

Schools HR Policy & Procedure Handbook



School name

Keeping Children Safe in Education: Code of Conduct for Schools Based Staff

This Policy/Procedure has been agreed by the following professional associations and Trade Unions representing Teachers, Headteachers and Support Staff:

- National Union of Teachers
- National Association of Schoolmasters Union of Women Teachers
- Association of Teachers and Lecturers
- National Association of Headteachers
- Association of School and College Leaders
- Unison
- GMB

This policy has been adopted by the governing body of

On

March 2018

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CONTENTS

		Page
1	Introduction	3
2	Roles & Responsibilities	3
3	Scope	4
4	Safeguarding pupils	4
5	Pupil Development	4
6	Physical contact with pupils	4
7	Intimate care	5
8	Transporting children	5
9	Educational visits and Before/After school clubs	6
10	Photography, videos, creative arts and IT	6
11	IT and Social Media	6
12	Honesty and Integrity	7
13	Confidentiality	8
14	Conduct outside of work	8
15	Health and safety	9
16	Dress and Appearance	9
17	Personal Living Accommodation	9
18	Contractors and Suppliers	9
19	Gifts and inducements	10
20	Recruitment and employment decisions	11
21	Compliance with the code of conduct	11
22	Monitor & Review	12
23	Linked policies	13

Code of Practice

1. Introduction

(Name) School / Academy is committed to safeguarding and promoting the welfare of all pupils in its care and expects all staff and volunteers to share this commitment.

The School / Academy see it is vital that there is a culture of safe recruitment and on-going vigilance. The HR Keeping Children Safe in Education (KCSiE) Framework of policies and guidance help deter, reject and identify people who might be unsuitable to work with children and young people.

The HR KCSiE framework includes the following policies and guidance:

- Safer Recruitment Policy & Procedures
- DBS Guidance for Schools
- Suitability Disqualification Guidance for Schools
- Single Central Record Guidance for Schools
- Child Reporting Concerns Guidance
- Whistle Blowing Procedure
- Code of Conduct for School Based Staff
- Dealing with allegations of Abuse Against Staff in schools

All school staff whether employed or volunteering have personal and legal responsibilities, including treating others with dignity and respect, acting honestly, using public funds and school equipment appropriately, adhering to health and safety guidelines and safeguarding pupils at all times. The law recognises that staff act in loco parentis in respect of pupils in their charge and must act in the role of replacement parent in the school context. Individuals are expected to make decisions or take action in the best interests and welfare of the pupils in their charge.

The code of conduct sets out:

- the minimum required standards of behaviour that are required for any individual working in any capacity at the school or college.
- the principal areas and responsibilities that any individual working in any capacity at the school or college need to be aware of when working in a school and the parameters of the framework for appropriate and safe behaviour.

2. Roles and Responsibilities

It is the responsibility of the Governing Body to monitor and review the effectiveness of the KCSiE policies and guidance and to be familiar with the DfE guidance 'Keeping Children Safe in Education' and its specific requirements related to safeguarding. Governing Body should also be aware of the specific guidance contained in the Guidance for Safer Working Practice for Adults who work with Children and Young people in Education Settings and its guidance for adults working in schools to safeguard and promote pupil welfare.

It is the responsibility of the Headteacher to ensure that structures are in place to support the effective implementation of this code of practice, to monitor standards of behaviour. Headteachers should also be familiar with other specific policies and above statutory guidance that underpin expected behaviours, referred to throughout the code of conduct

Employees, and volunteers should ensure they are familiar with other specific policies and above statutory guidance that underpin expected behaviours, referred to throughout the code of conduct, and should be made available by the Headteacher within school.

3. Scope

This code of conduct refers to all staff including casual employees and volunteers. Contractors and agency staff will be expected to follow the spirit of this code in their professional dealings with the provision of services to the school/ academy.

