

CODE OF CONDUCT FOR TRUST EMPLOYEES AND VOLUNTEERS

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1. INTRODUCTION

Bede's seeks to provide a safe and supportive environment which secures the well-being and very best outcomes for the pupils in its care.

As part of that ambition, we have produced this Code of Conduct to help all employees understand the sensitivities and demands of the field in which we work. The document should not replace common-sense and good judgement but is aimed to offer important guidance by illustrating what *can* happen when professional misjudgements are made.

All of the examples cited have happened at other institutions and so should serve as a sobering reminder to us that, without watchfulness of our own behaviour and that of others, they *could* happen here.

This Code of Conduct document exists for all adults (teachers, support staff, volunteers) working at Bede's and sets out what is expected of them in terms of their conduct and professional behaviour by:

- indicating clearly what is expected of all adults working in the School
- providing advice as to what constitutes illegal behaviour
- setting out what might be considered as misconduct
- describing safe practices to be followed and behaviours to be avoided

This document may not necessarily include all situations and scenarios, thus there may be times when professional judgements are made in situations that are not covered by this document. It is expected that in these – indeed all – circumstances that Trust employees will always immediately inform their senior colleagues providing an explanation for any such action already taken or proposed.

It is important to note that where a member of staff does not follow this Code of Conduct, their actions may lead to disciplinary procedures.

2. UNDERLYING PRINCIPLES OF THE CODE OF CONDUCT

Pupil welfare:

- The welfare of all Trust pupils is our paramount concern.

Employees are professionally accountable for the welfare of pupils

- Employees are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions
- Employees should work, and be seen to work, in an open and transparent way
- Employees should discuss and/or take advice promptly from their line manager or another senior member of staff with regard to any incident which may give rise to or cause a concern

- Records should be made of any such incident and of decisions made or further actions agreed.

School's values

- Employees are required to act in accordance with the aims and values of the School, showing professional regard for the ethos, policies and practices of the School
- Employees should treat pupils with dignity, developing relationships based on mutual trust. At all times, staff should observe proper boundaries appropriate to their position as responsible adults
- Employees should show tolerance and respect for the rights of others, ensuring that personal beliefs do not in any way exploit pupils' vulnerability or lead pupils to break the law
- Employees should treat each other with courtesy and dignity in all professional interchanges and relationships, without discrimination.

Safeguarding pupils

- All adults working or volunteering within the Trust are required to know the name of the 'Designated Safeguarding Lead' for child protection, and be familiar with the Trust's child protection arrangements and, in so doing, understand their responsibilities to safeguard and protect pupils

The law and other professional guidelines. As legal and professional frameworks underpin this Code of Conduct, all employees should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them

- All staff are required to be aware of the School's safeguarding procedures, including procedures for dealing with allegations against staff. Staff need to be aware that under section 16 of The Sexual Offences Act 2003, it is an offence for a person aged 18 or over (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. A situation where a person is in a position of trust could arise where the child is in full-time education and the person looks after children under 18 in the same establishment as the child, even if s/he does not teach the child.

3. KEEPING PUPILS SAFE

This guidance has been produced to help all staff establish the safest possible learning *and* working environments. Bede's aims to safeguard young people at all times and reduce the risk of staff being falsely accused of improper or unprofessional conduct.

This guidance applies to *all* adults working in the School whatever their position, roles, or responsibilities, including those who are volunteers.

All employees, including those who are designated volunteers or those carrying out in-service placements, are expected to undergo safeguarding training.

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 sarcasm, demeaning or insensitive comments is entirely unacceptable in any situation. Shouting is rarely helpful and to be avoided except in extreme circumstances, such as an emergency.

Duty of Care

Protecting pupils from physical and emotional harm. All adults working in the School are accountable for the way in which they conduct themselves within the school environment. It is the duty of all employees and volunteers to keep young people safe and protect them from physical and emotional harm. Integral to this is how staff exercise authority, manage risk, use resources and protect pupils from discrimination and avoidable harm.

Ensuring appropriate professional relationships. This duty is in part exercised through the development of respectful, caring and professional relationships between adults and pupils whereby employee behaviour demonstrates integrity, maturity and good judgement.

Acting in the best interests of pupils: as part of their duty of care, employees are expected to:

- always act, and be seen to act, in a child's best interests, giving appropriate weight to the views of the child
- avoid any conduct which would lead any reasonable person to question an employee's motivation and intentions
- take responsibility for their own actions and behaviour

High expectations. Bede's has legitimately high expectations of its employees' professional conduct with pupils. Staff are expected to know, understand and acknowledge the responsibilities and trust inherent in their professional roles. Employees should be fully cognisant of the Trust's expectations and be aware of the possible consequences should they fall short of these expectations.

