



HORRIS HILL
FOUNDED 1888

Code of Conduct for Staff

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Purpose and Application

- 1 **Purpose:** The purpose of this Code is to ensure that relationships between Staff (as defined below), employees, contractors, visitors, volunteers, pupils and their parents, guardians or carers are reasonable and mutually respectful at all times.
- 2 This Code has been produced to:
 - 2.1 clarify the behavioural expectations and professional responsibilities of all Staff;
 - 2.2 by doing so, to help to discharge the School's legal duties to its Staff, pupils and others affected by its operation and protect them from harm;
 - 2.3 to help to encourage a culture of reflection and of reporting concerns; and
 - 2.4 help adults establish safe practices and reduce the risk of false accusation or improper conduct.
- 3 **Introduction:** This guidance has been produced to help all staff establish the safest possible learning and working environments. The aims are to safeguard young people and reduce the risk of staff being falsely accused of improper or unprofessional conduct.

This means that these guidelines:

apply to all adults working in education settings whatever their position, roles, or responsibilities, including volunteers, governors, supply staff and contractors.

4 **Duty of Care**

Teachers and other staff are accountable for the way in which they exercise authority; manage risk; use resources; and protect pupils from discrimination and avoidable harm.

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement. All staff have a particular duty to be vigilant for signs that pupils may be drawn into extremism (see the Prevent Duty in the Safeguarding Policy).

There are legitimate high expectations about the nature of the professional involvement of staff in the lives of pupils. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty of care towards their employees which requires them to provide a safe working environment for staff and guidance about safe working practices.

This means that staff should:

- *understand the responsibilities which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached*
- *always act, and be seen to act, in the child's best interests*
- *avoid any conduct which would lead any reasonable person to question their motivation and intentions*
- *take responsibility for their own actions and behaviour*

5 Exercise of Professional Judgement

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

This means that where no specific guidance exists staff should:

- *discuss the circumstances that informed their action, or their proposed action, with a senior colleague. 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 headmaster or a senior member of staff*
- *always record discussions and actions taken with their justifications*

6 This Code has regard to the School's child protection and safeguarding policy and procedures and the following (collectively referred to in this Code as the **Guidance**):

- 6.1 *Keeping children safe in education* (September 2021) (**KCSIE**) (which refers to the non-statutory advice for practitioners: What to do if you're worried a child is being abused (March 2015));
- 6.2 *Disqualification under the Childcare Act 2006* (August 2018);
- 6.3 *Working together to safeguard children* (July 2018, updated December 2020) (**WT**):
 - 6.3.1 WT refers to the non-statutory advice: *Information sharing* (July 2018).
- 6.4 *Revised Prevent Duty Guidance: for England and Wales* (April 2021) (**Prevent**). Prevent is supplemented by:
 - 6.4.1 *The Prevent duty: Departmental advice for schools and childminders* (June 2015);
 - 6.4.2 *Channel Duty Guidance: Protecting vulnerable people from being drawn into terrorism* (February 2021)
 - 6.4.3 *The use of social media for online radicalisation* (July 2015).
- 6.5 Guidance on female genital mutilation, to include:
 - 6.5.1 *Multi-agency statutory guidance on female genital mutilation* (October 2018)
 - 6.5.2 Home Office statutory guidance *Mandatory Reporting of Female Genital Mutilation: procedural information* (October 2015).
 - 6.5.3 Guidance published by the Department for Health which provides useful information and support for health professionals which will be taken into account by the School's medical staff.
- 6.6 Guidance on mental health, to include:
 - 6.6.1 *Preventing and Tackling Bullying* (July 2017);

6.6.2 *Mental Health and Behaviour in Schools* (November 2018); and

6.6.3 *Promoting children and young people's emotional health and wellbeing* (March 2015).

- 7 **Application:** The Code of Conduct (**Code**) applies to all Staff working in or on behalf of the School (**School**), whether paid or unpaid, whatever their position, role or responsibilities and **Staff** includes employees, contractors, work placement students and volunteers (Staff). All Staff will receive training in relation to this Code.
- 8 **Your duty:** It is the duty of every member of Staff to understand and observe the rules and obligations in this Code. You should also follow the Guidance.
- 9 **Wrongdoing:** All Staff are required to report their own wrongdoing, or any wrongdoing or proposed wrongdoing of any other member of staff or any conduct or concern which they may suspect to be inappropriate to the Headmaster.
- 10 **Application with other policies:** The Code should be read in conjunction with the School's Safeguarding and Child Protection Policy and Procedures, its Whistleblowing Policy and its Dignity at Work Policy.

Guiding Principles

11 Principles for All Staff

- 8.1 All Staff should put the well-being, development and progress of all pupils first by:
 - 11.1.1 taking all reasonable steps to ensure the safety and well-being of pupils under their supervision;
 - 11.1.2 using professional expertise and judgment for the best interests of pupils in their care;
 - 11.1.3 demonstrating self awareness and taking responsibility for their own actions and for providing help and support to pupils;
 - 11.1.4 raising concerns about the practices of teachers or other professionals where these may have a negative impact on pupils' learning or progress, or may put pupils at risk;
 - 11.1.5 being familiar with the School's Safeguarding and Child Protection Policy and Procedures and the Good Behaviour and Sanctions Policy;
 - 11.1.6 reading and understanding Part 1, and where appropriate Annex A, of KCSIE (September 2021);
 - 11.1.7 knowing the role, identity and contact details of the current Designated Safeguarding Lead and their Deputies;
 - 11.1.8 knowing the role, identity and contact details of the Proprietor's Nominated Safeguarding Representative; and
 - 11.1.9 being aware that they are in a position of trust (i.e. the adult is in a position of power or influence over the pupil due to his or her work); that the relationship is not a relationship between equals and that this position must never be used to intimidate, bully, humiliate, coerce or threaten pupils.

