



Code of Conduct for Teaching and Support staff November 2022

Review by November 2024

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1. INTRODUCTION

At Thomas Johnson Lower School we seek to provide a safe and supportive environment, which secures the well-being and very best outcomes for pupils in our care.

This document clarifies what is expected in terms of professional behaviour and provides clear guidance relating to what might be considered as misconduct. It also describes safe practice and which behaviours should be avoided. This guidance has been produced to help all staff establish a safe learning and working environment. The aims are to safeguard young people and reduce the risk of staff being falsely accused of improper or unprofessional conduct. There may be times when professional judgements need to be made in situations not covered by this document. It is expected that in these circumstances staff will advise a member of the Senior Management Team of the reasons for the action already taken or proposed.

2. PRINCIPLES

- the welfare of the pupil is paramount
- staff are responsible for their own actions and behaviour and should avoid any conduct which would lead to any reasonable person to question their motivation and intentions
- staff should treat each other with due consideration and in a way that models care and respect
- staff should work, and be seen to work in an open and transparent way
- staff 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 , including decisions made and further actions agreed
- staff should apply the same professional standards in keeping with the school's Equality Policy
- all staff should know the name of the Designated Child Protection Officer, be familiar with child protection arrangements and understand their responsibilities to safeguard and protect pupils
- staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them

3. SAFE WORKING PRACTICES

Duty of care

All staff 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 staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement.

There are high expectations about the nature of the professional involvement of staff in the lives of pupils. 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.

This means that staff should:

- understand the responsibilities which are part of their employment or role and be aware that sanctions will be applied if these provisions are breached
- always act in the pupil's 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

Professional judgement

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

This means that where no specific guidance exists staff should:

- discuss the circumstances that informed their action, or their proposed action, with a member of SMT to ensure that the safest practices are employed and to reduce the risk of actions being misinterpreted
- always discuss any misunderstanding, accidents or threats with a member of SMT
- record discussions and actions taken along with reasons

Power and Positions of Trust

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

Staff 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.

This means that staff should not:

- use their position to gain access to information for their own advantage and/or a pupils' or family's detriment

- use their power to intimidate, threaten, coerce or undermine pupils
- use their status and standing to form or promote a relationship with a pupil, which is of a sexual nature
- attempt to initiate a relationship with a recent former pupil, which is of a sexual nature

Confidentiality

Members of staff may have access to confidential information about pupils in order to undertake their everyday responsibilities. In some circumstances staff may be given additional highly sensitive or private information. They should never use confidential or personal information about a pupil or family for their own or others' advantage. Information must never be used to intimidate, humiliate, or embarrass the pupil.

Confidential information about pupils should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously.

There are some circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities (refer to Child Protection and Safeguarding Guidance).

If a member of staff 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. Any media or legal enquiries should be passed immediately to the Headteacher.

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

Additionally concerns and allegations about adults should be treated as confidential and passed to the Headteacher or Child Protection Officer without delay.

This means that staff:

- are expected to treat information they receive about pupils 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 member of SMT
- need to be cautious when passing information to others about a pupil
- need to know to whom any concerns or allegations should be reported

Propriety and Behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and the public in general. An individual's behaviour, either in or out of the workplace, should not compromise her/his position within the work setting so it is important to exercise due care and attention when outside of the school environment.

This means that staff should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with pupils or act as a role model

- drink alcohol with current pupils in public or private places, nor purchase alcohol for pupils. There may be exceptional circumstances where a member of staff may be personal friends with a parent which mean that normal social life will bring the pupil into social contact with a member of staff.
- consume alcohol on school trips if they might be required to drive or supervise pupils or if they are the party leader. The party leader must ensure that there are sufficient staff who do not drink alcohol in case they need to be called to act if an emergency occurs
- make inappropriate remarks to a pupil (including email, text messages, phone or letter etc.)
- discuss their own sexual relationships with or in the presence of pupils
- discuss a pupil's sexual relationships in 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)

Dress and Appearance

Staff should consider the manner of dress and appearance appropriate to their professional role. We require pupils to be smart in their uniform and, similarly, a smart and professional appearance is expected at all times for staff. Jeans and strappy vests should not be worn. Footwear should be smart and appropriate; flip flops or similarly styled sandals should not be worn for health and safety reasons. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Staff should change into appropriate clothes and shoes for PE and should change back into more formal wear at a convenient point in the day.

Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation. Appropriate personal presentation is expected of staff.

This means that staff should ensure their appearance and clothing:

- promotes a positive and professional image
- is appropriate to their role
- is not likely to be viewed as offensive, revealing, or sexually provocative
- does not distract, cause embarrassment or give rise to misunderstanding

Infatuations

Staff need to be aware that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop an infatuation. Staff should be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

A member of staff who becomes aware that a pupil may be infatuated with themselves or a colleague should discuss this at the earliest opportunity with a member of SMT so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

Personal Living Space

No pupil should be in or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents and SMT.

Communication with pupils

Communication between pupils and staff, 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,

e-mails, digital cameras, videos, web-cams, websites, social networking sites, online gaming and blogs. Staff should not share any personal information with a pupil. They should not request, or respond to, any personal information from the pupil, other than that which might be appropriate as part of their professional role. Staff should ensure that all communications are transparent and open to scrutiny.

Staff should also be circumspect in their communications with pupils so as to avoid any possible misinterpretation. They should not give their personal contact details, or that of other members of staff, to pupils including e-mail, home or mobile telephone numbers, unless the need to do so is agreed with a member of the Senior Management Team and parents. E-mail or text communications between a member of staff and a pupil outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites, such as social networking, instant messaging or gaming.

Communication with former pupils who are over 18 is left to staff discretion but it is important to be aware that former pupils may be in contact with current pupils.

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

This means that staff should:

- communicate with pupils in an appropriate and professional manner
- only make contact with pupils for professional reasons
- not use internet or web-based communication channels to send personal messages to a pupil
- not have images of pupils that could be perceived as inappropriate stored on personal cameras, devices or home computers
- not make images of pupils available on the internet, other than through the school network/website, without permission from parents and SMT
- be cautious in their contact with former pupils, as there is still a professional relationship and there may be contact with current pupils.

Social Contact

Staff should not establish or seek to establish social contact with pupils, 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 member of staff should exercise professional judgement in making a response but should always discuss this with a member of SMT. Staff must be aware that social contact, in certain situations, could be misconstrued.

Staff should not give their personal details such as their home or e-mail address; social network sites, gamer tags or web pages to pupils unless the need to do so is agreed with senior leadership. If pupils do become aware of your gamer tag you must change it.

This means that staff should:

- have no secret social contact with pupils
- consider the appropriateness of the social contact according to their role and nature of their work
- advise senior leadership of any regular social contact they have with a pupil 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.

Social Networking Sites and Online Gaming

If staff use social networking sites, the school requires that profile and photos of the member of staff are 'locked down' as private so that pupils or parents do not have access to personal data or images.

Staff must deny current or recent pupils access to their profile so as not to put themselves in a vulnerable position.

Staff should be aware that they leave themselves open to a charge of professional misconduct if images of a member of staff in a compromising situation are made available on a public profile by anyone.

If a pupil does gain access to the profile of a member of staff by fraudulent means (impersonation or hacking) SMT should be informed immediately.

Where relationships exist between staff 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 staff do not compromise themselves or the school.

As soon as a member of staff becomes aware that they are in an online game with a pupil the member of staff should cease to play against that pupil and should not enter any games containing that player as part of the group.

This means that staff should:

- secure their profile to ensure that data and images are not freely available. Seek advice from IT if help is required
- Do not permit current and recent pupils or parents to have access to their profile
- Ensure 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

Physical Contact

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

We have a 'no touch' approach which is clearly outlined in the Child Protection and Safeguarding guidance for staff. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate.

Staff should use their professional judgement at all times about the appropriateness of any physical contact and, in all but extreme circumstance, with the pupil's agreement.

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

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

This means that staff should:

- be aware that even well intentioned physical contact may be misconstrued by the pupil, an observer or by anyone to whom this action is described
- never touch a pupil in a way which may be considered indecent
- always be prepared to explain actions and accept that all physical contact be open to scrutiny

Physical Education and other activities which require physical contact

Some staff, for example, those who teach PE , Dance and Drama, or who offer music tuition, will on occasions have to initiate physical contact with pupils in order to support a pupil 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 pupil's agreement and staff should remain sensitive to any discomfort expressed by the pupil.

Changing for PE

Young people are entitled to respect and privacy when changing clothes. However, there needs to be an appropriate level of supervision in order to safeguard pupils, 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 pupils concerned and sensitive to the potential for embarrassment.