Duty of care to employees: The School has a duty of care towards their employees and, as such, requires them to provide a safe working environment for staff and guidance about safe working practices. This means that the School ensures that:

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

Prevent

Prevent Duty Guidance for England and Wales (2015) refers: It is also supplemented by non-statutory advice and a briefing note:

- *The Prevent duty: Departmental advice for schools and childminders* (June 2015);
- *The use of social media for online radicalisation* (July 2015).

All Staff should understand that the School has a legal duty to have regard to the need to prevent people from being drawn into terrorism, and consequently, through safeguarding induction, should be aware of:

- what extremism and radicalisation means and why people - including pupils and fellow staff members - may be vulnerable to being drawn into terrorism as a consequence of it;
- what measures are available to prevent people from becoming drawn into terrorism and how to challenge the extremist ideology that can be associated with it; and
- how to obtain support for people who may be being exploited by radicalising influences.

Female Genital Mutilation

As of October 2015, all teachers must report to the police cases where they discover that an act of female genital mutilation appears to have been carried out. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the Designated Safeguarding Lead (DSL) and involve children's social care as appropriate. It will be rare for teachers to see visual evidence, and they should not be examining pupils.

4. EXERCISE OF PROFESSIONAL JUDGEMENT

Notwithstanding the comprehensiveness of this guidance, it is acknowledged that no single document can provide a complete checklist of what is, or is not, appropriate behaviour for staff. Consequently, there will be occasions and circumstances where staff will have to make decisions or take action in the best interests of the pupils that might contravene this guidance or where no guidance exists.

This means that where no specific guidance exists staff are expected to:

- discuss the circumstances that informed their action, or their proposed action, with a senior colleague. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted
- discuss any misunderstanding, accidents or threats with a senior leader
- follow professional best practice and, where available, guidelines from external agencies
- record discussions and actions taken with their justifications
- where an issue relates to the safeguarding of a pupil or group of pupils, employees and volunteers are always expected to act in accordance with their safeguarding training and the Trust's *Child Protection Policy*

Ultimately, individuals will, in the course of their duties, be expected to make judgements about their professional behaviour that secures the best interests and welfare of the pupils in their charge. Moreover, in so doing, it is vital that they will be seen and judged to have acted reasonably.

Physical contact

Some staff, for example those who teach PE, Dance or Drama or who offer Music tuition, will on occasions, in a coaching situation, have to initiate physical contact with a pupil in order to support them safely, to demonstrate the use of equipment or assist them with a movement or exercise. In these circumstances the contact should be for the minimum time necessary, in an open environment and in line with written departmental guidance.

There may be times when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Employees should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. Staff should always tell a colleague – normally a member of the senior team when and how they comforted a pupil in distress.

5. POWER AND POSITIONS OF TRUST

All adults, be they volunteers or paid employees, who come into contact with pupils within the Trust are, by virtue of their employment, in a position of trust and responsibility. Further, all pupils will be treated consistently and fairly and no specific group should be favoured above others.

This status means that:

- 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 young people
- employees have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification
- employees should always maintain appropriate professionalism and avoid behaviour that might be misinterpreted by others
- employees should be mindful of the potential dangers of being alone with a pupil
- employees should report and record any incident that has either the potential for misrepresentation of their conduct or motivation or compromises the safety of a pupil
- employees should not use their position to gain access to information for their own advantage and/or a pupil's or family's detriment; or, use their power to intimidate, threaten, coerce or undermine pupils; or, use their status and standing to form or promote a relationship with a pupil which is of a sexual nature; or, attempt to initiate a relationship with a recent ex-pupil, which is of a sexual nature

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

to engage in or watch sexual activity. Where a person aged eighteen or over is in a position of trust established with a person who has only recently left the school and is still under the age of twenty-one, any attempt to engage in sexual activity with that person will be a cause for concern and will be treated as a breach of trust established in that prior relationship.

When pupils leave school some may be reluctant to end the close working relationship they have enjoyed with members of staff. However, it is important to remember that when a pupil leaves school the professional duty of care ends and remains solely with the parents or guardians. Any meetings or communications to help with UCAS, gap year advice, references and the like should be conducted in a professional manner through the normal school channels.

6. CONFIDENTIALITY

Members of staff may have access to confidential information about pupils, their families, and other members of staff in order to undertake their everyday responsibilities. In some circumstances staff might be given additional highly sensitive or private information.