- 9.2 All Staff should demonstrate respect for diversity and take steps to promote equality by:
 - 9.2.1 acting appropriately and in accordance with this Code of Conduct, towards all pupils, parents, guardians or carers and Staff;
 - 9.2.2 complying with the School's anti-bullying, Equal Opportunities and Dignity at Work policies and this Code of Conduct;
 - 9.2.3 addressing issues of discrimination and bullying whenever they arise; and
 - 9.2.4 helping to create a fair and inclusive School environment.
- 11.3 All Staff should work as part of a unified Staff body by:
 - 11.3.1 developing productive and supportive relationships with colleagues;
 - 11.3.2 exercising any management responsibilities in a respectful, inclusive and fair manner;
 - 11.3.3 complying with all School policies and procedures;
 - 11.3.4 participating in the School's development and improvement activities;
 - 11.3.5 recognising the role of the School in the life of the local community; and
 - 11.3.6 upholding the School's reputation and standing within the local community and building trust and confidence in it.
- 9.4 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 should be aware of:
 - 11.4.1 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;
 - 11.4.2 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
 - 11.4.3 how to obtain support for people who may be being exploited by radicalising influences.
- 9.5 All Staff should maintain public trust and confidence in the School and in their profession by:
 - 11.5.1 demonstrating honesty and integrity;
 - 11.5.2 understanding and upholding their duty to safeguard the welfare of children and young people;
 - 11.5.3 understanding and demonstrating fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs;
 - 11.5.4 maintaining reasonable standards of behaviour whether inside or outside of normal School hours and whether on or off the School's site; and
 - 11.5.5 maintaining an effective learning environment.

- 11.6 All Staff should raise any concerns relating to honour-based abuse (to include female genital mutilation (FGM) and forced marriage) with the Designated Safeguarding Lead and involve children's social care as appropriate in accordance with the School's safeguarding and child protection policy and procedures. Teachers must also report to the police cases where they discover (either through disclosure by the victim or visual evidence) that an act of FGM appears to have been carried out on a girl under the age of 18. The report should be made orally by calling 101, the single non-emergency number. It will be rare for teachers to see visual evidence, and they should not be examining pupils but those failing to report such cases will face disciplinary sanctions.
- 11.7 All Staff should know what to do if a child tells them that they are being abused, exploited or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the Designated Safeguarding Lead (or deputy) and children's social care. Staff should never promise a child that they will not tell anyone about a report of any form of abuse, as this may ultimately not be in the best interests of the child.
- 11.8 All Staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the School and/or can occur between children outside of the School environment. All Staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.
- 11.9 All Staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. It is key that staff are aware of how experiences such as abuse, neglect or other potentially traumatic adverse childhood experiences can impact on a child's mental health, behaviour and education. If Staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following the School's child protection and safeguarding policy and procedures.
- 11.10 All staff should be able to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.
- 11.11 The School encourages an open and transparent culture in which it may identify concerning, problematic, or inappropriate behaviour early, minimise the risk of abuse and ensure that all Staff working in or on behalf of the School are clear about professional boundaries and act within these boundaries.
- 11.11.1 All Staff should be aware of their responsibility to report low level concerns (ie any concern that they or another member of Staff may have acted in a way that is inconsistent with this Code, that does not otherwise meet the harms threshold set out in KCSIE).
- 11.11.2 Low level concerns should be reported:

- (a) To the Headmaster;
- (b) If about the Headmaster to the Proprietor's Nominated Safeguarding Representative;
- (c) If there is a conflict of interest in reporting the matter to the Proprietor, then to the LADO.

All concerns, including low level concerns, should be reported in writing.

12 Additional principles for teachers

- 12.1 Teachers, whether qualified or not, are obliged to uphold the government's Teachers' Standards (<https://www.gov.uk/government/publications/teachers-standards>). These, together with the Horris Hill Staff Code of Conduct, will form the basis for any review of professional conduct.
- 12.2 The Headmaster will assess teachers' performance against the standards to a level that is consistent with what should reasonably be expected of a teacher in the relevant role and at the relevant stage of their career.
- 12.3 Teachers should take responsibility for maintaining the quality of their teaching practice by:
 - 12.3.1 meeting the professional standards for teaching applicable to their role and position within the School;
 - 12.3.2 reflecting on their current practice and seeking out opportunities to develop knowledge, understanding and skills;
 - 12.3.3 helping pupils to become confident and successful learners; and
 - 12.3.4 establishing productive relationships with parents, guardians or carers by:
 - (a) providing accessible and accurate information about their child's progress;
 - (b) involving them in important decisions about their child's education; and
 - (c) complying with this Code.
- 13.4 All teachers should base their relationship with pupils on trust and respect. They must:
 1. follow policies, procedures and guidelines on matters such as communication with pupils, physical contact, behaviour management, inclusion, access and equality of opportunity;
 2. conduct their relationships with pupils professionally and appropriately both in school and out of school;
 3. ensure that any communication with pupils is appropriate, following Horris Hill School policies on communication via electronic media, such as e-mail, texting and social networking websites;
 4. are committed to providing equal opportunities for all pupils, regardless of their age, gender, sexual orientation, disability, English as an additional language, additional learning needs, race, religion or belief

5. comply with policies, procedures and guidelines* on matters such as safeguarding and child protection, educational visits or trips and their own professional and personal conduct;
6. take all reasonable steps to ensure the safety and wellbeing of pupils under their supervision at all times;
7. report any incident which may be perceived to breach the established boundaries between teachers and pupils;
8. contribute to the creation of a fair and inclusive school environment by rigorously and promptly addressing discrimination, stereotyping and bullying;
9. identify and address issues at all times that might impact on pupils' welfare.

