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Code of Conduct for Staff

St Aubyn's (Woodford Green) School Trust

Code of conduct for Staff

Purpose and application

1 **Purpose:** Relationships with fellow Staff, employees, governors, contractors, visitors, volunteers, pupils and their parents, guardians or carers should be reasonable and mutually respectful at all times. This Code has been produced to place the welfare of children at the centre of the School and its culture and to ensure that all those who work in the School and may have contact with children are clear on the rules of conduct and the expectations of the School. Children place trust in those connected to the School creating obligations which we must all meet to ensure the successful outcomes achieved by the children in our care.

Please see Appendix 1 for details of the Code of Conduct for EYFS

2 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**):

2.1 *Keeping children safe in education* (September 2024) (**KCSIE**):

2.1.1 KCSIE incorporates the additional statutory guidance, *Disqualification under the Childcare Act 2006* (July 2018);

2.1.2 KCSIE also refers to the non-statutory advice for practitioners: *What to do if you're worried a child is being abused* (March 2015).

2.2 *Working together to safeguard children* (July 2018) (**WT**):

2.2.1 WT refers to the non-statutory advice: *Information sharing* (July 2018).

2.3 *Prevent Duty Guidance: for England and Wales* (2015) (**Prevent**). Prevent is supplemented by:

2.3.1 *The Prevent duty: Departmental advice for schools and childminders* (revised April 2021);

2.3.2 *Channel Duty Guidance: Protecting vulnerable people from being drawn into terrorism* (February 2021)

2.3.3 *The use of social media for online radicalisation* (July 2015).

2.4 Guidance on female genital mutilation, to include:

2.4.1 *Multi-agency statutory guidance on female genital mutilation* (July 2020)

2.4.2 Home Office statutory guidance *Mandatory Reporting of Female Genital Mutilation: procedural information* (January 2020).

2.4.3 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.

3 The purpose of the Code is to:

3.1 confirm and reinforce the professional responsibilities of all Staff;

3.2 clarify the legal position in relation to sensitive aspects of Staff / pupil relationships and communication including the use of social media;

3.3 set out the expectations of standards and behaviour to be maintained within the School; and

3.4 to help adults establish safe practices and reduce the risk of false accusations or improper conduct.

4 **Application:** The Code of Conduct (**Code**) applies to all Staff working in the School (**School**), whether paid or unpaid, whatever their position, role or responsibilities and **Staff** includes employees, governors, contractors, work experience / placement, students and volunteers.

5 **Your duty:** It is the contractual duty of every member of Staff to observe the rules and obligations in this Code. You should also follow the Guidance. The School also has a duty of care to its Staff, parents, guardians or carers and pupils and the implementation of the practices in this Code will help to discharge that duty.

6 **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 which they may suspect to be inappropriate to the Head. The School operates a whistleblowing policy.

7 **Application with other policies:** The Code should be read in conjunction with the School's child protection and safeguarding policy and procedures and whistleblowing policy.

Guiding principles

8 **Principles for all Staff**

8.1 All Staff should put the well-being, development and progress of all pupils first by:

8.1.1 taking all reasonable steps to ensure the safety and well-being of pupils under their supervision;

8.1.2 using professional expertise and judgment for the best interests of pupils in their care;

8.1.3 demonstrating self-awareness and taking responsibility for their own actions and for providing help and support to pupils;

8.1.4 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;

8.1.5 being familiar with the School's child protection and safeguarding policy and procedures;

8.1.6 reading and understanding Part 1, and where appropriate Annex A, of KCSIE (September 2024);

8.1.7 knowing the role, identity and contact details of the current DSL and their Deputies;

8.1.8 knowing the role, identity and contact details of the Nominated Safeguarding Governor; and

8.1.9 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.

8.2 All Staff should demonstrate respect for diversity and take steps to promote equality by:

8.2.1 acting appropriately and in accordance with this Code of Conduct, towards all pupils, parents, guardians or carers and Staff;

8.2.2 complying with the School's anti-bullying, Equal Opportunities policies and this Code of Conduct;

8.2.3 addressing issues of discrimination and bullying whenever they arise; and

8.2.4 helping to create a fair and inclusive School environment.