This means that staff should:

- be mindful of the dangers of making informal comments or having conversations about any other party which are not professionally necessary, and might be construed as gossip
- never use confidential or personal information about a colleague, a pupil or their family for their own, or others' advantage. Information must never be used to intimidate, humiliate, or embarrass the pupil. Staff are expected to treat information they receive about pupils in a discreet and confidential manner
- never use confidential information casually in conversation or shared with any person other than on a need to know basis. In circumstances where a pupil's identity does not need to be disclosed the information should be used anonymously. Staff are expected to exercise caution when passing information to others about a pupil
- pass any sensitive information they gain about pupils to the appropriately designated member(s) of staff, 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
- seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them
- know the correct person to whom any concerns or allegations should be reported

Seeking 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 to the Principal or Assistant Principal.

Safeguarding protocols

Adults need to be aware that although it is important to listen to and support pupils, they must not promise confidentiality. Also, adults, should not request that pupils promise confidentiality.

Allegations about adults

Additionally concerns and allegations about adults should be treated as confidential and passed to the appropriately designated members of staff without delay and in line with the Trust's Child Protection and Whistleblowing policies.

7. PROPRIETY AND BEHAVIOUR

All employees have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. Consequently, staff should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils, parents, governors, external agencies and the public in general.

An individual's behaviour, either within or outside of the workplace, should not compromise their position within the work setting, nor should an employee behave in such a way that could be construed as damaging to the School's reputation. Consequently, it is essential that due care and attention is exercised outside of the school environment with respect to an employee's professional responsibilities and standing.

Membership of organisations whose goals sit in conflict to the values and equality policies of the Trust is not acceptable.

This means that employees should:

- not behave in a manner that would lead any reasonable person to question their suitability to work with pupils or act as a role model to young people
- not drink or purchase alcohol for pupils in public or private places unless within the context of an authorised school function (e.g. a formal dinner)
- not drink alcohol when supervising pupils or on school trips. This expectation applies even when there are no pupils present, as a member of staff may be called to act if an emergency occurs
- not be under the influence of substances or alcohol whilst at work
- if a member of staff finds themselves in a pub or other meeting place in which current pupils are drinking, the member of staff should not join the pupils and may need to draw the attention of staff to the age of pupils
- not make inappropriate remarks to a pupil (be that by email, text messages, phone or letter or any other form of communication either written or verbal)

- not discuss their own sexual relationships with or in the presence of pupils
- not discuss a pupil's sexual relationships in inappropriate settings or contexts
- not make (or encourage others to make) unprofessional personal comments in any form of communication (e-mail, face-to-face conversations, social networking comments or verbal context). This point applies to both pupils *and* staff
- not swear, blaspheme or use offensive or discriminatory language in the presence of pupils
- be aware that their personal conduct may well impact on the lives of pupils

Teaching materials (books, videos, films, texts) of an explicit or sensitive nature, particularly in relation to language or sexual behaviour, must be given careful consideration to ensure their selection is not offensive or subsequently misinterpreted. There must always, therefore, be a clear link with the scheme of work and what is presented to pupils

Materials and social activities provided for entertainment or recreation at school must be similarly appropriate to the age and feelings of the pupils concerned and used in a suitable context.

Infatuations

Adults need to be aware that it is not unknown for teenage pupils to be strongly attracted to a member of staff and/or develop an infatuation. Employees and volunteers should be aware that such circumstances always carry a higher risk of words or actions being misinterpreted and of allegations being made against them. An employee who becomes aware that a pupil may be infatuated with them or a colleague should discuss this at the earliest opportunity with a senior member of staff so that appropriate action can be taken. In this way steps can be taken to avoid hurt and distress for all concerned.

Similarly, if an employee is concerned that they are developing a friendship with a pupil which has the potential to become an unacceptable relationship they are required to ensure that the relationship does not develop further. Again, it is advised that guidance is sought from a senior member of staff in such situations.

8. DRESS AND APPEARANCE

Staff should consider the manner of dress and appearance appropriate to their professional role. Staff should ensure they are dressed appropriately and safely for the tasks they undertake.

Staff that present themselves in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation.

This means that staff should:

- promote a positive and professional image
- not dress in such a way as might be viewed as offensive, revealing, or sexually provocative; such that their self-presentation does not distract, cause embarrassment or give rise to misunderstanding (including anything that is construed as political or contentious)

9. COMMUNICATION PROTOCOLS

Communication between pupils and adults, by whatever method, should take into account the protocols below.