Guidance on Staff/Pupil Relationships

- 13 **Application:** Allegations of unprofessional conduct or improper contact or words can arise at any time. Professionalism and vigilance are required so as to ensure the safety of children in our care, and to reduce the risk of an allegation of impropriety against a member of Staff. This guidance applies to all Staff.
- 14 **Sexual contact:** Staff must not:
- 14.1 have any type of sexual relationship with a pupil or pupils;
 - 14.2 have sexually suggestive or provocative communications with a pupil;
 - 14.3 make sexual remarks to or about a pupil; and
 - 14.4 discuss their own sexual relationships in the presence of pupils.
- 15 **Abuse of a position of trust and inappropriate relationships with School pupils:** Sexual relationships or sexual contact with any pupils, or encouraging a relationship to develop in a way which might lead to a sexual relationship or any relationship just considered inappropriate with any pupil at the School is a grave breach of trust that will usually lead to disciplinary action and may also lead to criminal prosecution. It is the criminal offence of an abuse of a position of trust to have any sexual relationship with any School pupil under the age of 18, and whilst not a criminal offence, it is a breach of this Code and considered to be gross misconduct to have a sexual relationship with any pupil of this School, even if over the age of 18.
- 16 **Inappropriate relationships with pupils at another school:** Forming relationships with children or young people who are pupils or students at another school will be a criminal offence if they are under 16 but may also be a criminal offence if under the age of 18 and will be regarded as gross misconduct. Such behaviour tends to bring the School into disrepute and gives rise to concern that the Staff involved cannot be trusted to maintain professional boundaries with pupils and students at the School. Whilst not necessarily a criminal offence, the School considers it inappropriate for Staff to form inappropriate relationships with a pupil of any school, irrespective of their age.
- 17 **General guidance:** You should be aware of the general guidance that will apply in all cases. In particular you:
- 17.1 need to exercise professional judgment but always act within the spirit of these guidelines. If you are involved in a situation where no specific guidance exists, you should discuss the circumstances with the Designated Safeguarding Lead. A written record should be kept that includes justification for any action taken;

- 17.2 must be aware of the risks of peer-on-peer abuse and be familiar with procedures for handling allegations against other children and bullying as set out in the School's safeguarding and child protection policy and procedures and the important role they have to play in preventing it and responding where they believe a child may be at risk from it. . Examples of peer-on-peer abuse are bullying (including cyberbullying), physical abuse, sexual violence and sexual harassment, upskirting, the consensual and non-consensual sharing of nudes and semi nudes images and videos (also known as sexting or youth produced sexual imagery) and initiation and hazing (which could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may include an online element especially around chat groups, and the sharing of abusive images and pornography);
 - 17.3 must be aware of indicators that children are at risk from, or are involved with serious violent crime. These may include being male, increased absence from School or having been frequently absent or permanently excluded from School, a change in friendships or relationships with older individuals or groups, a significant decline in performance, having experienced child maltreatment, having been involved in offending such as theft or robbery, signs of self-harm or a significant change in wellbeing or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs;
 - 17.4 must be familiar with procedures for reporting concerns in accordance with the School's whistleblowing policy and be aware that if Staff raise concerns about working practices at the School to the Designated Safeguarding Lead or an appropriate senior member of Staff that they will be protected from detriment under the whistleblowing policy;
 - 17.5 must be familiar with the local reporting guidelines and the Local Safeguarding Partners reporting threshold document in respect of any concerns relating to children;
 - 17.6 must be familiar with procedures for handling allegations against Staff as set out in the School's safeguarding and child protection policy and procedures;
 - 17.7 must seek guidance from the Designated Safeguarding Lead if you are in any doubt about appropriate conduct; and
 - 17.8 must report any actions which could be misinterpreted, any misunderstandings, accidents or threats involving you and a pupil or a group of pupils to the Designated Safeguarding Lead.
- 18 **Behaviour giving particular cause for concern:** You should take particular care when dealing with a pupil who:
- 18.1 appears to be emotionally distressed, or generally vulnerable and / or who is seeking expressions of affection;
 - 18.2 appears to hold a grudge against you;
 - 18.3 acts in a sexually provocative way, or who is inclined to make exaggerated claims about themselves and others, or to fantasise, or one whose manner with adults is over-familiar; and
 - 18.4 may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations.

- 19 **Procedure to be followed in these cases:** Some of these behaviours may be indications that a child has been, or is currently being, abused and should therefore be reported to the Designated Safeguarding Lead under the School's safeguarding and child protection policy and procedures.
- 20 **Record keeping:** Comprehensive records are essential. All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. Records should include a clear and comprehensive summary of the concern, details of how the concern was followed up and resolved, a note of any actions taken, decisions reached and the outcome. Information should be kept confidential and stored securely. Any incident involving children that could give cause for concern, must always be reported promptly to the Designated Safeguarding Lead in accordance with the School's safeguarding and child protection policy and procedures. If there is any doubt about recording requirements this should be discussed with the Designated Safeguarding Lead.
- 21 **Good order and discipline:** Staff in charge or control of pupils must maintain good order and discipline at all times when pupils are present on School premises and whenever pupils are engaged in authorised School activities, whether on School premises or elsewhere.