4. Safeguarding Pupils

All staff have a duty to safeguard pupils from

- Physical abuse
- Sexual abuse
- Emotional abuse and
- Neglect

Safeguarding and promoting welfare of children is defined in Keeping Children Safe in Education (KCSiE) 2016 as: "protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable children to have the best outcomes."

Under KCSiE staff have a duty to report concerns about a pupil to the Schools Designated Lead.

The Schools Designated Lead at the school/academy is **NAME, JOB TITLE**.

Staff must be familiar with the School/academy Child Protection Policy, Whistleblowing Policy and school's E-Safety Policy. All staff must take reasonable care of the pupils under their supervision with the aim of ensuring their safety and welfare.

5. Pupil Development

Staff must comply with policies and procedures which support the wellbeing and development of pupils. All staff have a responsibility to co-operate and collaborate with colleagues and external agencies where necessary to support the development of pupils. Reasonable instructions which support the development of pupils should be followed.

6. Physical Contact with Pupils

There are occasions where it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. The general culture of 'limited touch' should be adapted where appropriate to the individual requirements of each pupil. Pupils with special needs may require more physical contact to assist with their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, recorded, consistently applied and open to scrutiny.

There may be times when a distressed pupil needs comfort and reassurance. This may include age appropriate physical contact. Staff should remain self-aware at all times to ensure that their contact is not threatening, intrusive, or subject to misinterpretation. Where a member of staff has a particular concern about the need to provide this type of care and reassurance they should speak to the DSP.

Staff should be aware that even good intentioned physical contact may be misconstrued by the pupil, an observer or by anyone to whom this action is described. A pupil must never be touched in a way that may be considered indecent. Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. Staff should always be aware that they should be prepared to explain actions and accept that all physical contact be open to scrutiny. Horseplay, tickling or fun fights with pupils must never take place.

7. Intimate Care

All pupils have the right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A care plan must be drawn up, negotiated and agreed with parents/carers and the school/academy and recorded for all pupils who require intimate care on a regular basis.

Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. When assistance is required, staff should ensure that there is another adult in the vicinity and is aware of the task to be undertaken. Any deviations from the agreed care plan must be justified and recorded and the parent/carer informed.

Additional vulnerabilities that may arise from a physical disability or learning difficulty should be considered with regard to individual teaching and care plans for each child.

8. Transporting Pupils

In certain situations, eg out of school activities, staff or volunteers may agree to transport pupils. A designated member of staff should have responsibility for planning and arranging all transport arrangements and to respond to any difficulties which may arise. The nature of the journey, route, and expected time of arrival should be discussed with the driver and recorded.

Where possible and practical it is advisable that transport (ideally not in private vehicles) is provided and more than one adult is present. The designated member of staff should ensure that the vehicle is roadworthy, insured appropriately and ensure the maximum capacity is not exceeded. These checks are designed to ensure passenger, driver and vehicle safety. Please refer to Shropshire Councils Guidelines for Educational Visits and Journeys to ensure accurate records are kept.

9. Educational Visits and Before/After School Clubs

Staff should be familiar with the Shropshire Council's Guidelines on Educational Visits for detailed guidance on health and safety and safeguarding during visits.

During school activities that take place off the school site or out of school hours a more relaxed discipline or informal dress code or language code may be acceptable. However, staff must 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. At least two members of staff should always be present, unless the Headteacher has agreed alternative arrangements. A risk assessment must be undertaken and parental consent must be given for their pupil to participate in the activity.

10. Photography, Videos and Creative Arts

Many school activities involve recording images including images of pupils. These may be undertaken as part of the curriculum, extra school activities, for publicity or to celebrate achievement. Images must only be taken on school equipment, never on personal equipment.

Staff must be aware of the potential for these to be misused for pornographic or 'grooming' purposes. Careful consideration should be given to how these activities are organised and undertaken.

Pupils who have previously been abused in this way may feel threatened by the use of photography or filming in a teaching environment. Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation.

Using images of pupils for publicity purposes will require consent from parent/carer. Images must not appear in a public place without such consent. A public place includes areas of the school where visitors have access.