8.3 All Staff should work as part of a unified Staff body by:

8.3.1 developing productive and supportive relationships with colleagues;

8.3.2 exercising any management responsibilities in a respectful, inclusive and fair manner;

8.3.3 complying with all School policies and procedures;

8.3.4 participating in the School's development and improvement activities;

8.3.5 recognising the role of the School in the life of the local community; and

8.3.6 upholding the School's reputation and standing within the local community and building trust and confidence in it.

8.4 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:

8.4.1 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;

8.4.2 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

8.4.3 how to obtain support for people who may be being exploited by radicalising influences.

8.5 All Staff should maintain public trust and confidence in the School and in their profession by:

8.5.1 demonstrating honesty and integrity;

8.5.2 understanding and upholding their duty to safeguard the welfare of children and young people;

8.5.3 maintaining reasonable standards of behaviour whether inside or outside of normal School hours and whether on or off the School's site; and

8.5.4 maintaining an effective learning environment.

8.6 All Staff should raise any concerns relating to female genital mutilation (FGM) with the DSL and involve children's social care as appropriate in accordance with the School's child protection and safeguarding 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 should be vigilant and report any cause for concern.

9 **Additional principles for teachers**

9.1 Teachers should take responsibility for maintaining the quality of their teaching practice by:

9.1.1 meeting the professional standards for teaching applicable to their role and position within the School;

9.1.2 reflecting on their current practice and seeking out opportunities to develop knowledge, understanding and skills;

9.1.3 helping pupils to become confident and successful learners; and

9.1.4 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.

Guidance on Staff / pupil relationships

10 **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.

11 **Sexual contact:** Staff must not:

11.1 have any type of sexual relationship with a pupil or pupils;

11.2 have sexually suggestive or provocative communications with a pupil;

11.3 make sexual remarks to or about a pupil; and

11.4 discuss their own sexual relationships in the presence of pupils.

12 **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

13 **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.

14 **General guidance:** You should be aware of the general guidance that will apply in all cases. In particular you:

14.1 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 DSL. A written record should be kept that includes justification for any action taken;

14.2 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 child protection and safeguarding policy and procedures. Examples of peer-on-peer abuse are bullying (including cyberbullying), physical abuse, sexual violence and sexual harassment, sexting and initiation and hazing;

14.3 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 DSL or an appropriate senior member of Staff that they will be protected from detriment under the whistleblowing policy;

14.4 must be familiar with the local reporting guidelines and the Local Safeguarding Children Board[1] reporting threshold document in respect of any concerns relating to children;

14.5 must be familiar with procedures for handling allegations against Staff as set out in the School's child protection and safeguarding policy and procedures (see Appendix 2);

14.6 must seek guidance from the DSL if you are in any doubt about appropriate conduct; and

14.7 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 DSL.

15 **Behaviour giving particular cause for concern:** You should take particular care when dealing with a pupil who:

15.1 appears to be emotionally distressed, or generally vulnerable and / or who is seeking expressions of affection;

15.2 appears to hold a grudge against you;

15.3 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

15.4 may have reason to make up an allegation to cover the fact that he or she has not, for example, worked hard enough for examinations or any other reason.

15.5 **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 DSL under the School's child protection and safeguarding policy and procedures.

16 **Record keeping:** Comprehensive records are essential. All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. Any incident involving children that could give cause for concern, must always be reported promptly to the DSL in accordance with the School's child protection and safeguarding policy and procedures. If there is any doubt about recording requirements this should be discussed with the DSL.

17 **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, with due regard to the school Beahviour Policy.

General conduct

18 **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.

19 **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.

20 **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.