General conduct

- 22 **School property:** You must take proper care when using School property and you must not use School property for any unauthorised use or for private gain.
- 23 **Use of premises:** You must not carry out any work or activity on School premises other than pursuant to your terms and conditions of employment without the prior permission of the Head.
- 24 **Behaviour of others:** You should be aware that the behaviour of your partner or other family members or any member of your household may raise concerns which could affect the welfare of a member of the School community, a member of the public, or bring the School into disrepute and you should bring any such behaviour to the immediate attention of the School. Such concerns will be given careful consideration as to whether they constitute a potential risk to children at the School or its reputation.
- 25 **Dress and Appearance:** Staff should consider the manner of dress and appearance appropriate to their professional role. We require pupils to be smart in their uniform. Smart and professional appearance is expected at all times for staff. Staff should ensure they are dressed formally, decently, safely and appropriately for the tasks they undertake. Appropriate personal presentation is expected of staff.
- 26 Jewellery should not be ostentatious; a maximum of one pair of conventional earrings will be acceptable, but no other visible piercings. Tattoos should be such that they can remain covered at all times.

This means that staff should ensure their appearance and clothing:

- *promotes a positive and professional image*
- *is appropriate to their role*
- *is not likely to be viewed as offensive, revealing, or sexually provocative*
- *does not distract, cause embarrassment or give rise to misunderstanding*
- *is absent of any political or otherwise contentious slogans*

- 27 **Personal Living Space:**

No pupil should be in or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents and senior leaders or the home has been designated by the organisation or regulatory body as a work place e.g. childminders, foster carers. Staff who live on the school premises, including in the Boarding House, must have regard to the National Minimum Standards for Boarding (2015):

‘15.10 Any boarder access to staff accommodation is properly supervised and does not involve inappropriate favouritism or inappropriate one-to-one contacts between staff and boarders.’

This means that staff should:

- *be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations*
- *be mindful of the need to maintain professional boundaries*

Meetings with Pupils

- 28 **One-to-one meetings:** If you are teaching one pupil, or conducting a one-to-one meeting or teaching session with a pupil, you should take particular care in the following ways:
- 28.1 when working alone with a pupil is an integral part of your role, conduct and agree full risk assessments with the Head;
 - 28.2 use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open, or inform a colleague that the lesson / meeting is taking place;
 - 28.3 arrange the meeting during normal school hours when there are plenty of other people about;
 - 28.4 do not continue the meeting for any longer than is necessary to achieve its purpose;
 - 28.5 avoid sitting or standing in close proximity to the pupil, except as necessary to check work;
 - 28.6 avoid using "engaged" or equivalent signs on doors or windows;
 - 28.7 avoid idle discussion;
 - 28.8 avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;
 - 28.9 avoid any conduct that could be taken as a sexual advance;
 - 28.10 report any incident that causes you concern to the Designated Safeguarding Lead under the School's safeguarding and child protection policy and procedures, and make a written record (signed and dated); and
 - 28.11 report any situation where a pupil becomes distressed or angry to the Designated Safeguarding Lead.
- 29 **Pre-arranged meetings:** Pre-arranged meetings with pupils outside School should not be permitted unless approval is obtained from their parents, guardians or carers and the Designated Safeguarding Lead. If you are holding such a meeting, you should inform colleagues before the meeting.
- 30 **Home visits:** In some circumstances home visits are necessary. You should:

- 30.1 discuss the purpose of any visit with the Designated Safeguarding Lead and adhere to any agreed work plan / contract;
 - 30.2 follow the risk management strategy and ensure appropriate risk assessments are in place. Where there is insufficient information to complete a risk assessment, ensure that you are accompanied by a colleague;
 - 30.3 not visit unannounced if this can be avoided;
 - 30.4 leave the door open where you will be alone with pupils;
 - 30.5 keep records detailing times of arrival and departure, and work undertaken;
 - 30.6 ensure that any behaviour or situation that gives rise to a concern is reported and actioned;
 - 30.7 discuss with the Designated Safeguarding Lead anything that gives cause for concern in accordance with the School's child protection and safeguarding policy and procedures; and
 - 30.8 have a mobile telephone and an emergency contact.
- 31 **Chores:** Pupils should not be asked to assist with chores or tasks in the personal living space. Personal living spaces should not be used as an additional resource for the School. This also applies to on-site Staff accommodation.

32 **[Intentional Deletion]:**

Language

- 33 **Language:** You should use appropriate language at all times. You should:
- 33.1 avoid words or expressions that have any unnecessary sexual content or innuendo; avoid displays of affection either personally or in writing (e.g. messages in birthday cards, text messages, emails etc);
 - 33.2 avoid any form of aggressive or threatening words;
 - 33.3 avoid any words or actions that are over-familiar;
 - 33.4 not swear, blaspheme or use any sort of offensive language in front of pupils;
 - 33.5 avoid the use of sarcasm, discriminatory or derogatory words when punishing or disciplining pupils and avoid making unprofessional personal comments about anyone. Any sanctions should be in accordance with the School's behaviour and discipline policies; and
 - 33.6 be aware that some parts of the curriculum may raise sexually explicit subject matters. Care should be taken in subjects where rules / boundaries are relaxed (e.g. drama or art). Staff should have clear lesson plans and should take care to avoid overstepping personal and professional boundaries.

