

THINKFAST ACADEMY

CODE OF CONDUCT

Introduction

Adults have a crucial role to play in the lives of children. This document has been produced to help them establish the safest possible environment which safeguards children and reduces the risk of them being falsely accused of improper or unprofessional conduct.

Responsibilities

Staff are accountable for the way in which they exercise authority: manage; use resources and safeguard children.

All staff have a responsibility to keep pupils safe and to protect them from abuse (sexual physical and emotional), neglect and contextual safeguarding concerns. Pupils 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.

The public, local authorities, employers, and parents/carers will have expectations about the nature of professional involvement in the lives of children. When individuals accept a role working with children then they should understand and acknowledge the responsibilities and trust involved in that role.

Legislation also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions and failings. An employer's Health and Safety duties and the adult's responsibilities towards children should not conflict. Safe practice can be demonstrated through the use and implementation of these guidelines.

Making professional judgements

There will be rare occasions and circumstances when staff must make decisions or take action in the best interest of a pupil which could contravene this guidance or where no guidance exists. Individuals are expected to make judgments about their behaviour in order to secure the best interests and welfare of the pupils in their charge and, in so doing, will be seen acting reasonably. Such judgements should be recorded and shared with a manager.

Power and Positions of trust and authority

The relationship between a person working with a child/ren is one in which the adult has a position of power or influence. It is vital for adults to understand this power; that the relationship cannot be one between equals and the responsibility they must exercise as a consequence.

The potential for exploitation and harm of vulnerable pupils means that adults 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.

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

Confidentiality

Staff should never use confidential or personal information about a child or his/her family for their own or others advantage. Information should never be used to intimidate or embarrass a child. Confidential information should be shared on a need to know basis.

There are circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is suspected or alleged. In such cases, individuals have a responsibility to pass information on without delay, but only to those with designated safeguarding responsibilities or to statutory services.

If a child - or the carer/parent makes a disclosure regarding abuse or neglect, the member of staff follows the setting's procedures.

Standards of behaviour

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.

Social contact outside of the workplace

It is acknowledged that staff may have genuine friendships and social contact with parents of pupils, independent of the professional relationship. Staff, however should be aware that professionals that sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

Some staff may, as part of their professional role, be required to support a parent or carer. If that person becomes too dependent upon the staff member or seeks support outside of their professional role then this should be discussed with senior management and where necessary referrals made to the appropriate support agency.

Staff should always approve, inform, or advise senior management of any planned contact, social requests or arrangements that are outside of the workplace.

Communication with children

Staff should ensure that they establish safe and responsible on-line behaviours, working to local and national guidelines and acceptable use policies. Communication with children both in the 'real' world and through web based and telecommunications interactions should take place within explicit boundaries. This includes the use of computers, tablets, phones, texts, e-mails, twitter, forums, gaming sites and other handheld devices. (Given the ever-changing world of technology it should be noted that this list gives examples only and is not exhaustive.)

Staff should not give their personal details to children for example, e-mail address, home or mobile phone number, details of web-based identities. Where-ever possible staff should use the Academy's devices, rather than staff using their own.

Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, however it is crucial that they do so in ways appropriate to their professional roles and in relation to the pupils individual needs and any agreed care plan. Not all children feel comfortable about certain types of physical contact, this should be recognised and whenever possible, adults should seek the pupils permission before initiating contact and be sensitive to any signs that they may be uncomfortable or embarrassed. Staff should listen, observe and take note of the child'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 pupil.

Any contact should be in response to the child's needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Adults should, therefore, use their professional judgement.

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

Other activities that require physical contact

Physical contact should only take place when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. a place suitable for the activity where it is easily observed by others and last for the minimum time necessary. Contact should be relevant to their age / understanding and adults should remain sensitive to any discomfort expressed verbally or nonverbally by the pupil. Guidance and protocols around safe and appropriate physical contact may be provided, for example, by sports governing bodies. These should be understood and applied consistently. It is good practice that all parties clearly understand that physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers informed may also prevent allegations of misconduct or abuse arising.

This means staff should

- Treat pupils with dignity
- Explain why contact is necessary
- Follow guidelines and protocols
- Conduct activities in open space
- Be aware of gender, cultural and religious issues

Behaviour management

Corporal punishment and smacking are unlawful in all schools, colleges, and education settings.

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 pupils display difficult or challenging behaviour, adults should follow the school's behaviour and discipline policy using strategies appropriate to the circumstance and situation.

The use of control and physical intervention

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 adults do not physically intervene in a manner which could be considered unlawful.

Sexual conduct

Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a pupil under 18 years of age and sexual activity with a child could be a matter for criminal and/or disciplinary procedures.

Sexual activity involves physical contact including penetrative and non-penetrative acts, however it also includes non-contact activities, such as causing pupils to engage or watch sexual activity or the production of pornographic material.

There are occasions when adults embark on a course of behaviour known as grooming where the purpose is to gain the trust of a child, and manipulate the relationship so sexual abuse can take place. All staff should take appropriate training so they are fully aware of those behaviours that may constitute grooming and of their responsibility to always report to a senior manager any concerns about the behaviour of a colleague which could indicate that a pupil is being groomed.

One to one situations

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

To safeguard both pupils 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 consider the individual needs of each pupil and should be reviewed regularly.

Arranging to meet with pupils from the school or setting away from the work premises should not be permitted unless the necessity for this is clear and approval is obtained from a senior member of staff, the pupil, and their parents/carers.