Meetings with pupils

21 **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:

21.1 when working alone with a pupil is an integral part of your role, conduct and agree full risk assessments with the DSL;

21.2 use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open. Always inform a colleague that the lesson / meeting is taking place;

21.3 arrange the meeting during normal school hours when there are plenty of other people about;

21.4 do not continue the meeting for any longer than is necessary to achieve its purpose;

21.5 avoid sitting or standing in close proximity to the pupil, except as necessary to check work;

21.6 avoid using "engaged" or equivalent signs on doors or windows;

21.7 avoid idle discussion;

21.8 avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;

21.9 Under no circumstances engage in any conduct that could be taken as a sexual in any way;

21.10 report any incident that causes you concern to the DSL under the School's child protection and safeguarding policy and procedures, and make a written record (signed and dated); and

21.11 report any situation where a pupil becomes distressed or angry to the DSL.

22 **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 DSL. If you are holding such a meeting, you should inform colleagues before the meeting.

23 **Home visits:** In some circumstances home visits are necessary. You should:

23.1 discuss the purpose of any visit with the DSL and adhere to any agreed work plan / contract;

23.2 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;

23.3 not visit unannounced if this can be avoided, unless taking part in an unannounced welfare check;

23.4 leave the door open where you will be alone with pupils;

23.5 keep records detailing times of arrival and departure, and work undertaken;

23.6 ensure that any behaviour or situation that gives rise to a concern is reported and actioned;

23.7 discuss with the DSL anything that gives cause for concern in accordance with the School's child protection and safeguarding policy and procedures; and

23.8 have a mobile telephone and an emergency contact.

24 **The use of personal living space:** Pupils should not be in or invited into the personal living space of any member of Staff, unless agreed with the parents, guardians or carers and the DSL. It is accepted that children of Staff (whether in School accommodation or not) may at times invite their friends to their homes. In these instances, Staff are reminded to comply with this Code of Conduct.

25 **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.

Language and appearance

26 **Language:** You should use appropriate language at all times. You should:

26.1 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);

26.2 avoid any form of aggressive or threatening words;

26.3 avoid any words or actions that are over-familiar;

26.4 not swear, blaspheme or use any sort of offensive language in front of pupils;

26.5 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 Policy

26.6 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.

27 **Dress:** You should dress appropriately and in a professional manner. Dress must not be offensive, distracting, revealing, or sexually provocative, embarrassing or discriminatory. Political or other contentious slogans or badges are not allowed.

The use of force or physical restraint

28 **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.

29 **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:

29.1 committing a criminal offence;

29.2 injuring themselves or others;

29.3 causing damage to property, including their own; or

29.4 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.

30 **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.

31 **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. In the EYFS setting, the parents, guardians or carers will be informed about any use of force on the same day or as soon as reasonably practicable. The Head will advise as to when parents should be contacted.

32 **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.

33 **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:

33.1 any use of force should be proportionate to the behaviour of the pupil involved and the seriousness of the harm prevented;

33.2 you should recognise the additional vulnerability of children with SEN, disabilities and certain medical conditions before using reasonable force;

33.3 physical force could not be justified to prevent a pupil from committing a trivial misdemeanour;

33.4 any force should always be the minimum needed to achieve the desired result; and

33.5 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.

33.6 Any use of force or physical intervention must be recorded appropriately

Physical contact in other circumstances

34 **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. Staff should use professional judgement.

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

35.1 explain the intended action to the pupil;

35.2 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;

35.3 ensure the physical contact continues for as short a time as possible;

35.4 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

35.5 consider alternatives if it appears likely that the pupil might misinterpret the contact.

36 **Report concerns:** If you are at all concerned about any instance of physical contact, inform the Head without delay, and make a written record on the pupil's file if necessary.

37 **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. When comfort has been offered, record the action and seek guidance if unsure whether it would be appropriate in a particular case.

38 **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:

38.1 adhere to the School's policies on first aid and administering medication;

38.2 comply with the necessary reporting requirements;

38.3 make other adults aware of the task that is being undertaken;

38.4 explain what is happening;

38.5 report and record the administration of first aid;

38.6 have regard to any health plans; and

38.7 ensure that an appropriate health / risk assessment is undertaken prior to undertaking certain activities.

39 **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:

39.1 avoid physical contact or visually intrusive behaviour when children are undressed;

39.2 announce yourself when entering changing rooms and avoid remaining unless required;

39.3 not shower or change in the same place as children; and

39.4 not assist with any personal care task which a pupil can undertake themselves.

