



Staff Behaviour Policy

Approved by: Board of Trustees **Date:** March 2018

Next review due by: March 2019

1. Introduction

1.1 This policy is intended as a guide and a support to staff by setting out in clear terms, the general expectations which apply to the conduct of staff when within, or representing Rye Academy Trust ('the trust'). Therefore, much of this document should be regarded as 'common sense'. Similarly, whilst this policy covers a wide range of situations, it is recognised that it cannot cover every eventuality, however the principles contained within it must apply in every circumstance. It is important that staff should take advice and guidance if necessary. **If in doubt ask.**

1.2 Staff are requested to read this document carefully and consider the issues which it raises. Headteachers should also ensure that all staff are aware of this policy and are fully briefed on its implications. Reference to this policy will be made in all contracts of employment. In addition, the induction programme for all new staff will reinforce the principles contained herein.

1.3 This document should be read in conjunction with other policies and is not designed to replace or take priority over them. Investigations of alleged breaches of this policy will be covered under the trust's Disciplinary procedures and related codes of practice. This document should be read and cross referenced to other relevant policies, including Safeguarding & Child Protection, Whistleblowing, Online (e-Safety), Attendance Policy (staff), Data Protection Policy, Gifts & Hospitality Policy.

2. Definitions

2.1 References to 'the trust' includes staff deployed in the trust's academies as well as staff employed in central functions.

2.2 The definition of a 'child' in child protection guidance is anyone who is under the age of 18. The trust defines a child for this purpose as all pupils within our academies, including those who may be over the age of 18. The principles contained in this document therefore apply to professional behaviours towards all pupils, irrespective of age.

2.3 References made to adults and staff refer to all those who work with children in our trust, in either a paid or unpaid capacity. This means that this document applies to **all adults working within our trust whatever their position, role or responsibilities**. This also includes those who are not directly employed by the trust e.g. Local Authority staff, sports coaches. Headteachers are responsible for ensuring that all staff and volunteers are made aware of this policy.

2.4 The term 'allegation' means where it is alleged that a person who works with children has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or,
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children

3. Underpinning principles

3.1 The underpinning principles of this policy are:

- The welfare of the child is paramount
- All staff have a responsibility to keep children safe and to protect them from abuse (sexual, physical and emotional), neglect and safeguarding concerns. Children have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure their safety and well-being. Failure to do so may be regarded as professional misconduct
- Staff are accountable for the way in which they: exercise authority; manage risk; use resources; and safeguard children and should avoid any contact which would lead any reasonable person to question their motivation and intention
- Staff should work, and be seen to work, in an open and transparent way
- Staff should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded
- Staff should discuss and/or take advice promptly from their line manager if they have acted in a way that may give rise to concern
- Staff should adhere to the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation
- Whilst on duty, staff should not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect their ability to care for children
- Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them; criminal action and/or other proceedings including disbarring by the Disclosure & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the National College of Teaching & Leadership (NCTL)
- Staff and managers should continually monitor and review practice to ensure this policy is followed
- Staff should be aware of and understand the trust's safeguarding and child protection Policy, arrangements for managing allegations against staff, whistle blowing procedure and the East Sussex Local Safeguarding Children Board (LSCB) procedures

4. The Trust's Commitment

4.1 The trust has a duty of care to all staff and volunteers and as part of this duty it will:

- Promote a culture of openness and support
- Ensure that systems are in place for concerns to be raised
- Ensure that staff are not placed in situations which render them particularly vulnerable
- Ensure that all staff are aware of expectations, policies and procedures
- Ensure that appropriate safeguarding and child protection policies and procedures are distributed, adopted, implemented and monitored
- Ensure that staff are treated fairly and reasonably in all circumstances and if subject to an allegation will be supported and the principles of natural justice will be applied
- Ensure that the safe practice of staff is continually promoted through supervision and training
- Ensure that where services are provided by another body, they have appropriate safeguarding policies and procedures in place
- Ensure compliance with Health and Safety legislation in providing a safe working environment for staff and pupils
- Ensure that clear and easily accessible policies on online safety (e-safety) and whistleblowing are in place

4.2 There are 7 principles (The Nolan Principles) guiding the way we should act and carry out our duties in public service and these underpin this policy. See Appendix 1.

5. Making professional judgements

5.1 This policy cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight, however, behaviour which is illegal, inappropriate or inadvisable. There will be rare occasions and circumstances in which staff have to make decisions or take action in the best interest of a child which could contravene this policy 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. These judgements should always be recorded and shared with a manager.

5.2 This means that where no specific guidance exists staff should:

- Discuss the circumstances that informed their action, or their proposed action, with the headteacher/their line manager and/or, where appropriate, the academy's Designated Safeguarding Lead (DSL). 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 the headteacher/line manager and/or DSL.
- Always record discussions and actions taken with their justifications
- Record any areas of disagreement and, if necessary refer to another agency/the LA/Ofsted/National College for Teaching and Learning/other Regulatory Body.