The Use of Force or Physical Restraint

- 34 **Physical restraint:** All forms of corporal punishment are unlawful and the use of unwarranted physical force is likely to constitute a criminal offence. The use of physical intervention should be avoided if possible. There are circumstances when it is appropriate for Staff to use force to safeguard children. This is enshrined in law and applies to any member of Staff at the School. It can also apply to people whom the Head has temporarily

put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

- 35 **Application of code of restraint:** It only applies where no other form of control is available and where it is necessary to intervene. The use of force or physical contact may be reasonable and proportionate in the circumstances to prevent a pupil from doing, or continuing to do any of the following:
- 35.1 committing a criminal offence;
 - 35.2 injuring themselves or others;
 - 35.3 causing damage to property, including their own; or
 - 35.4 engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 36 **Before intervening:** Before intervening physically you should, wherever practicable, tell the pupil to stop and what will happen if he or she does not. You should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. You should always avoid touching or holding a pupil in a way that might be considered indecent. You should also avoid any form of aggressive contact such as holding, pushing, pulling or hitting which could amount to a criminal assault, nor act in a way that might reasonably be expected to cause injury.
- 37 **Inform senior staff:** You should inform the Head immediately following an incident where force has been used. This is to help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful in the event of a complaint. You should provide a written report as soon as possible afterwards. This should include written and signed accounts of those involved, including the pupil. The parents, guardians or carers of the pupil should be informed about serious incidents involving the use of force. The Head will advise as to when parents should be contacted.
- 38 **Action taken in self-defence or in an emergency:** The law allows anyone to defend themselves against an attack provided they do not use more force than is necessary. Similarly, where a pupil is at risk of immediate injury or on the point of inflicting injury on someone else, any member of Staff (whether authorised or not) would be entitled to intervene.
- 39 **Using reasonable force:** There is no legal definition of "reasonable force". It will always depend on the circumstances. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom. Note that:
- 39.1 any use of force should be proportionate to the behaviour of the pupil involved and the seriousness of the harm prevented;
 - 39.2 you should recognise the additional vulnerability of children with SEN, disabilities and certain medical conditions before using reasonable force;

- 39.3 physical force could not be justified to prevent a pupil from committing a trivial misdemeanour;
- 39.4 any force should always be the minimum needed to achieve the desired result; and
- 39.5 whether it is reasonable to use force and the degree of force that could be reasonably employed might also depend on the age, understanding and sex of the pupil.

Physical Contact in Other Circumstances

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. A 'tactile' teaching style is entirely unacceptable at Horris Hill School.

Staff must ensure they are fully conversant with the Physical Intervention Policy.

If physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate.

Staff should use their professional judgement at all times about the appropriateness of any physical contact. Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be made clear to the Headmaster.

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

This means that staff should:

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

40 **When physical contact may be appropriate:** Physical contact with a pupil may be necessary and beneficial in order to demonstrate a required action, or a correct technique in, for example, singing and other music lessons or during PE, sports and games. Any physical contact should be in response to the pupil's needs, of limited duration and appropriate to the pupil's age, stage of development, gender, ethnicity and background. Physical contact can be easily misinterpreted and should be limited.

41 **Guidance on using physical contact:** You should observe the following guidelines (where applicable):

- 41.1 explain the intended action to the pupil;
- 41.2 do not proceed with the action if the pupil appears to be apprehensive or reluctant, or if you have other concerns about the pupil's likely reaction;
- 41.3 ensure the physical contact continues for as short a time as possible;
- 41.4 ensure that the door is open and if you are in any doubt, ask a colleague or another pupil to be present during the demonstration; and
- 41.5 consider alternatives if it appears likely that the pupil might misinterpret the contact.

- 42 **Report concerns:** If you are at all concerned about any instance of physical contact, inform the Head without delay, and make a written record in the incident book and on the pupil's file if necessary.
- 43 **Offering comfort to distressed pupils:** Touching may be appropriate where a pupil is in distress and needs comforting. You should use your own professional judgement when you feel a pupil needs this kind of support and should be aware of any special circumstances relating to the pupil. For example, a child who has been abused may find physical contact particularly difficult. You should always notify the Head when comfort has been offered, record the action and should seek guidance if unsure whether it would be appropriate in a particular case.
- 44 **Administering first aid:** When administering first aid you should explain to the child what is happening and ensure that another adult is present or is aware of the action being taken. The treatment must meet the School's health and safety at work rules and intimate care guidelines, and parents, guardians or carers should be informed. Staff should:
- 44.1 adhere to the School's Medical Policy on first aid and administering medication;
 - 44.2 comply with the necessary reporting requirements;
 - 44.3 make other adults aware of the task that is being undertaken;
 - 44.4 explain what is happening;
 - 44.5 report and record the administration of first aid;
 - 44.6 have regard to any health plans; and
 - 44.7 ensure that an appropriate health / risk assessment is undertaken prior to undertaking certain activities.
- 45 **Pupils' entitlement to privacy:** Children are entitled to privacy when changing or showering. However there still must be an appropriate level of supervision to ensure safety. You should:
- 45.1 avoid physical contact or visually intrusive behaviour when children are undressed;
 - 45.2 announce yourself when entering changing rooms and avoid remaining unless required;
 - 45.3 not shower or change in the same place as children; and
 - 45.4 not assist with any personal care task which a pupil can undertake themselves.
- 46 **Intimate care:** Sometimes intimate care is required, for example when assisting with toileting or removing wet clothes. You should:
- 46.1 comply with the School's Intimate Care Guidelines (please see Safeguarding and Child Protection Policy)
 - 46.2 advise other Staff of the task being undertaken and consult where there is any change from the agreed procedure. A record should be kept of the justification for any variations and this information should be shared with parents, guardians or carers;
 - 46.3 explain to the child what is happening;
 - 46.4 comply with applicable professional codes of practice, as appropriate; and