11. IT and Social Media

Electronic communication opens up opportunities for learning but may also put pupils at risk through cyber-bullying, grooming or plagiarism amongst others. Staff should comply with the school's E-safety Policy with regards to their acceptable online behaviour, their use of ICT equipment in school and acceptable levels of communication between pupils and adults to ensure there are clear and explicit professional boundaries.

Additionally, staff should be mindful that their personal views shared on social media may have a negative impact or discredit their employment with the school/ academy, or may affect the reputation or standing of the school/academy, or other members of the school community. Staff should raise any concerns they have about the school with the Headteacher directly rather than on social media. Staff should refer to the school/ academy's E-safety Policy for specific guidance relating to their responsibilities surrounding social media.

Under no circumstances should staff have their mobile phone or personal device on their desk or on display in the classroom. Staff should refer to the school's Behaviour (or other relevant) policy for specific guidance relating to their responsibilities with regards to use of mobile phones.

Deviation from the above policies may bring into question their suitability to work with children and young people and may result in disciplinary action being taken against them.

12. Honesty and Integrity

High levels of honesty and integrity are expected from school staff. This includes the handling and claiming of money and the use of school property and facilities. Staff must be mindful that the school/academy uses public money which must be spent considerately.

- **Contracted Hours of Work**
All hours which are contracted and paid must be worked effectively. Additional hours must be approved by the Headteacher prior to being worked and being claimed for payment.
- **Use of school materials and equipment**

Staff must not make personal use of materials and equipment provided for school use (such as stationery, photocopier, vehicles, etc) unless authorised by the Headteacher. Computers and software may only be used in line with school IT security policy.

- **Handling money**

When handling money, receipts should be issued to the payee. Clear records of the money paid in or out of the school should be maintained, which are evidenced by receipts and invoices.

- **Disposal of school property**

The school has a procedure for selling or disposing surplus equipment. If an employee wishes to acquire any item of equipment, they must inform their Headteacher. If the Headteacher wishes to acquire any item of property they should inform the Governors.

If as part of an employees' job they are required to deal with the disposal of surplus property, and they wish to acquire a particular item either for their own use or for any organisation or body in which they have an interest, they must inform their Headteacher before the disposal procedure has started and they must have no further dealings in the disposal of that item.

It is essential that school employees are not given, or seem to be given, any preferential treatment.

13. Confidentiality

In carrying out their roles, staff may acquire information which has not been made public, or is confidential.

Where staff have access to confidential information about pupils or parents/carers, staff must not reveal this except to colleagues who have a professional role in relation to the pupil. In circumstances where the identity of the pupils does not need to be disclosed the information should be used anonymously. Information should be treated in a discrete and confidential manner.

There are some circumstances when a member of staff will be expected to share information about a pupil, such as when abuse is alleged or suspected. The member of staff has a duty to pass this information on to the Designated Lead for Child Protection without delay.

Additionally, confidential information relating colleagues, events which occur within school or the school in general, should not be passed to anyone not entitled to receive it, nor posted on any public forum, or social media sites.

If a member of staff is in any doubt whether to share information or keep it confidential guidance should be sought from a senior member of staff. Any media or legal queries should be passed to the Headteacher.

14. Conduct outside Work

School Staff are expected to show the highest possible standard of behaviour to pupils in and out of school. Care should be taken not to undermine public confidence in any way.

Although off duty hours are a personal concern, work and private interests must not conflict. Where this may occur a discussion with the Headteacher should take place to ensure the appropriate action is taken.

Staff must notify their Headteacher immediately of any police investigation, charge, caution or reprimand, fine or conviction. This information will be treated in confidence, but may result in suspension, investigation and disciplinary action, including dismissal. Criminal convictions that involve violence, possession or use of illegal drugs or sexual misconduct are likely to be viewed as unacceptable.

Staff may undertake paid or voluntary work outside of school, provided that it does not conflict with the interests of the school or their performance at school. Activities including lectures, private tuition publications or television/radio appearances should be notified to the Headteacher in advance if they relate to the activities of the school/ academy.