6. Power and positions of trust and authority

6.1 As a result of their knowledge, position and/or the authority invested in their role, all those working with children in a school setting are in a position of trust in relation to all pupils on the roll. The relationship between a person working with a child/ren is one in which the adult has a position of power or influence. The relationship therefore cannot be one between equals and 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 professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incident.

6.2 This means that staff must not:

- Use their position to gain access to information for their own advantage and/or a child's or family's detriment
- Use their power to intimidate, threaten, coerce or undermine pupils
- Use their status and standing to form or promote relationships with children which are of a sexual nature, or which may become so

7. Confidentiality

7.1 The storing and processing of personal information is governed by the Data Protection Act 1998 (new, more stringent, General Data Protection Regulations will come into force in May 2018). Staff may have access to confidential information about children and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child. Records should only be shared with those who have a legitimate professional need to see them.

7.2 Staff should never use confidential or personal information about a child or his/her family for their own, or others advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate or embarrass the child. 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 the child's identity does not need to be disclosed, the information should be used anonymously.

7.3 There are some circumstances in which a member of staff may be expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a responsibility to pass information on without delay, but only to the DSL or in their absence, the headteacher.

7.4 If a child – or their parent/carer – makes a disclosure regarding abuse or neglect, staff should follow the trust's procedures for reporting concerns on MyConcern and notify the DSL immediately. The adult should not promise confidentiality to a child or parent/carer, but should give reassurance that the information will be treated sensitively.

7.5 If a member of staff is in doubt about whether to share information or keep it confidential, they should seek guidance from the DSL. Any media or legal enquiries should be passed to senior management.

7.6 This means that staff must:

- Know the name of their DSL and the procedures for reporting concerns
- Treat information they receive about children and families in a discreet and confidential manner
- Seek advice from the DSL if they are in any doubt about sharing information they hold or which has been requested of them
- Be clear about when information can/must be shared and in what circumstances
- Know the procedures for responding to allegations against staff and to whom any concerns or allegations should be reported
- Ensure that where personal information is recorded using modern technologies that systems and devices are kept secure – e.g. following protocols for encryption, locking screens when leaving their desk/office – however briefly - so that personal/confidential data is not visible to others
- Keep their passwords confidential and not allow unauthorised access to equipment

8. Standards of Behaviour

8.1 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in order to maintain confidence and respect of the general public and those with whom they work, which includes how they conduct themselves with other staff.

8.2 Staff should be aware that their behaviour, either in or out of the workplace, could compromise their professional position within the trust in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may result in prohibition from teaching, a bar from engaging in regulated activity, or action by another regulatory body.

8.3 The Childcare (Disqualification) Regulations 2009 set out grounds for disqualification under the Childcare Act 2006 where the person or a person living in the same household or employed in the same household meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a child; been subject to a specified order relating to the care of a child; committed certain serious sexual or physical offences against an adult; been included on the DBS children's barred list; been made subject to a disqualification order by the court; previously been refused registration as a childcare provider or provider or manager of a children's home or had such registration cancelled. A disqualified person is prohibited from providing relevant early or later years' childcare as defined in the Childcare Act 2006 or being directly concerned in the management of such childcare. Schools and private childcare settings are also prohibited from employing a disqualified person in respect of relevant early or later years' childcare.

8.4 As the above makes clear, staff should be aware that behaviour by themselves, those with whom they share a household, or others in their personal lives, may impact on their work with children.

8.5 This means that staff should not:

- Behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model
- Make, or encourage others to make sexual remarks to, or about, a child
- Use inappropriate language to or in the presence of children
- Discuss their personal or sexual relationships with or in the presence of children
- Make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such

8.6 The trust's expectations regarding standards of behaviour also extend to the following requirements of staff:

- Endeavouring to assist the trust achieve its corporate and strategic objectives – in particular, by adopting a positive attitude to marketing and the achievement of quality and equality
- Respect for trust property. The resources of the trust, which include the buildings, grounds and any assets within the buildings or grounds, whether temporary or permanent, are here for the ultimate benefit of our pupils. They are not to be used by employees for their own private purposes without prior written permission of the Director of Finance & Business
- Taking responsibility for the behaviour and conduct of pupils in the classroom and sharing such responsibility elsewhere on the premises
- Being fit for work (i.e. not adversely influenced by drugs, alcohol, etc.)
- Not smoking on trust premises. This includes the use of e-cigarettes
- Being familiar with job requirements (e.g. proper preparation, use of suitable methods/systems, maintenance of appropriate/required records, etc.), including keeping up-to-date with developments relevant to the job role
- Ensuring all assessments/exams/tests are conducted in a fair and proper (prescribed) manner, and that procedures are strictly followed with respect to confidentiality and security
- Respect for the rights and opinions of others
- Respecting relations with our community by being a good neighbour – e.g. having consideration for local residents when parking in local roads, not littering, not obstructing walkways/gathering in front of residents' properties or using their driveways/walls to sit on if you smoke
- Challenge inappropriate behaviour by pupils on campus and in the local community
- Follow the trust's financial procedures for the handling and claiming of money
- Ensure that IT equipment issued to staff in connection with their job role is kept securely and in good condition and returned at the end of employment. Staff who fail to comply with these conditions will be responsible for the cost of repair/replacement.