Staff need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the pupils.

This means that staff should:

- avoid any physical contact when pupils are in a state of undress
- avoid any visually intrusive behaviour
- where there are changing rooms, remain in the room when groups are changing
- ensure sensitive pupils are offered the opportunity to change privately

Pupils in Distress

There may be occasions when a distressed pupil needs comfort and reassurance. Whilst age-appropriate physical contact may at times be appropriate in a primary setting it is not usually appropriate for pupils of secondary school age. Staff should avoid physical contact with a pupil unless it is absolutely necessary.

This means that staff should:

- consider the way in which they offer comfort to a distressed pupil
- record situations which may give rise to concern

Behaviour Management

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

This means that staff should:

- not use force as a form of punishment
- try to defuse situations before they escalate
- keep parents informed of any sanctions
- adhere to the school's Behaviour Policy and follow other guidance

Care, Control and Physical Intervention

Staff may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others.

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

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

This means that staff should:

- always seek to defuse situations
- always use minimum force for the shortest period necessary

Sexual Contact with Pupils

Any sexual behaviour by a member of staff with or towards a pupil is both inappropriate and illegal. Pupils 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. (Refer to Child Protection and Safeguarding, staff and governor guidance).

This means that staff 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.

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. Staff 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.

One to One Situations

Staff working in one to one situations with children and young people are occasionally vulnerable to allegations. Staff in schools should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs of both staff and pupils are met.

Pre-arranged meetings with a pupil away from the school premises should only take place when this has been approved by the parent or carer and a member of the Senior Management Team. Another adult should be present.

This means that staff should:

- avoid meetings with pupils in remote, secluded areas of the school
- ensure there is visual access and/or an open door in one to one situations
- assess the need to have another member of staff present or close by
- 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

Transporting Children

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

Whenever members of staff transport pupils in a vehicle, there should be an additional adult present to act as an escort. Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles but where this is not possible a member of staff may transport a pupil in their own vehicle. The school holds insurance for the business use of private cars but the driver must notify the School Business Manager/Headteacher before the journey takes place, preferably by email. In the School Business Manager's/Headteacher's absence another member of Senior Management Team should be informed.

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

This means that staff should:

- plan and agree arrangements with all parties in advance, responding sensitively and flexibly to disagreements
- ensure that they are alone with a pupil for the minimum time possible
- be aware that the safety and welfare of the pupil 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 agreed procedures
- take into account any specific needs that the child may have

Extra-curricular activities

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

During school activities that take place off the school site or out of school hours, a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and their behaviour needs to reflect this.

Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Pupils, staff and parents should be informed of these prior to the start of the trip.

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

This means that staff should:

- follow the procedures as described in the Trips and Visits Policy
- ensure that their behaviour remains professional at all times

First Aid and Administration of Medication

The school has a Health and Safety Policy which included guidance on First Aid and administration of medication policy. A Medical Conditions Policy provides more detailed guidance in relation to pupils with specific medical needs.

Intimate Care

All children have a right to safety, privacy and dignity when contact of an intimate nature is required. Children should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. An Individual Healthcare Plan (IHP) is drawn up for pupils with such needs and for those with needs that may arise from a physical disability (see Medical Conditions Policy).

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 materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and staff may wish to take guidance in these circumstances.

Parents have the right to withdraw their children from all or part of any sex education provided.

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.

Staff 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 has already had the consent of parents and images should not be displayed on other websites, in publications or in a public place without additional consent.

This means that staff should:

- be clear about the purpose of the activity and about what will happen to the photographs when the lesson or activity is concluded
- ensure that the photography or image equipment is being used appropriately
- 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

Staff should not:

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

Internet Use

TJLS has a clear policy about access to and the use of the Internet. Please refer to the E-Safety Policy for further guidance.

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 action, particularly if as a result pupils might be exposed to inappropriate or indecent material.

Confidential Reporting Policy

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Please refer to the school Confidential Reporting Policy

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

Sharing Concerns and Recording Incidents

All staff should be aware of the school's child protection procedures, including procedures for dealing with allegations against staff. Staff 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 a member of staff, the relevant information should be clearly and promptly recorded and reported to the Headteacher or the Designated Officer. Early discussion with a parent could avoid any misunderstanding.

Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with pupils so that appropriate support can be provided or action can be taken