Professional boundaries

- At all times communication between employees and pupils should take place within clear and explicit professional boundaries. This stipulation includes all digital communication, but is not limited to, telephony, mobile phones, text messaging, e-mails, digital cameras, videos, web-cams, websites, social networking sites, online gaming and blogs
- All communication with parents and pupils should be formal and use the digital communication services provided by the Trust
- Communication, by whatever medium, should be professional in all settings – whether it be between colleagues, pupils and staff or between staff and parents. Employees should ensure that the appropriate tone and language for any professional communication is deployed at all times
- Communication should never be bullying, intimidating or threatening, or be able to be construed as such
- Staff should not share any personal information with a pupil. They should not request or respond to any request for personal information from a pupil, other than that which might be appropriate as part of their professional role

Employees are expected to be circumspect in their communications with pupils. This avoids any possible misinterpretation of their motives. Staff should not give their personal contact details to pupils including e-mail, home or mobile telephone numbers, unless the need to do so has been agreed in writing by the Headmaster or a deputy head

- E-mail or text communications between an adult and a pupil outside agreed protocols may lead to disciplinary and/or criminal investigations. This includes but is not limited to communications via social networking sites platforms, instant messaging or gaming
- In order to ensure transparency of motive, employees should ensure that contact with former pupils under the age of twenty-one is conducted through the Trust's formal communication services
- Employees should ensure that *all* communications are transparent and open to scrutiny

Use of social media and social contact

- Where employees choose to use social media, the Trust requires that staff profiles are set to 'private' and only visible to "confirmed or accepted" parties so that pupils or parents do not have access to personal data or images
- Employees are required to deny current or former pupils under the age of twenty-one access to their on-line profiles so as to avoid being compromised or placed in a vulnerable position. Employees

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

- If a pupil does gain access to the profile of a member of staff by fraudulent means (impersonation or hacking), the employee should inform their line-manager immediately
- Under no circumstances should staff seek out students or share online usernames or handles with students
- Staff should not seek to establish on-line contact with pupils or their families for the purpose of securing a friendship or to strengthen a personal relationship
- Bede's has a clear policy regarding online communication and the use of social networking. Please refer to the ***Staff Acceptable Use Policy*** – for comprehensive guidelines.

Photography, videos and other creative arts

- There are some activities that involve recording images. These may be undertaken as part of the curriculum, out of school activities, for publicity, or to celebrate achievement.
- Staff should 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, undertaken and represented or reproduced
- Staff are encouraged to make use of School's equipment to take photographs however staff using personal equipment must use Trust provided removable media
- Under the *Terms and Conditions*, parents have consented to the Trust using images of their children for the school's publicity purposes, unless they have specifically specified in writing for Bede's not to do so. Staff should check periodically with the Admissions Department for any instances where parents have opted out of this
- Images should not be displayed on external websites, in publications or in a public place without the specific consent of the Admissions Department
- Bede's has a clear policy regarding the creation, storage, publication and distribution of digital images/video. Please refer to the **Mobile Device and Digital Content Policy Senior** for comprehensive guidelines.

School digital systems / devices and Acceptable User Policy

- Under no circumstances should employees access illegal 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 criminal proceedings against the individual
- Using Trust equipment or network to access inappropriate or indecent material, including adult pornography, will normally lead to disciplinary action, particularly if as a result, students might be exposed to inappropriate or indecent material

- Bede's has a clear policy regarding access to and the use of the Internet. Please refer to the **Staff Acceptable Use Policy** for comprehensive guidelines

10. WHISTLEBLOWING

The St Bede's School Trust Sussex encourages all staff to raise any concerns they might have about the conduct of others in the organisation, whether this be peers or people in authority. All Bede's employees must be aware of the importance of preventing and eliminating wrongdoing at work, and are therefore expected to be watchful for unethical conduct and report anything of that nature as soon as they become aware of it.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially and the outcome of the investigation will be reported back to the person who raised the concern. It is important to note that no Trust employee will be victimised for raising a matter under this procedure.

Victimisation of an employee for raising a qualified disclosure is a disciplinary offence. It is also a disciplinary offence to make a false allegation in a malicious manner.

Furthermore, an instruction to cover up wrongdoing is itself a disciplinary offence. Employees should not remain silent if they have been told not to raise or pursue any concern, even if this is by a person in authority such as a manager, this should be reported to the Principal of Summer School or, in their absence, the Assistant Principal.

When a member of staff has a concern about the conduct of the Principal, they should contact the Senior School Headmaster / CEO of the Trust.

11. RELEVANT POLICIES

It is important that the Code of Conduct is read in conjunction with the Trust policies that have bearing on how staff members and volunteers relate to pupils.

These policies include, but are not necessarily exclusive to, the following:

- The Trust Child Protection Policy
- The Trust Health and Safety Policy
- First Aid Policy
- Staff Acceptable Use Policy
- Accepting and Receiving Gifts Policy
- Equality and Diversity Policy
- Whistleblowing Policy