This list is not exhaustive but the examples are given as a summary.

9. Dress and appearance

9.1 A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, staff should select a manner of dress and appearance appropriate to their professional role and which may be necessarily different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be viewed as offensive or inappropriate could render themselves vulnerable to criticism or allegation. In cases where in the opinion of the headteacher or CEO an employee's appearance is unacceptable, the employee may be required to return home to change.

9.2 Staff are required to wear visible identification (Rye Academy Trust lanyards with photo identification) at all times when on duty or when representing the trust in any capacity.

9.3 This means that staff should wear clothing which:

- Promotes a positive and professional image
- Is appropriate to their role, does not distract, cause embarrassment or give rise to misunderstanding
- Is absent of any political or otherwise contentious slogans
- Is compliant with professional standards

9.4 In addition:

- Where the trust provides an item or items of uniform to enable the employee to more appropriately carry out his/her duties this must be worn at all times whilst on duty.
- Any employee whose job involves working with machinery/manual handling or food must adhere to the requirements of current health and safety and hygiene legislation.
- When delivering PE or related sports subjects, staff will wear appropriate sports clothing which upholds the trust's ethos.
- Headgear worn for religious purposes is permitted.
- Any jewellery worn by staff should not be excessive to reflect the professional, business-like ethos of the trust and be appropriate in respect of health and safety considerations.
- Any tattoos should not be visible to others whilst on duty.

10. Gifts, rewards, favouritism and exclusion

10.1 Any reward given to a pupil should be in accordance with the trust's published behaviour policies, recorded and not based on favouritism. The trust has a policy in place regarding the receiving of gifts to staff from pupils and their parents/carers and staff should be aware and understand what is expected of them.

10.2 Staff need to take care that they do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment. There are occasions when pupils or parents/carers wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is usually acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

10.3 Adults should exercise care when selecting pupils for specific activities, jobs or privileges in order to avoid perceptions of favouritism or injustice. Similar care should be exercised when pupils are excluded from an activity. Methods of selection and exclusion should always be subject to clear, fair, agreed criteria.

10.4 This means that staff should:

- Be aware of and understand the trust's relevant policies – e.g. rewarding positive behaviour, gifts & hospitality
- Ensure that gifts received or given in situations that may be misconstrued are declared and recorded
- Only give gifts to a pupil as part of agreed rewards systems
- Ensure that all selection processes of pupils are fair and these are undertaken and agreed by more than one member of staff
- Ensure that they do not behave in a manner which is either favourable or unfavourable to individual pupils

11. Infatuations and 'crushes'

11.1 All staff need to recognise that it is not uncommon for children to develop a 'crush' or infatuation for a member of staff. They should make every effort to ensure that their own behaviour cannot be brought into question, does not appear to encourage this and be aware that such infatuations may carry a risk of their words or actions being misinterpreted.

11.2 Any member of staff who receives a report, overhears something, or otherwise notices any sign, however small or seemingly insignificant, that a young person has become or may be becoming infatuated with either themselves or a colleague, should immediately report this to the headteacher/senior manager and/or DSL. In this way appropriate early intervention can be taken which can prevent escalation and avoid hurt, embarrassment or distress for those concerned.

11.3 This means that staff should:

- Report any indications (verbal, written or physical) that suggest a child may be infatuated with a member of staff
- Always maintain professional boundaries

12. Social contact outside of the workplace

12.1 It is acknowledged that staff may have genuine pre-existing friendships and social contact with parents of pupils, independent of the professional relationship.

12.2 Staff should, however, also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents/carers, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

12.3 It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation.

12.4 Staff should recognise that some types of social contact with pupils or their families could be perceived as harmful or exerting inappropriate influence on children and may bring the trust into disrepute (e.g. attending a political protest, circulating propaganda).

12.5 If a pupil or parent/carer seeks to establish social contact, or if this occurs coincidentally, the member of staff should consult with the headteacher/line manager at the first opportunity. This also applies to social contacts made through outside interests or the staff member's own family.

12.6 Some staff may, as part of their professional role, be required to support a parent/carer. Should the parent/carer seek to extend this support outside of the previously agreed professional role, this should be immediately discussed with senior management and where necessary referrals made to the appropriate support agency. Staff should be working as part of an agreed plan and not in isolation.

12.7 This means that staff should:

- Always approve any planned social contact with pupils or parents/carers with senior colleagues, for example when it is part of a reward scheme
- Advise senior management of any regular social contact they have with a child which could give rise to concern including new social contacts
- Only communicate with pupils or parents/carers through approved trust-based media
- Inform senior management of any relationship with a parent/carer where this extends beyond the usual parent/professional relationship
- Ensure that they have discussed the boundaries of any pre-existing friendships and social contacts with parents/carers with their line manager
- Inform senior management of any requests or arrangements where parents/carers wish to use their services outside of the workplace e.g. babysitting, tutoring
- Direct any concerns raised directly to them about another member of staff through the appropriate channels

13. Communication (including the use of technology)

13.1 In order to make best use of the many educational and social benefits of new and emerging technologies, children need opportunities to use and explore the digital world. Online risks are posed more by human behaviours and values than the technology itself.