- 46.5 comply with regularly reviewed, formally agreed plans, as appropriate.
- 47 **Where a child has been abused:** Where a child has previously been abused, Staff should be informed on a 'need to know' basis, and should be extra cautious when considering the necessity of physical contact. Some children may seek inappropriate physical contact. Staff should sensitively deter the pupil and help them understand the importance of personal boundaries. Such incidents should be reported and discussed with the Designated Safeguarding Lead and where appropriate parents, guardians or carers.
- 48 **Children with special educational needs or disabilities:** Some children may need more physical contact to assist their everyday learning, which should be agreed and understood by all concerned, justified, openly applied and open to scrutiny. The Designated Safeguarding Lead and SENCO will establish whether any reasonable adjustments are required for such pupils.

Code of Conduct for Contact Outside School

- 49 **Contact outside school:** You should avoid unnecessary contact with pupils outside school. You should:
- 49.1 not give pupils your home address, home telephone number, mobile telephone number or email address;
 - 49.2 not send personal communications (such as birthday cards or faith cards, text messages etc) to children unless agreed with the Head;
 - 49.3 not make arrangements to meet pupils, individually or in groups, outside school other than on school trips authorised by the Head;
 - 49.4 avoid contacting pupils at home unless this is strictly necessary, and you should keep a record of any such occasion;
 - 49.5 not give a pupil a lift in your own vehicle other than on School business and with permission from the Head;
 - 49.6 avoid inviting pupils (groups or individuals) to your home unless there is a good reason and it has been approved by the Head. This prohibition also applies if you have on site accommodation;
 - 49.7 report and record any situation which may place a child at risk or which may compromise the School's or your professional standing;
 - 49.8 ensure that pupils do not see anything in your home that may cause embarrassment or that might become the subject of inappropriate gossip or rumour; and
 - 49.9 never engage in secretive social contact with pupils or their parents, guardians or carers.
- 50 **Social contact:** You should be aware that where you meet children or parents, guardians or carers socially, such contact could be misinterpreted as inappropriate, an abuse of a position of trust or as grooming. Any social contact that could give rise to concern should be reported to the Head.
- 51 **Friendships with parents, guardians or carers and pupils:** Members of Staff who are friends with parents, guardians or carers of pupils or who, for example, are voluntary workers in youth organisations attended by pupils, will of course have contact with those pupils outside school. However, members of Staff should still respect the above advice wherever possible and should keep the Head informed of such relationships.

- 52 **Scope of application of code on contact outside school:** The same guidelines should be applied to after school clubs, school trips, and especially trips that involve an overnight stay away from the School. There are separate, more detailed guidelines for school trips in the educational visits policy. The principles of this guidance also apply to contact with children or young people who are pupils at another school.
- 53 **Transporting pupils:** There may be some situations when Staff are required to transport pupils. You should:
- 53.1 ensure that you are fit to drive and free from any substances that may impair your judgement or ability to drive;
 - 53.2 be aware that until the pupil is passed over to a parent / carer, you have responsibility for that pupil's health and safety;
 - 53.3 record the details of the journey, if in the school minibus on the log sheet;
 - 53.4 record, be able to justify impromptu or emergency lifts and notify the Head;
 - 53.5 ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety, including appropriate insurance, seat belts, adherence to maximum capacity guidelines etc; and
 - 53.6 wherever practicable, you should avoid using private vehicles and should have one adult additional to the driver to act as an escort when driving the minibus over long distances or on motorways.
- 54 **After school activities:** When taking part in after school activities, you should:
- 54.1 be accompanied by another adult unless otherwise agreed with the Head;
 - 54.2 undertake a risk assessment; and
 - 54.3 obtain parental consent.
- 55 **Educational visits:** When taking part in educational visits, you should:
- 55.1 follow the School's educational visits policy;
 - 55.2 be accompanied by another adult unless otherwise agreed with the Head;
 - 55.3 undertake a risk assessment; and
 - 55.4 obtain parental consent;
- 56 **Overnight supervision:** Where overnight supervision is required to preserve the integrity of the examination process: [intentional deletion].

Communication with Pupils (Including the Use of Technology)

- 57 **Communicating with children and parents, guardians or carers:** All communication with children or parents, guardians or carers should conform to School policy and be limited to professional matters. Except in an emergency communication should only be made using School property.
- 58 **Application:** These rules apply to any form of communication including new technologies (including 3G / 4G technologies) such as mobile telephones, web-cameras, social networking websites and blogs. You should also ensure you comply with the more detailed IT acceptable use policy, and social media policy.

