unsure of how to do this and also the Social Media Guidance
- Do not permit current and recent students or parents to have access to your profile
- Understand that the School may conduct an online search of information relating to candidates and employees, to check suitability of working with children as part of its commitment to safer recruitment.

6.12. Transporting Children

Wherever possible and practicable, it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as escort. The driver must have their own appropriate vehicle insurance which should include business use.

In certain situations, for example, out of school activities, school personnel may agree to transport children. A designated member of school personnel should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.

The Head teacher/Governing Body will retain overall responsibility for the transport arrangements and ensuring that the vehicles meet all legal requirements. School personnel should ensure that their behaviour is safe, that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

This means the school personnel should:

- Plan and agree arrangements with all parties in advance, responding sensitively and flexibly to disagreements
- if alone with a child this should be for the minimum time possible
- Be aware that the safety and welfare of the child is their responsibility until this is safely passed over to a parent / carer
- Report the nature of the journey, the route and expected time of arrival in accordance with the agreed procedures
- Ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety
- Take into account any specific needs that the child may have

This means the school should:

- Ensure the transport arrangements and vehicles used meet all legal requirements, are roadworthy, insured and used appropriately.

6.13. Use of the Internet

When accessing the internet, under no circumstances should adults in the school access inappropriate images. Accessing child pornography or indecent images of children on the internet, and making, storing or disseminating such material, is illegal, and if proven, will invariably lead to the individual being barred from work with children and young people.

Using school equipment to access inappropriate or indecent material, including adult pornography, would normally lead to disciplinary investigation, particularly if as a result students might be exposed to inappropriate or indecent material.

School personnel should also refer to the School policy on internet usage and any policy on personal devices, available from their Head teacher.

This means that school personnel should:

- Ensure all your passwords are kept strong and secure
- Be aware that images of others should be protected and be treated as carefully as you would your own
- Refer to the acceptable use of the Internet Policy for further guidance

6.14. Physical Contact with Students

There are occasions when it is entirely appropriate and proper for school personnel to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role.

A “no touch” approach is impractical for most school personnel and may in some circumstances be inappropriate. When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate.

School personnel should use their professional judgement at all times about the appropriateness of any physical contact.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If an individual believes that an action could be misinterpreted, the incident and circumstances should be made clear to senior leadership.

Physical contact which occurs regularly with an individual student is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to students with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review.

Some school personnel, for example who teach P.E., games, or who offer music tuition, will on occasions have to initiate physical contact with students in order to support a student so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the student’s agreement.

Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. School personnel should remain sensitive to any discomfort expressed verbally or non-verbally by the student.

Young people are entitled to respect and privacy when changing clothes or taking a shower. However there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the students concerned and sensitive to the potential for embarrassment. Where supervision is required, school personnel should ensure that they comply with the risk assessment for the task provided by the School.

School personnel, therefore need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the students.

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

Where an individual has a particular concern about the need to provide this type of care and reassurances s/he should seek further advice from a senior leader.

This means that the school personnel should:

- Be aware that even well intentioned physical contact may be misconstrued by the student, an observer or by anyone to whom this action is described
- Never touch a student in a way which may be considered indecent
- Always be prepared to explain actions and accept that all physical contact be open to scrutiny
- Avoid any physical contact when students are in a state of undress and any visually intrusive behaviour
- Where there are changing rooms:

    - Remain in the room when groups are changing to provide adequate level of supervision
    - Ensure, wherever possible, that sensitive students are offered the opportunity to change privately
    - Not change in the same place as students
    - Not shower with students
- Consider the way in which they offer comfort to a distressed student
- Always tell a colleague when and how they offered comfort to a distressed student
- Record situations which may give rise to concern

This means that the School should:

- Ensure there is a system in place for recording serious incidents and the means by which information about incidents and outcomes can be easily accessed by senior leadership
- Provide school personnel, on a "need to know" basis, with relevant information about vulnerable students in their care
- Consider alternatives, where it is anticipated that a student might misinterpret any such contact, perhaps involving other school personnel, or a less vulnerable student in the demonstrations
- Always explain to a student the reason why contact is necessary and what form that contact will take unless their safety is at immediate risk

6.15. Behaviour Management

All students have a right to be treated with respect and dignity. School personnel should not use any form of degrading treatment to punish a student. The use of humour can help diffuse a situation. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation.