13.2 Staff should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and acceptable use policies which detail how new and emerging technologies may be used.

13.3 Communication with pupils both in the 'real' world and through web based and telecommunication interactions should take place within explicit professional boundaries. This includes the use of computers, tablets, phones, texts, e-mails, instant messages, social media such as Facebook and Twitter, chat-rooms, forums, blogs, websites, gaming sites, digital cameras, videos, web-cams and other hand-held devices. (Given the ever-changing world of technology it should be noted that this list gives examples only and is not exhaustive.)

13.4 Staff should not request or respond to any personal information from pupils other than which may be necessary in their professional role. Where this is necessary, all communication should be conducted through approved media channels. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behavior'.

13.5 Staff are not permitted to have any current pupils, no matter how old, or any previous pupils under 18 as contacts on any form of social media.

13.6 Staff should not give their personal contact details to pupils for example, e-mail address, home or mobile telephone numbers, details of web-based identities. If pupils locate these by any other means and attempt to contact or correspond with the staff member, the adult should not respond and must report the matter to the headteacher/line manager so that management action can be taken to firmly and politely inform the pupil that this is not acceptable.

13.7 This means that staff should:

- Ensure communication takes 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 and blogs
- Not have any current pupils, no matter how old, or any previous pupils under 18 as contacts on any form of social media
- Not share any personal information with pupils
- Not request, or respond to, any personal information from a pupil, other than that which may be appropriate as part of their professional role
- Only use equipment e.g. mobile phones, provided by the trust to communicate with pupils, making sure that parents/carers have given permission for this form of communication to be used.
- Only use approved and secure internet or web-based communication channels to send messages.
- Use internal e-mail systems in accordance with professional procedures and the trust's Acceptable Use policy
- Ensure that their use of technologies could not bring the trust into disrepute
- Ensure their privacy settings on social media are high
- Not express personal opinions about the trust and/or events that may have occurred there on social media sites
- Refrain from posting on social media any form of inappropriate content for example photographs and/or information that could cause offence or bring their profession into disrepute

14. Physical contact

14.1 The experience of physical contact is a subjective issue and will be experienced by each pupil differently according to their experiences. This is an area that can lead to misinterpretation and allegations of inappropriate behaviour. It is therefore essential that staff consider why they need to touch the pupil and whether it is really necessary.

14.2 There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, however, it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs, age, stage of development and any agreed care plan. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil, in one set of circumstances, may be inappropriate in another, or with a different child.

14.3 Any physical contact should be appropriate to the circumstances at the time, of limited duration and appropriate to the pupil's age, stage of development, gender, ethnicity and background. Adults should therefore, use their professional judgement at all times. Staff should listen, observe and take note of the pupil's reaction or feelings and, so far as is possible, use a level of contact and/or form of communication which is acceptable to the child.

14.4 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 by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive, the incident and circumstances should be immediately reported to the headteacher/DSL/senior manager and recorded. Where appropriate, the headteacher/DSL/senior manager should consult with the Local Authority Designated Officer.

14.5 Extra caution may be required where it is known that a pupil has suffered previous abuse or neglect. Staff need to be aware that the child may associate physical contact with such experiences. They should also recognise that these children may seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively and help them to understand the importance of personal boundaries.

14.6 A general culture of 'safe touch' should be adopted, where appropriate, to the individual requirements of each child. Pupils with identified additional and/or disabilities who require more physical contact to assist their everyday learning should have a clear and agreed plan that is shared with the parents/carers and where appropriate the pupil. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, consistently applied and open to scrutiny.

14.7 This means that staff should:

- Be aware that even well-intentioned physical contact may be misconstrued by the child, or an observer
- Never touch a child in a way which may be considered indecent
- Always be prepared to explain actions and accept that all physical contact can be open to scrutiny
- Never indulge in horseplay or fun fights
- Always allow/encourage children, where able, to undertake self-care tasks independently
- Ensure the way they offer comfort to a distressed child is age appropriate and is acceptable to the child
- Always tell their line manager when and how they offered comfort to a distressed child
- Report and record situations which may give rise to concern
- Be aware of cultural or religious views about touching and be sensitive to issues of gender
- Be aware of children who have a plan relating to their physical contact needs

15. Other activities that require physical contact

15.1 In certain curriculum areas, such as PE, drama or music, staff may need to initiate some physical contact with pupils, for example, to demonstrate technique in the use of a piece of equipment, adjust posture, or support a pupil so they can perform an activity safely or prevent injury.

15.2 Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the child. Contact should be relevant to their age/ understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the child.

15.3 Guidance and protocols around safe and appropriate physical contact may be provided, for example, by sports governing bodies and should be understood and applied consistently. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the headteacher and parent/carer.