15. Health and Safety

Staff must act in accordance with the duty of care to ensure their own safety and welfare and that of pupils, colleagues and visitors at all times. It is not acceptable to attend work whilst under the influence of alcohol or any substance, including prescribed medicine, which may affect their ability to care for pupils.

The school should have the required number of trained First Aiders and Fire Wardens. Accidents and near misses must always be reported in the Accident Reporting book – as a near miss may develop into a serious incident. Please refer to the school/academy Health and Safety Policy.

16. Dress and Appearance

Dress and appearance are a matter of personal choice and self-expression, however the manner of dress and appearance must be of a professional nature appropriate to their role within school, the activities they are involved with and health and safety requirements related to these. Dress and appearance should not cause offence, be revealing or sexually provocative, distract or cause embarrassment or give rise to misunderstanding or be considered discriminatory.

Personal protective equipment must be worn where a risk assessment has indicated that it is appropriate.

17. Personal Living Accommodation

Staff should not invite pupils to their living accommodation unless the reason to do so has been agreed with the Headteacher and the pupil's parents/ carers.

18. Contractors and Suppliers

Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the Headteacher.

Employees should also tell their Headteacher if they, or a close relative, have a large number of shares in a Company with which it is likely that the school/academy will be dealing and the investment recorded. This only applies where they have, or may reasonably be thought to have, a

role on behalf of the school/academy in selecting the source of supply or the quantity or specification of the goods or services of that company. It does not apply where they have invested some money in a relatively small number of shares (normally not exceeding a market value from time to time of £5,000 in a large company with which the School/ Academy is doing business) (or in a small company where an individual's shareholding represents 20% or more of the company's equity).

If an employee fails to disclose a private pecuniary interest in a contract with the school/academy, they may be committing a criminal offence.

Staff involved with the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the school/academy. Employees must be aware of the need for accountability and openness.

19. Gifts and Inducements

- **Gifts from parents & pupils**

It is unacceptable for staff to receive gifts on a regular basis or of accept any gift of significant value (£25+) from parent and pupils. Such offer should be discussed with the Headteacher prior to acceptance. Small inexpensive items such as flowers or chocolates may be accepted however.

- **Gift to pupils**

The giving of gifts or rewards to pupils by school staff should be part of an agreed policy or plan recorded and discussed with the Headteacher and the parent/ carer of the pupil.

Staff should not accept significant personal gifts from contractors and outside suppliers, although insignificant items of token value, such as pens or diaries are acceptable.

- **Hospitality**

Staff should only accept hospitality from pupils/parents or carers or actual or potential contractors (eg visits, meals, sporting events) if there is a genuine reason to impart information or represent the school/academy in the local community. Offers of hospitality should be authorised by the Headteacher and recorded before being accepted, even if staff chose to pay to attend the activity themselves. Refusal by an employee to attend should also be recorded.

- **Sponsorship**

Where an outside organisation wishes to sponsor or is seeking to sponsor a school/academy activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the school/academy wishes to sponsor an event or service, neither an employee nor any relative or those in a close personal relationship must benefit from such sponsorship in a direct way without there being full disclosure to Headteacher of any such interest. Similarly, where the school/academy through sponsorship, grant aid, financial or other means, gives support in the community, staff should ensure that impartial advice is given and that there is no conflict of interest involved.

- **Personal Purchases**

Caution should be exercised when for their personal use staff buy goods or use the services of firms which they know have dealings with the school/academy.

Staff should not accept prices or terms for such goods or services which they believe may have been reduced for them personally because of the firm's dealings with the school/academy; similarly, they should not seek such reductions.

Employed staff should be aware that it is a serious criminal offence to corruptly receive or give any gift, loan, fee, reward or advantage as an inducement to act in a certain way in their professional capacity. If an allegation is made, the employee must be able to prove that any such reward has not been corruptly obtained.