This means that school personnel should:

- Never use force as a form of punishment
- Try to diffuse situations before they escalate
- Keep parents informed of any sanctions, in line with the School's behaviour policy
- Ensure all incidents are reported to the Health and Safety Team at Local Authority (Maintained Schools) or Governing Body (VA / Academies).

6.16. Care, Control and Physical Intervention

All school personnel may legitimately intervene to prevent a student from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. School personnel should have regard to the health and safety of themselves and others and always work to the individual schools behaviour management policy.

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence.

In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported.

This means that school personnel should:

- Always seek to deescalate situations
- Where appropriately trained, always use minimum force for the shortest period necessary

6.17. Sexual Contact with Students

Any sexual behaviour by school personnel with or towards a student is both inappropriate and illegal. Students are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether the child or young person consents or not. This includes the prohibition on adults in a position of trust (see 4.4). The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material.

There are occasions when adults embark on a course of behaviour known as "grooming" where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. School personnel should be aware that conferring special attention and favour upon a child might be construed as being part of a "grooming" process, which is an offence.

This means that school personnel should:

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

6.18. One to One Situations

All School personnel working in one to one situations, with small groups of children and young people (e.g. such as extra tuition, detentions, rehearsals, etc.) are more vulnerable to allegations. Teachers and others should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs to both school personnel and students are met.

Pre-arranged meetings with students away from the school premises should not be permitted unless approval is obtained from the parent and the Head teacher or other senior colleagues with delegated responsibility.

This means that school personnel should:

- Avoid meetings with students in remote, secluded areas of the school, where possible
- Ensure there is visual access and/or open door in one to one situations
- Inform other school personnel of the meeting beforehand, assessing the need to have them present or close by
- Avoid using confidential signs on meeting rooms or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy
- Always report any situation where a child becomes distressed or angry to a senior colleague
- Consider the needs and circumstances of the child/children involved
- Comply with the schools lone working policy.
- Keep a distance and a desk between you and the pupil wherever possible.

6.19. Extra-curricular activities

School personnel should take particular care when supervising students in the less formal atmosphere of a residential setting or after-school activity.

During schools activities that take place off the school site or out of school hours, a more relaxed discipline or informal dress or language code may be acceptable. However all school personnel remain in a position

of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements, and detailed in the school risk assessment. Students, school personnel and parents should be informed of these prior to the start of the trip.

Health and Safety arrangements require all school personnel to keep colleagues/employers aware of their whereabouts, especially when involved in an out of school activity.

This means that school personnel should:

- Always have another adult present in /out of school activities, unless otherwise agreed with senior leaders in the school
- Undertake risk assessments
- Have parental consent to the activity
- Ensure that their behaviour remains professional at all times.

6.20. Intimate Care of Students

All children have a right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). An intimate care plan should be drawn up and agreed with parents for all children who require intimate care on a regular basis.

Children should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. While it is recommended to have two members of school personnel assisting the child, this level of resourcing may not be available, and while the introduction of a second assistant may be perceived as providing protection against allegations of abuse, it can also further erode the child's privacy. When assistance is required, school personnel should ensure that another appropriate adult is in the vicinity and is aware of the task to be undertaken

Additional vulnerabilities that may arise from a physical disability should be considered with regard to individual teaching and care plans for each child. As with all arrangements for intimate care needs, agreements between the child, their parents and the organisation must be negotiated, agreed and recorded.

This means that school personnel should:

- Make other school personnel aware of the task being undertaken
- Explain to the child what is happening
- Consult with colleagues where any variations from agreed procedure / care plan is necessary
- Record the justification for any variations to he agreed procedure / care plan and share this information with parents

6.21. Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource material cannot be misinterpreted and clearly relate to the learning outcomes identified by the learning plan. The plan should highlight particular areas of risk and sensitivity.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to student's questions can require careful judgement and school personnel may wish to take guidance from a senior member of staff.

Care should be taken to abide by the schools policy on sex and relationships education.