15.4 It is good practice if all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers and children informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

15.5 This means that staff should:

- Treat pupils with dignity and respect and avoid contact with intimate parts of the body
- Always explain to a pupil the reason why contact is necessary and what form that contact will take
- Seek consent of parents/carers where a child is unable to give this e.g. because of a disability
- Consider alternatives, where it is anticipated that a child might misinterpret any such contact
- Be familiar with and follow recommended guidance and protocols
- Conduct activities where they can be seen by others
- Be aware of gender, cultural and religious issues that may need to be considered prior to initiating physical contact

16. Intimate/personal care

16.1 The trust has appropriate policies and procedures in place to ensure that the health, safety, independence and welfare of children is promoted and their dignity and privacy are respected. Arrangements for intimate and personal care are open and transparent and accompanied by recording systems.

16.2 Children are encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this is normally undertaken by one member of staff, however, they should try to ensure that another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, wherever possible, they are visible and/or audible. Intimate or personal care procedures should not involve more than one member of staff unless the child's individual healthcare plan specifies the reason for this. A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, should include times left and returned.

16.3 Any vulnerability, including those that may arise from a physical or learning difficulty should be considered when formulating the child's individual healthcare plan. The views of parents/carers and the child, regardless of their age and understanding, should be actively sought in formulating the plan and in the necessary regular reviews of these arrangements.

16.4 Children are entitled to respect and privacy at all times and especially when in a state of undress, including, for example, when changing, toileting and showering. However, there needs to be an appropriate level of supervision in order to safeguard children, 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 children concerned and sensitive to the potential for embarrassment.

16.5 This means that staff should:

- Adhere to intimate and personal care and nappy changing policies and only assist with intimate/personal care tasks if the child is unable to undertake these independently
- Make other staff aware of the task being undertaken
- Always explain to the child what is happening before a care procedure begins
- Consult with colleagues where any variation from agreed procedure/individual healthcare plan is necessary
- Record the justification for any variations to the agreed procedure/individual healthcare plan and share this information with the child and their parents/carers
- Where there are changing rooms, announce their intention of entering
- Always consider the supervision needs of the children and only remain in the room where their needs require this
- Not change in the presence of sight of children

17. Home visits

17.1 All work with children and parents should usually be undertaken in school or another recognised workplace. There are however occasions, in response to an urgent, planned or specific situation or job role, where it is necessary to make one-off or regular home visits. It is essential that appropriate policies and related risk assessments are in place to safeguard both staff and children, who can be more vulnerable in these situations.

17.2 As part of the trust's safeguarding procedures, home visits will always involve two members of staff. Visits must not be undertaken by lone staff.

17.3 A risk assessment should be undertaken prior to any planned home visit taking place. The assessment should include an evaluation of any known factors regarding the child, parents/carers and any others living in the household. Consideration should be given to any circumstances which might render the staff member becoming more vulnerable to an allegation being made e.g. hostility, child protection concerns, complaints or grievances. Specific thought should be given to visits outside of 'office hours' or in remote or secluded locations. Following the assessment, appropriate risk control measures should be in place before the visit is undertaken.

17.4 This means that staff should:

- Never take a pupil to their own home
- Agree the purpose for any home visit with their manager
- Adhere to agreed risk control strategies
- Avoid unannounced visits wherever possible
- Ensure there is visual access and/or an open door in one to one situations
- Always make detailed records including times of arrival and departure
- Ensure any behaviour or situation which gives rise to concern is discussed with their manager

18. Behaviour management

18.1 Corporal punishment and smacking is unlawful in all schools. Staff should not use any form of degrading or humiliating treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards children is completely unacceptable. Where children display difficult or challenging behaviour, adults should follow the behaviour policy using strategies appropriate to the circumstance and situation.

18.2 Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan, including assessment of risk, should be drawn up and agreed by all parties, including, for example, a medical officer where appropriate.

Staff involved with positive handling should be appropriately trained in the methods of intervention and de-escalation should always be used in the first instance.

18.3 Leaders have ensured our behaviour policies include clear guidance about the use of isolation and seclusion. The legislation on these strategies is complex and staff should take extreme care to avoid any practice that could be viewed as unlawful, a breach of the child's human rights and/or false imprisonment.

18.4 This means that staff should:

- Not use force as a form of punishment
- Try to defuse situations before they escalate
- Keep parents/carers informed of any sanctions or behaviour management techniques used
- Be mindful of and sensitive to factors both inside and outside of the school which may impact on a child's behaviour
- Follow the behaviour management policy
- Behave as a role model
- Avoid shouting at children other than as a warning in an emergency/safety situation
- Refer to national and local policy and guidance regarding positive handling
- Be aware of the legislation and potential risks associated with the use of isolation and seclusion
- Comply with legislation and guidance in relation to human rights and restriction of liberty

19. The use of control and physical intervention

19.1 Early years providers must take all reasonable steps to ensure that corporal punishment is not given by any person who cares for or is in regular contact with a child, or by any person living or working in the premises where care is provided. A person will not be taken to have used corporal punishment if the action was taken for reasons that include averting an immediate danger of personal injury to, or an immediate danger of death of, any person including the child.

19.2 The law and guidance for schools states that adults may reasonably intervene to prevent a child 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

Great care must be exercised in order that staff do not physically intervene in a manner which could be considered unlawful.

19.3 Under no circumstances should physical force be used as a form of punishment. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence. Where staff judge that a child's behaviour presents a serious risk to themselves or others, a robust risk assessment will be put in place which is reviewed regularly and, where relevant, a physical intervention plan.