- 59 **Dealing with "crushes":** Crushes, fixations or infatuations are part of normal adolescent development. However they need sensitive handling to avoid allegations of exploitation. Such crushes carry a high risk of words, actions and expressions being misinterpreted, therefore, the highest levels of professionalism are required. If you suspect that a pupil has a crush on you or on another colleague you should bring it to the attention of the Designated Safeguarding Lead at the earliest opportunity. Suggestions that a pupil may have developed a crush should be recorded. Staff should avoid being alone with pupils who have developed a crush on them and if the pupil sends personal communications to the member of Staff, this should be reported to the Head and recorded.
- 60 **Acceptable use:** Adults must establish safe and responsible online behaviours and must comply with the IT acceptable use policy, social media policy and the online safety policy. Adults should report to senior colleagues, any new and emerging technologies which may have a bearing on School practices and on the review of the IT acceptable use policy. Local and national guidelines on acceptable user policies should be followed. Staff should also:
- 60.1 ensure that your own personal social networking sites are set as private and ensure that pupils are not approved contacts;
 - 60.2 [intentional deletion];
 - 60.3 never use or access social networking sites of pupils and do not use internet or web-based communication channels to send personal messages to pupils;
 - 60.4 do not use your own equipment (e.g. mobile telephones) to communicate with pupils - use equipment provided by the School and ensure that parents, guardians or carers have given permission;
 - 60.5 only make contact with pupils for professional reasons; and
 - 60.6 recognise that text messaging should only be used as part of an agreed protocol and only when other forms of communication are not possible.
- 61 **Personal details:** Adults should not give their personal contact details to pupils, including email addresses, home or mobile telephone numbers, unless the need to do so is agreed with Head and parents, guardians or carers.
- 62 **Personal mobile telephones and electronic devices:** It is acceptable for staff to check messages and/or personal emails in the case of emergency. Wherever possible this should only be done when not teaching or supervising pupils, and should be done in a private place, such as the staff common room. Personal use must not interfere with your work commitments (or those of others). It is a privilege and not a right. Staff shall set an example and shall never use their own mobile telephones or other electronic devices whilst they are on duty (whether in a classroom or otherwise) and any such mobile devices should be switched off except in the case of an emergency and be kept out of sight of parents or pupils.
- 63 **Communicating outside the agreed protocols:** Email or text communications between an adult and any pupil outside agreed protocols may lead to a report to external agencies in accordance with the School's child protection and safeguarding policy and procedures, disciplinary action and / or criminal investigations. This also includes communications through internet based websites.

Code of Conduct for Photographs and Videos

- 65 Many school activities involve recording images. These may be undertaken as part of the curriculum, out of school activities, for publicity, or to celebrate achievement.

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

Using images of children for the school's publicity purposes has already had the consent of parents, except if parents have withdrawn consent (information available at Reception). Images should not be displayed on other websites, in publications or in a public place except according to this consent, and with the advance knowledge of the Headmaster. Our normal practice is not to identify children by name if a photograph illustrates an event on a public site or publication.

The recording of images of pupils by any means is a particularly sensitive subject and one which staff, volunteers and Proprietors are made aware of for both the pupils' and their own safety. Only school equipment should be used for recording images or sound, unless with the express permission of the Headmaster. Any images or recordings should only be edited or stored on school computers unless with the express permission of the Headmaster. Our policy at Horris Hill is that personal mobile telephones should never be used for these purposes, and photographs or recordings should only be made where there is a legitimate school purpose. A pupil's privacy and dignity must be preserved at all times. Images or recordings should not be transmitted to third parties without permission of the Headmaster or parents of the child involved. This guidance applies to all pupils, including those in the Early Years Foundation Stage.

This means that staff should:

- *be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded*
- *ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose.*
- *ensure that all images are available for scrutiny in order to screen for acceptability be able to justify images of children in their possession*
 - *avoid making images in one to one situations.*

This means that staff should not:

- *have images of pupils stored on personal cameras, devices or home computers without express permission of the Headmaster.*
- *make images of pupils available on the internet, other than through the school network/website with permission from parents and the Headmaster.*

64 **Early Years Foundation Stage:** The School does not permit the use of personal mobile phones and cameras in our Early Years Foundation Stage (Reception Class) to take digital/video images. Images to support educational aims in the EYFS should only be taken on school equipment.

65 Some pupils cannot be featured in photographs or videos under any circumstances (for example, because of safeguarding concerns). Please speak to the Head if you are unsure to which pupils this applies.

66 **Guidance where permission obtained:** Where consent (if appropriate) has been obtained, the following should be considered:

- 66.1 the purpose of the activity should be clear as should what will happen to the photographs or videos. You must be able to justify images in your possession;

- 66.2 all images should be made available to Head in order to determine acceptability;
 - 66.3 images should not be made during one-to-one situations;
 - 66.4 ensure that the pupil is appropriately dressed;
 - 66.5 ensure that the pupil understands why the images are being taken and has agreed to the activity;
 - 66.6 only use equipment provided or authorised by the School;
 - 66.7 if a photograph or video is to be displayed in a place to which the public have access (e.g. on the School's website) it should not display the pupil's full name (first name only) unless consent has been obtained. If the use of a photograph or video is more privacy intrusive consent may need to be obtained even if the pupil's name is not used. Consent should be obtained from the pupil and / or their parents as appropriate. Please see paragraph 65 below for further guidance on consent;
 - 66.8 all images of children should be stored securely on school computers and only accessed by those authorised to do so; and
 - 66.9 images must not be taken secretly.
- 67 **Consent:** Children are usually considered mature enough to exercise their own data protection rights when they are aged 12 years or older. Whether consent should be obtained from the parents, the pupil or both will depend on the age of the pupil. The School's policy is that when consent is required it should be obtained as follows:
- 67.1 where the pupil is in Year 7 or below, consent should be sought from a parent, guardian or carer;
 - 67.2 where the pupil is in Year 8 or 9 then consent should be sought from both the pupil and their parent, guardian or carer.
- 68 **Personal social media:** You must not publish anything which could identify pupils, parents or guardians on any personal social media account, personal webpage or similar platform without the prior consent of the Head in writing. This includes photos, videos, or other materials such as pupil work.
- 69 **Appropriate material:** The School does not permit pupils to have access to the internet via mobile devices. You must ensure children are not exposed to inappropriate or indecent images. Viewing, retrieving or downloading of pornographic, terrorist or extremist material, or any other material which the School believes is unsuitable is strictly prohibited and constitutes gross misconduct. This includes at any time when on School premises or otherwise in the course of your employment, including using the School's ICT network, or via 3G or 4G, whether or not on a School or personal device. You should not allow unauthorised access to School equipment and should keep your computer passwords safe. If you discover material that is potentially illegal or inappropriate, you must isolate the equipment and contact the Designated Safeguarding Lead in accordance with the School's child protection and safeguarding policy and procedures immediately. Pupils must not be exposed to unsuitable material on the internet and Staff should ensure that any film or material shown is age appropriate.
- 70 **Youth produced imagery:** Where safeguarding incidents involve youth produced sexual imagery, staff must not intentionally view or forward sexual imagery reported to them and will follow the School's policy on sharing nudes and semi-nude images and videos as set out in Searching, screening and confiscation: advice for schools (DfE, January 2018).