This means that school personnel should:

- Have clear written lesson plans that highlight any particular areas of risk and sensitivity
- Have appropriate training to enable them to deliver the PSHE curriculum.

6.22. Photography, Videos and other Creative Arts

Many School activities involve recording images. These may be undertaken as part of the curriculum, out of school activities, for publicity, or to celebrate achievement.

All school personnel need to be aware of the potential for these aspects of teaching to be misused for pornographic or "grooming" purposes. Careful consideration should be given as to how these activities are organised and undertaken.

Using images of children for the school's publicity purposes should already have the consent of parents through the Home-School Agreement. Images should not be displayed on other websites, in publications or in a public place without additional consent.

Any CCTV recordings made at the school must also be compliant.

This means that school personnel should:

- Be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded
- Ensure that a senior member of staff is aware that the photography / image equipment is being used for and for what purpose
- Ensure that all images are available for scrutiny in order to screen for acceptability
- Be able to justify images of children in their possession
- Avoid making images in one to one situations

This means that school personnel should not:

- Have images of students stored on personal cameras, devices or home computers
- Make images of students available on the internet, other than through the school network / website with permission from parents and senior teachers

6.23. Whistleblowing

Whistleblowing is the mechanism by which school personnel can voice their concerns, made in good faith, without fear of repercussion. Please refer to the relevant Schools Whistleblowing Policy, available from your Head teacher.

School personnel should acknowledge their individual responsibilities to bring matters of concern to the attention of senior leadership and /or relevant external agencies. This is particularly important where the welfare of children may be at risk.

This means that school personnel should:

- Report any behaviour by colleagues that raises concern Sharing Concerns and Recording Incidents

6.24. Sharing Concerns and Recording Incidents

All school personnel should be aware of the School's child protection procedures, including procedures for dealing with allegations against school personnel. School personnel who are the subject of allegations are advised to contact their professional association.

In the event of an incident occurring, which may result in an action being misinterpreted and/or an allegation being made against an individual, the relevant information should be clearly and promptly recorded and reported to senior staff. Early discussion with a parent could avoid any misunderstanding.

School personnel should feel able to discuss with the line manager any difficulties or problems that may affect their relationship with students so that appropriate support can be provided or action can be taken.

This means that school personnel:

- Should be familiar with the School's Child Protection procedures and comply with Child Protection Orders as directed.
- Should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the School or workplace. See the Safeguarding Policy, available from the Head teacher.

6.25. Low Level Concerns

Where concerns do not meet the harm threshold (KCSIE Part 4 section 1) these are classed as "low level concerns" and will be documented and kept on file. It is important that all concerns about adults are shared responsibly and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from becoming the subject of potential false low-level concerns or misunderstandings.

Reports of any low level concern from pupils or staff should be made in the first instance to the Head teacher, or in their absence Deputy/Assistant Head. If the issue relates to the Head teacher, the information is to be given to the Chair of Governors via email or by phone with the telephone number held in the school office.

The Head teacher and/or Chair of Governors must ensure all low level concerns are actioned appropriately in line with the KCSIE Part 4 section 1 & section 2; "it is crucial that all low level concerns are shared responsibly with the right person and recorded and dealt with appropriately". In most cases individuals will be made aware of any low level concern.

Low level does not mean insignificant. A low level concern is any concern, no matter how small including a sense of unease or nagging doubt, that an adult may have acted in a way that is inconsistent with this code of conduct and/or the law, inside or outside work. Examples of low level concerns include:

- Being 'overly friendly' with children
- Having favourites
- Taking photographs of children on their mobile phone, contrary to school policy
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- Humiliating pupils

The reporting of low level concerns is important to ensure that we identify and record properly any potential patterns of concerning behaviour.

If the concern has been raised by a third party, the headteacher should collect as much evidence as possible by speaking directly to the person who raised the concern, unless raised anonymously, and to the individual involved and any witnesses. In exceptional circumstances only, the individual will not be told, ie high level concern or cumulative low level concerns.

This means that school personnel:

- Should report any concerns they have to the Head teacher, no matter how small including:
    - Complaints
    - Disclosures made by any child, parent or adult
    - Pre-employment check vetting
    - Anything that makes them feel uneasy or suspicious

For further information please see the school's Safeguarding and Child Protection policy.