19.4 In all cases where physical intervention has taken place, the incident will be recorded and any subsequent actions, and reported to the headteacher and the child's parents/carers. Similarly, where it can be anticipated that physical intervention is likely to be required, a plan will be put in place which the pupil and parents/carers are aware of and have agreed to. Parental consent does not permit schools to use unlawful physical intervention or deprive a child of their liberty. Staff involved with positive handling will be appropriately trained in the methods of intervention and de-escalation will always be used in the first instance.

19.5 This means that staff should:

- Adhere to the physical intervention policy
- Always seek to defuse situations and avoid the use of physical intervention wherever possible
- Where physical intervention is necessary, only use minimum force and for the shortest time needed

20. Sexual Contact

20.1 Any sexual behaviour by a member of staff with or towards a child is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a child under 18 years of age and sexual activity with a child could be a matter for criminal and/or disciplinary procedures. As stated in section 2 the definition of child adopted by the trust is any pupil on roll.

20.2 Children are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding. This includes the prohibition of sexual activity with children by adults in a position of trust.

20.3 All staff should be aware of behaviours that may constitute 'grooming' and of their responsibility to always report to the headteacher and DSL any concerns about the behaviour of a colleague which could indicate that a child is being groomed.

20.4 This means that staff must:

- Not have any form of sexual contact with pupils
- Not engage in sexual activity with or in the presence of a pupil, or cause or incite a pupil to engage in or watch sexual activity, or the production of pornographic material, to do so would be considered a criminal offence
- Not make sexual remarks to or about a child
- Not engage in any form of touch which is, or may be considered to be, indecent
- Not have any form of communication with a child which could be interpreted as sexually suggestive, provocative or give rise to speculation e.g. verbal comments, letters, notes, by email or on social media, phone calls, texts, physical contact
- Not discuss their own sexual relationships with or in the presence of pupils
- Not discuss sexual matters with or in the presence of children other than within agreed curriculum content or as part of their recognised job role
- Ensure relationships take place within boundaries of respect and professionalism
- Ensure language, attitudes and demeanour do not give rise to comment or speculation
- Be aware that consistently conferring inappropriate special attention and favour upon a pupil might be construed as part of a grooming process, and as such will give rise to concerns about behaviour

21. One to one situations

21.1 Staff working in one to one situations with pupils, including visiting staff from external organisations, can be more vulnerable to allegations or complaints.

21.2 To safeguard both children and adults, a risk assessment in relation to the specific nature and implications of one to one work should always be undertaken. Each assessment should take into account the individual needs of the child and should be reviewed regularly.

21.3 Arranging to meet pupils outside the workplace is not permitted unless the necessity for this is clear and approval is obtained from the headteacher, the child and their parents/carers.

21.4 This means that staff should:

- Ensure that wherever possible there is visual access and/or an open door in one to one situations
- Avoid use of 'engaged' or equivalent signs unless absolutely necessary. Such signs may create an opportunity for secrecy or the interpretation of secrecy
- Always report any situation where a child becomes distressed or angry
- Consider the needs and circumstances of the child involved

22. Transporting pupils

22.1 The Educational Visits Coordinator is responsible for risk assessing arrangements relating to the transport of pupils in connection with trips and visits. Staff driving the minibus are required to have undertaken the necessary test(s) required by the trust. Wherever possible and practicable there there will be at least one adult additional to the driver acting as an escort.

22.2 Staff are not permitted to transport pupils in their private vehicles. In the exceptional circumstance of this becoming necessary for staff to fulfil their normal working duties, explicit permission from the CEO will be required in advance. A risk assessment of the activity must be submitted to the CEO in order to inform his decision-making.

22.3 Staff should never offer to transport pupils outside of their normal working duties, other than in an emergency or where not doing so would mean a pupil may be at risk. In these circumstances, the staff member should seek permission from parents/carers wherever possible and ensure the matter is recorded with the headteacher/line manager at the earliest opportunity.

22.4 This means that staff must:

- Plan and agree transport arrangements with all parties in advance.
- Have an appropriate licence/permit for the vehicle
- Ensure that legal requirements for the wearing of seat belts are adhered to
- Ensure they are fit to drive and free from any drugs, alcohol or medicine that is likely to impair judgement and/or ability to drive
- Be aware that the safety and welfare of pupils 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
- Ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety.
- Ensure that any emergency arrangements of lifts are recorded and can be justified

23. Educational trips

23.1 All educational trips and visits require formal approval to be given, in advance, by the headteacher. The trust's Educational Trips Policy sets out the process trip leaders must follow. Staff are required to comply with all aspects of the policy as advised by the Educational Visits Coordinator.

23.2 Staff should take particular care when supervising pupils in the less formal atmosphere of an educational visit where a more relaxed discipline or informal dress or language code may be acceptable. However, staff 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.

23.3 Where out of school activities include overnight stays, careful consideration will be given to sleeping arrangements. Children, adults and parents will be informed of these prior to the start of the trip.

In all circumstances, staff organising trips and outings should pay careful attention to ensuring there is a safe staff/child ratio and suitable gender mix of staff.