20. Recruitment and Employment Decisions

Staff involved in appointments should ensure that their decisions are based on merit. To avoid any possible accusation of bias, staff should not be involved in an appointment where they are related to the applicant, or have a close personal relationship. Similarly, staff should not be involved with decisions relating to discipline, promotion, or pay adjustments for any relative or those in a close personal relationship. Members of staff who are relatives, or have a close personal relationship should not normally have a supervisory, assessing or authorizing relationship with each other, queries should be directed to the Headteacher. If it is unavoidable, you must not use the relationship to influence or advance the interests of that member of staff.

Only the Headteacher or person with delegated responsibility may issue a reference for any member of staff, past or present, if the reference is to be an official one given on headed paper on behalf of the School/academy.

This does not preclude a member of staff giving a reference for any other member of staff, past or present, providing the reference makes it clear that the views are those of the author in a private capacity and not necessarily those of the school/ academy. The use of official stationery, and in particular headed notepaper, for this purpose is forbidden.

21. Compliance with the Code of Conduct

The Disciplinary Procedure may be enacted if there is any breach of the code of practice which could result in disciplinary action up to and including dismissal. It is therefore very important that staff read and understand this code. The Disciplinary Procedure exists to deal with those situations where procedures and policies have not been followed or expectations of a standard of behaviour have not been met. It is designed, wherever possible, to encourage improved performance informally, however where cases are more serious the formal process will be followed.

Where staff are accused of physical or sexual abuse of pupils, the agreed document 'Allegations of Abuse against Staff in Schools' should be followed.

Volunteers, contractors, casual and agency staff who breach the code may be requested to cease working at the school.

This code cannot cover every problem which may occur. If in doubt, the Headteacher should be consulted before taking action.

Whistleblowing is the mechanism for staff to voice their concerns, made in good faith, without fear of repercussion. Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of the senior management and/or external agencies. This is particularly important

where the welfare of pupils may be at risk. The Whistleblowing Policy is available to employees who believe that inappropriate behavior has occurred.

The Capability Procedure supports the school to deal with issues of capability and performance in a fair and consistent way and at the earliest possible stage, whilst the employee continues to carry out their role. This is achieved by making the employee aware of any performance which falls below the required standards and encouraging, supporting, providing training and giving them an opportunity to improve.

Equalities; The school/academy expects all staff to show consideration and respect to their colleagues, pupils, parents, carers, governors and members of the public and the local community and treat everyone with dignity and respect and not discriminate unlawfully against any person. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

The school/academy will also not discriminate on the grounds of trade union membership or non-membership, part time or fixed term contract status and past unrelated convictions, caring responsibilities and will also support social inclusion.

The workplace should be a fair, inclusive and safe environment where diversity is valued. The Equality Policy contains further information.

Harassment and Bullying; All employees have a duty to help create an environment at work where unlawful discrimination, victimisation, harassment and bullying in any form is considered unacceptable and will not be tolerated. The Harassment and Bullying Policy provides further information.

22. Monitoring and Review

The Governing Body will monitor the outcomes and impact of this policy/procedure on an annual basis in conjunction with school representatives.

This procedure will be reviewed no later than June 2018 by Human Resources in consultation with Trade Unions.

23. Links to Other Policies

Suggested school policies which have a link to the Code Of Conduct (templates found on the SLG)	Suggested HR policies, which have a link the Code Of Conduct found on the SLG
School Child Protection Policy	Disciplinary Policy
Educational Visits and Journeys guidance	Grievance Policy
School Restraint Policy	Harassment and Bullying Policy
School Health and Safety Policy	Equality Policy
School Positive Handling Policy	E-Safety Policy
IT Users and security policy	Capability Procedures
Use of Photography and Filming	KCSiE Safer Recruitment Policy
Int School email/internet code of practice imate Care guidelines	KCSiE Whistleblowing Policy
School Behavior/ Phone Policy	KCSiE Dealing with Allegations of Abuse against Staff in Schools