Gifts and Rewards

- 71 **Anti-bribery and corruption policy:** Before accepting or giving any gifts or rewards, Staff must familiarise themselves with the anti-bribery and corruption policy contained in the Employment Manual.
- 72 **If a gift is received:** If you receive a gift from a pupil or parent you should:
- 72.1 declare the gift where there is a possibility it could be misconstrued, or in any event where the gift is of a value of more than £50. The Head may in their absolute discretion require you to decline the gift; and
 - 72.2 decline outright gifts that could be perceived as a bribe or that have created an expectation of preferential treatment. Although it is accepted for parents, guardians or carers or children to make small gifts to show appreciation, you must not receive gifts on a regular basis or receive anything of significant value.
- 73 **Giving gifts and rewards:** Where you are thinking of giving a gift or reward:
- 73.1 it should only be provided as part of an agreed reward system;
 - 73.2 in all cases except the above, the gift or reward should be of little monetary value and should be discussed and agreed with the Head and where appropriate the parent, guardian or carer;
 - 73.3 selection processes should be fair and where possible should be agreed by more than one member of Staff; and
 - 73.4 gifts should be given openly and not based on favouritism.
- 74 **Allocation of gifts and rewards:** Decisions regarding entitlement to benefits or privileges such as admission to school trips, activities or classroom tasks must avoid perceptions of bias, grooming or favouritism. The selection process must be based on transparent criteria.

Childcare Disqualification

- 75 **Offence:** The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009 state that it is an offence for the School to employ anyone to provide childcare in connection with our early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP (a **Relevant Role**).
- 76 **EYP** includes usual school activities and any other supervised activity for a "young child" which takes place on the school premises during or outside of the normal school day (a child is a "young child" during the period between birth and up to 1 September following their fifth birthday).
- 77 **LYP** includes provision for children not in EYP and under the age of 8 which takes place on school premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities. It is the School's view that the before and after School activities currently provided are all co-curricular.
- 78 **"Childcare"** means any form of care for a child, which includes education and any other supervised activity for a "young child". "Childcare" in LYP does not include education during school hours but does cover before and after school clubs.

- 79 **Grounds for disqualification:** The grounds on which a person will be disqualified from working in connection with EYP or LYP are set out in the School's recruitment, selection and disclosure policy and procedure. Staff are required to familiarise themselves with this document.
- 80 **Duty of disclosure:** Staff in a Relevant Role are under an on-going duty to immediately notify the School if their circumstances, change so that they meet any of the criteria for disqualification at any point during their employment with the School. Any failure to disclose relevant information will be treated as a serious disciplinary matter.
- 81 **Ofsted:** Where the School receives disqualification information about a member of staff working in a Relevant Role and is satisfied that the member of staff may be disqualified as a consequence, the School is under a duty to report the circumstances of the disqualification to Ofsted.
- 82 **Waiver:** A member of staff who discloses information which appears to disqualify them from working in a Relevant Role may apply to Ofsted for a waiver of the disqualification.]

Reporting Obligations

- 83 **The School's position:** It is a contractual requirement as well as in your interests to follow this Code so as to maintain appropriate standards of behaviour and your own professional reputation. A breach of this Code may be treated as misconduct and will render you liable to disciplinary action including in serious cases, dismissal.
- 84 **Termination of employment:** If the School ceases to use the services of a member of Staff because they are unsuitable to work with children, a settlement agreement (formerly known as a compromise agreement) will not be used and a referral to the Disclosure and Barring Service will be made promptly if the criteria for a referral are met. Any such incidents will be followed by a review of the safeguarding procedures within the School, with a report being presented to the Governors without delay. The School may also need to consider referral to the Disclosure and Barring Service if a member of Staff is suspended, or deployed to another area of work that is not regulated activity.
- 85 **Resignation:** If a member of Staff tenders his or her resignation, or ceases to provide his or her services to the School at a time when child protection concerns exist in relation to that person, those concerns will still be investigated in full by the School and a referral to the Disclosure and Barring Service will be made promptly if the criteria for a referral are met.
- 86 **Teaching Regulation Agency (TRA):** Separate consideration will also be given to making a referral to the TRA where a teacher has been dismissed (or would have been dismissed had he or she not resigned) because of unacceptable professional conduct, conduct that may bring the profession into disrepute, or a conviction at any time for a relevant offence. An interim referral to the TRA may also be considered and made if appropriate.

87 Whistleblowing

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

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

See also government advice Whistleblowing for Employees:

(<https://www.gov.uk/whistleblowing>) and NSPCC advice on Whistleblowing

<https://www.gov.uk/government/news/home-office-launches-child-abuse-whistleblowing-helpline>).

This means that staff should:

- *report any behaviour by colleagues that raises concern*