23.4 Staff and volunteers are not permitted to bring their own children on any trips unless already a pupil on roll at one of the trust's academies.

23.5 No alcohol may be consumed by staff on trips or visits at any time. Staff may not purchase alcohol for pupils under any circumstances. Investigations of alleged breaches will be covered under the trust's disciplinary procedures.

23.6 This means that staff must:

- Adhere to the trust's educational visits policy – e.g. in respect of risk assessments, staff:pupil ratios etc.
- Recognise that they are in a position of trust and ensure that their behaviour remains professional at all times and stays clearly within defined boundaries
- Ensure staff: pupil ratios and where possible gender mix are appropriate
- Always have another adult present in out of work activities, unless otherwise agreed with a senior member of staff
- Ensure risk assessments are undertaken
- Have parental consent to the activity
- Never share beds with pupils
- Never share bedrooms unless it is a dormitory situation and the arrangements have been previously discussed and agreed by the headteacher and informed to parents/carers and pupils in advance

24. First Aid and the administration of medicine

24.1 Staff involved in first aid and administering medicines must:

- Be suitably trained and qualified before administering first aid and/or any agreed medication
- Ensure training is regularly monitored and updated
- Ensure arrangements are in place to obtain parental consent for the administration of first aid or medication; where ever reasonably practicable to do so
- Adhere to the First Aid and Medical Policy
- Make other staff aware of the task being undertaken
- Have regard to the child's individual healthcare plan
- Explain to the child what is happening
- Ensure an appropriate health/risk assessment is undertaken prior to undertaking certain activities
- Support staff in acting and being seen to act in the child's best interest
- Ensure that individual records of all medications administered are kept
- Comply with local and national guidance on meeting the needs of children with medical conditions

24.2 Staff medication on the premises must be securely stored and out of reach of pupils at all times. A locked drawer or cupboard is acceptable if it cannot be kept on your person. Staff should administer their own medication out of sight of pupils unless it is medically required and you cannot leave the pupils.

25. Photography, videos and other images

25.1 Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity. Under no circumstances are staff expected or allowed to use their personal equipment to take images of children at or on behalf of the trust.

25.2 The trust has arrangements with regard to the taking and use of images, which is linked to our safeguarding and child protection policy.

This covers the wide range of devices which can be used for taking/recording images e.g. cameras, mobile-phones, smart phones, tablets, web-cams etc. and arrangements for the use of these by staff, parents and visitors.

25.3 Whilst images are regularly used for very positive purposes adults need to be aware of the potential for these to be taken and/or misused or manipulated for pornographic or 'grooming' purposes. Particular regard needs to be given when images are taken of young or vulnerable children who may be unable to question why or how the activities are taking place.

25.4 Staff should be sensitive to any child who appears uncomfortable in the use of photography and should recognise the potential for misinterpretation. Children who have been previously abused in a manner that involved images may feel particularly threatened by the use of photography, filming etc.

25.5 Making and using images of children will require the age appropriate consent of the child concerned and their parents/carers, and the child's views and wishes should be respected. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the trust's premises have access.

25.6 For the protection of children, when using images for publicity purposes the following protocols are in place:

- If the image is used, avoid naming the child (or, as a minimum, use first names rather than surnames)
- If the child is named, avoid using their image
- Abide by the relevant protocols for retaining the image for further use, where and for how long
- Images should be securely stored and used only when authorised to do so

25.7 This means that staff must:

- Adhere to the online policy
- Only publish images of pupils where they and their parent/carer have given explicit written consent to do so (and, where appropriate, consent from the child)
- Only take images where the child is happy for them to do so
- Only retain images when there is a clear and agreed purpose for doing so
- Store images in an appropriate secure place
- Only use equipment provided or authorised by the trust - i.e. not take images of pupils using personal equipment
- Not take images of pupils for their personal use
- Be able to justify images of pupils in their possession
- Avoid making images in one to one situations or situations that may be construed as secretive or which show a pupil with no surrounding context
- Not take images of pupils in a state of undress or semi-undress
- Not take images of pupils which could be considered as indecent or sexual
- Immediately report any concerns if any inappropriate or intrusive images are found
- Not use images that may cause distress or offence

26. Exposure to inappropriate images

26.1 Staff should take extreme care to ensure that pupils are not exposed, through any medium, to inappropriate or indecent images.

26.2 There are no circumstances that will justify staff: making, downloading, possessing or distributing indecent images or pseudo-images of children (indecent images of children). Accessing these images, whether using trust or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

26.3 Under no circumstances should any adult use trust equipment to access pornography. Personal equipment containing pornography or links to it should never be brought into or used in the workplace.

This will raise serious concerns about the suitability of the adult to continue working with children.

26.4 If indecent images of children, including sexting and Child Sexual Exploitation, are discovered within the trust or on the trust's equipment an immediate referral should be made to the police and Single Point of Advice (SPOA). The images/equipment should be secured and there should be no attempt to view or delete the images as this could jeopardise necessary criminal action. If there is any implication of professional misconduct the Managing Allegations procedures in the safeguarding and child protection policy should be followed, which will include early consultation with the Local Authority Designated Officer (LADO). Adults should not tamper with the device or attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility they will be at risk of prosecution themselves.