Appendix 1 Relationships with students outside of Work declaration

It is recognised that there may be circumstances whereby employees of the school are known to students outside of work. Examples include membership of sports clubs, friend and family connections, or private tutoring.

School personnel must declare any relationship outside of school that they may have with students.

Employee Name	Student Name	Relationship

I can confirm that I am fully aware of the Code of Conduct relating to contact outside of School with students in line with this policy.

If I am tutoring a student outside of School I am aware that the following must be adhered to:

- I do not, at any point, teach the child in question as part of my daily timetable – this is a stipulation of such tutoring unless agreed by the head teacher
- I emphasise to parents that this is done completely independently of the School
- No monies come through the School at any point, informally (e.g. via the child) or formally
- No private tutoring is to take place on the School premises

I confirm that if these circumstances change at any time I will complete a new form to ensure the school are aware of any relationships.

Signed:_____

Date : _____

Once completed, signed and dated, please return this form to the Head teacher

Appendix 2 Declaration of Gifts and Hospitality

Name: .....

Post: .....

Details of Gift/Hospitality Offered

Employees should only accept offers of hospitality if there is a genuine need to impart information or to represent the school in the community. No cash gifts should be accepted. No gifts should be accepted where you believe it would conflict with your duties to the school.

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Reason for Gift/Hospitality to be Offered

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Was the Gift/Hospitality Accepted?

Please write Yes or No in the Box? | |

What was the approximate value of the Gift/Hospitality whether accepted or not? | |

Signed: .....

Print Name: ..... Date: ……..

Authorised: (Head teacher) ..... Date: ……

NB: Please seek consent of your Head teacher before accepting a gift or hospitality.

VERSION LOG

Version	Status	Date	Description of change	Reason for change	Pages affected
0.01	Draft	Sept 2016	New Policy for comment	New Policy	ALL
1.0	Draft final version	January 2018	New Policy – draft for Employment Panel	New Policy	ALL
1.1	Final version	July 2018	New policy consulted on with all consultees	Recommendations of Employment Panel	ALL
2.0	Final version	September 2020	Addition to include the requirement for all school personnel, including supply teachers and self-employed workers to be covered by the policy. References to 'staff' changes to 'individuals' or 'school personnel' to ensure it includes the wider scope in line with changes to KCSIE 2020.	Update to bring in line with KCSIE 2020 Amended to take consideration of feedback from Union Reps from NASUWT, GMB and ASCL.	ALL
3.0	Final Version	January 2023	Add in a section regarding general professional conduct. Add in mention of online checks being undertaken & expectation to report low level concerns. General updates following feedback from NASUWT.	Update to bring in line with KCSIE 2022 and following feedback from recent ER cases	ALL
4.0	Final Version	November 2023	Update to Dress and Appearance and overall review	Amended to take consideration of feedback from Employers and Union Reps from NASUWT, GMB and ASCL.	ALL
5.0		October 2024	Update to Low Level concerns	Amended to take consideration of feedback from union representatives	ALL

CONSULTATION LOG

Date sent for consultation	*Consultees*
October 2024	Herefordshire Council Liz Farr - Director of Education, Skills and Learning, Children and Young People – Herefordshire Council Schools/Academies Tom Williams – Head teacher – The Bishop of Hereford Bluecoat School Paul Jennings, Head teacher – Fairfield High School Steve Kendrick – Head teacher – Ashfield Park Primary School Lyndsey Manning – Head teacher – Trinity Primary School Helen Rees – Head teacher – Leominster Primary School Bev Blower – Executive Head teacher – The Herefordshire PRU Tracey Kneale, CEO Fern Academy Trust Allen Brace, Head teacher – Lady Hawkins School Tim Knapp, Head teacher – Whitecross High School Nicki Gilbert, Head teacher – Westfield School Hoople Ltd (HR Services) Julie Davies - HR Services Manager Julie Bridgewater- Senior HR Business Partner – Schools Trade Unions Chris Lewandowski (NASUWT) Julie Turner (NASUWT) Paul Deneen (NEU) Ian Taylor (NAHT) Carol Rushton (ASCL) Helen Astley (Unison) David Stevens (Unison) Elaine King (GMB)