Also be aware-

Staff to keep visual access and/or open door on one-to-one situations

Avoid engaged or equivalent signs on doors

Reports situations if a child becomes distressed/angry

Always consider needs/circumstance of pupil involved

Home Visits

Occasionally there are times when, in response to an urgent, planned, or specific situation or job role, where it is necessary to make one-off or regular home visits.

However, it is essential that appropriate policies and related risk assessments are in place. A risk assessment should be undertaken prior to any home visit taking place. The assessment should include an evaluation of any known factors regarding the pupil, 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. Following the assessment, appropriate risk management measures should be put in place before the visit is undertaken. If little or no information is available, then visits should not be made alone.

Transporting pupils

In certain situations, staff or volunteers may be required to transport pupils as part of their work. Beforehand, a risk assessment should be carried out, covering the health and safety of staff and to manage any known risks.

A judgement should be made about the likely behaviour and individual needs of the pupil. If any of them may require close supervision then another adult should travel in the vehicle so that the driver is not distracted.

Staff should not offer lifts to pupils unless the need for this has been agreed by the manager.

It is a legal requirement that all passengers wear seatbelts and wherever possible at least one other adult additional to the driver acting as an escort.

The vehicle should meet all legal requirements and be appropriately insured and that the maximum carrying capacity is not exceeded.

Staff should never offer to transport pupils outside normal working duties, other than in an emergency or where doing so would mean the pupil would be at risk. In these circumstances the matter should be recorded and reported to both their manager and the child's parent(s).

The academy should seek evidence that

- The vehicle is safe - holds a valid MOT
- The driver is suitable. They hold a full driving licence.
- There is a valid insurance policy. They may require business use cover
- Retain evidence of above and keep with risk assessment

First Aid and Medication

All settings have an adequate number of first aiders

Any member of staff may be asked to become a qualified first aider.

Academy staff need to be aware of the medical conditions of an individual child. The details will be given via the school, who will have all appropriate information, including any IHCP and any details that the academy needs to know.

Adults taking medication which may affect their ability to care for children should seek medical advice regarding their suitability to do so and providers should ensure that they only work directly with children if that advice confirms that the medication is unlikely to impair their ability to look after children. Employers are also responsible for managing the performance of their employees and for ensuring they are suitable to work with children/young people.

Risk Assessment is likely to say any medication on the premises needs to be securely stored away and out of reach of all children

Photography, videos, and other images

Activities often involve recording images used to celebrate achievement, complete displays and to provide records of evidence for a particular activity.

All settings should have arrangements about the taking and use of images, which is linked to their safeguarding and child protection policy. This should cover cameras, mobile phones, tablets, web-cams etc and arrangements for the use of these by both staff, parents and visitors.

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.

Pupils who have been previously abused in a manner that involved images may feel particularly threatened using photography, filming etc. Staff should remain sensitive and should recognise a student who feels uncomfortable in these situations.

For the protection of children - it is recommended that when using images for publicity purposes that the following guidelines should be followed:

- Avoid using child's full name - minimum first name or initials
- Images should be securely stored
- Only used by those authorised to do so

Staff should:

- Adhere to their establishments policy
- Only publish images when students and their parents/carers have given written permission to do so
- Only take images when student is happy to do so
- Store images in a safe secure place
- Ensure senior member or another member of staff is aware that the photography/ image equipment's being used and for what purpose
- Be able to justify images of pupils in their possession
- Avoid making images in one-to-one situations

This means that adults should not:

- Take images of pupils for their personal use

- Display or distribute images of students unless you are sure they have parental consent
- Take pictures using personal equipment
- Take images of students in a state of undress
- Take images of a child's injury, bruising or similar, even if requested by Social Care
- Make audio recordings of child's disclosure
- Take images which could be considered as indecent or sexual

Exposure to inappropriate images

Staff should take extreme care to ensure that children and young people are not exposed, through any medium, to inappropriate or indecent images.

There are no circumstances that will justify adults, making, downloading, possessing or distributing indecent images or pseudo- images of children (child abuse images). Accessing these images, whether using the settings or own personal equipment, on or off the premises, or making, or storing such material is illegal.

If indecent images of children are discovered at the establishment an immediate referral should be made to the Local Area Designated Officer (LADO) and the police contacted if relevant.

Under no circumstances should any adult use the settings 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 working with children and young people.

Whistleblowing

Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear or repercussion. Settings should have a clear and accessible whistle-blowing policy that meets the terms of the Public Interest Disclosure Act 1998. Staff who use the whistle-blowing procedure should have their employment rights protected.

Staff should recognise their individual responsibilities to bring matters of concern to the attention of senior management 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.

This means that settings should:

- Have a whistle-blowing policy in place
- Include in the whistle-blowing policy how to escalate concerns if they believe that safeguarding arrangements in the setting are not effective, or students are not being protected
- Have clear procedures for dealing with allegations against persons working in or on behalf of the setting

This means staff should:

- Escalate their concerns if they believe young people are not being protected
- Report any behaviour by colleagues that raises concern
- Report allegations against staff, volunteers to their manager or registered provider, or where they have concerns about the manager's response report these directly to the DSL

Sharing concerns and recording incidents

All staff should be aware of their establishments safeguarding procedures, including the procedures for dealing with allegations against staff and volunteers.

In the event of an allegation being made about any member of staff, by any person, or an incident being witnessed involving a member of staff, the relevant information should be immediately recorded and reported to the senior manager or Designated Safeguarding Lead as appropriate.

Members of staff should feel able to discuss with an appropriate adult any difficulties or problems that may affect their relationship with or behaviour towards pupils, so that appropriate support can be provided and/or action can be taken.

To safeguard and protect pupils and colleagues, where staff have any concerns about someone who works with children / young people they should immediately report this to the settings Manager.