26.5 This means that staff should:

- Abide by the acceptable use and online safety (e-safety) policies
- Ensure that children cannot be exposed to indecent or inappropriate images
- Ensure that any films or material shown to children are age appropriate

27. Personal/living space

27.1 Staff should not invite pupils into their home. It is not appropriate for staff to use their private living space for any activity, play or learning. Under no circumstances should children be asked to assist adults with jobs or tasks, either for or without reward, at or in their private accommodation.

27.2 This means that staff should:

- Be vigilant in maintaining their own privacy and mindful of the need to avoid placing themselves in vulnerable situations
- Be mindful of the need to maintain appropriate personal and professional boundaries
- Not ask children to undertake jobs or errands for their personal benefit

28. Curriculum

28.1 Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or 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 can be supported by developing ground rules with pupils to ensure sensitive topics can be discussed in a safe learning environment. This plan should highlight particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied e.g. drama. Responding to pupils' questions requires careful judgement and staff should take guidance in these circumstances from the DSL.

28.2 Staff should comply with the trust's policies on spiritual, moral, social, cultural (SMSC) and the policy for sex and relationships education. It should be noted that parents/carers have the right to withdraw their children from all or part of any sex education provided but not from the National Curriculum for Science.

28.3 This means that staff should:

- Have clear lesson plans
- Take care when encouraging children to use self-expression, not to overstep personal and professional boundaries
- Be able to justify all curriculum materials and relate these to clearly identifiable lesson plans
- Not enter into or encourage inappropriate discussions which may offend or harm others
- Undermine fundamental British values
- Express any prejudicial views
- Attempt to influence or impose their personal values, attitudes or beliefs on children

29. Attending Work

29.1 The majority of staff work during term-time only and absence during this time has a disproportionate impact as contact time with pupils cannot be 'made up' at a later date. There are procedures in place which staff must follow to notify the trust if they are going to be absent for any reason.

- Any form of leave for term-time working staff is for exceptional circumstances only
- All planned absence (holiday, appointments, training etc) must be approved in writing on the appropriate form and in advance
- Dependents' leave is for emergencies and to allow you to make alternative arrangements for care of the child or person, not to provide it. Dependents' leave may be paid or unpaid as determined by HR
- Planned absences such as training events or visits to other schools must be booked well in advance and cover materials provided (for teaching staff)
- Routine appointments should be booked outside of the working day or in school holidays wherever possible

30. Leavers' Procedures

30.1 The trust has procedures in place setting out the professional etiquette around how staff should communicate their intention to leave the organisation. These procedures should be followed in all circumstances.

30.2 As part of 'Safer Recruiting' schools will ask your current headteacher to provide a reference therefore, out of courtesy, please inform your headteacher as soon as possible when you are applying for positions. As well as providing references, headteachers are happy to discuss your career progression and future planning with you throughout the year.

30.3 This means that staff should:

- Inform the headteacher and HR if you are thinking of, or are actively seeking, alternative employment
- Inform HR when you are going to apply for an alternative position
- Inform HR if you have been shortlisted for interview and when the interview will take place
- Complete and return an absence request form for any leave required to attend interviews
- Inform the headteacher as soon as you know the outcome of any interview
- Write any letter of resignation to the headteacher directly as soon as you can and provide a copy to HR. This is normally as soon as you have received your paperwork from the other school or employer. We ask that you do this as soon as possible to allow decisions to be made that will have a direct impact on our students.

30.4 Staff who are employed centrally should follow the same procedures notifying their line manager and HR at each stage.

31. Whistleblowing

31.1 Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. The trust has a clear and accessible whistleblowing section in the safeguarding and child protection policy. Staff who use whistle blowing procedures should have their employment rights protected.

31.2 Staff should recognise their individual responsibilities to bring matters of concern to the attention of senior management, the chair of trustees and/or relevant external agencies and that to not do so may result in charges of serious neglect on their part where the welfare of children may be at risk.

31.3 This means that staff should:

- Report any behaviour by colleagues that raises concern
- Report allegations against staff and volunteers to the headteacher, DSL, CEO, chair of trustees or where they have concerns about the manager's response report these directly to the LADO

32. Sharing concerns and recording incidents

32.1 All staff should be aware of the trust's safeguarding procedures, including the procedures for dealing with allegations against staff and volunteers. In the event of an allegation being made, by any person, or incident being witnessed, the relevant information should be immediately recorded and reported to the headteacher, CEO and/or DSL as appropriate.

32.2 Staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with or behaviour towards children, so that appropriate support can be provided and/or action can be taken.

32.3 In order to safeguard and protect children and colleagues, where staff have any concerns about someone who works with children they should immediately report this to the headteacher/DSL or CEO in line with the trust's procedures.

32.4 This means that staff should:

- Be familiar with the trust's arrangements for reporting and recording concerns and allegations
- Know how to contact the LADO/Ofsted/regulatory body directly if required
- Take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of a pupil

Appendix 1

The Nolan Principles

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.