40 **Intimate care:** Sometimes intimate care is required, for example when assisting with toileting or removing wet clothes. You should:

40.1 comply with the School's intimate care guidelines;

40.2 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;

40.3 explain to the child what is happening;

40.4 comply with applicable professional codes of practice, as appropriate; and

40.5 comply with regularly reviewed, formally agreed plans, as appropriate.

41 **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 DSL and where appropriate parents, guardians or carers.

42 **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 DSL will establish whether any reasonable adjustments are required for such pupils.

Code of conduct for contact outside school

43 **Contact outside school:** You should avoid unnecessary contact with pupils outside school. You should:

43.1 not give pupils your home address, home telephone number, mobile telephone number or email address;

43.2 not send personal communications (such as birthday cards or faith cards, text messages etc) to children unless agreed with the Head;

43.3 not make arrangements to meet pupils, individually or in groups, outside school other than on school trips authorised by the Head;

43.4 avoid contacting pupils at home unless this is strictly necessary, and you should keep a record of any such occasion;

43.5 not give a pupil a lift in your own vehicle other than on School business and with permission from the Head;

43.6 avoid inviting pupils (groups or individuals) to your home unless there is a good reason and it has been approved by Head. This prohibition also applies if you have on site accommodation;

43.7 report and record any situation which may place a child at risk or which may compromise the School's or your professional standing;

43.8 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

43.9 never engage in secretive social contact with pupils or their parents, guardians or carers.

44 **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.

45 **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.

46 **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.

47 **Transporting pupils:** There may be some situations when Staff are required to transport pupils. You should:

47.1 ensure that you are fit to drive and free from any substances that may impair your judgement or ability to drive;

47.2 be aware that until the pupil is passed over to a parent / carer, you have responsibility for that pupil's health and safety;

47.3 record the details of the journey;

47.4 record and be able to justify impromptu or emergency lifts and notify the Head;

47.5 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

47.6 wherever practicable, you should avoid using private vehicles and should try and have one adult additional to the driver to act as an escort.

48 **After school activities:** When taking part in after school activities, you should:

49.1 undertake a risk assessment (where applicable) and;

49.2 obtain parental consent.

49 **Educational visits:** When taking part in educational visits, you should:

49.1 follow the School's Educational Visits procedures;

49.2 be accompanied by another adult unless otherwise agreed with the Deputy Head;

49.3 undertake a risk assessment; and

49.4 obtain parental consent (if required by the Educational Visits Procedures).

Communication with pupils (including the use of technology)

50 **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.

51 **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.

52 **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 DSL 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.

53 **Acceptable use:** Adults must establish safe and responsible online behaviours and must comply with the Staff IT Acceptable Use Policy, Staff 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 Staff IT Acceptable Use Policy. Local and national guidelines on acceptable user policies should be followed. Staff should also:

53.1 ensure that your own personal social networking sites are set as private and ensure that pupils are not approved contacts;

53.2 ensure that you do not use any website or application, whether on a School or personal device, which publicly identifies your location while on School premises or otherwise in the course of your employment;

53.3 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;

53.4 never 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;

53.5 only make contact with pupils for professional reasons; and

53.6 recognise that text messaging should only be used as part of an agreed protocol and only when other forms of communication are not possible.

54 **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 the Head and parents, guardians or carers.

55 **Personal mobile telephones and electronic devices**: It is understood that staff may need to check text messages and / or personal emails in the case of an emergency or during break times. 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. Members of SMT may need to check their work mobile phone whilst on duty in case of emergency, but should minimise the occasions on which this occur. Personal mobile phones and other personal electronic devices, including smartwatches, must not be used in EYFS settings. No personal electronic devices that are capable of taking images can be used in EYFS settings.

56 **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

57 **Permission required:** You must not take images of pupils using personal mobile telephones, cameras, smartwatches or other personal electronic devices.

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

which pupils this applies.

60. **Further guidance:**

The following should be considered:

60.1 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;

60.2 the Head and/or the DSL can request to see photographs taken

60.3 images should not be made during one-to-one situations;

60.4 ensure that the pupil is appropriately dressed;

60.5 only use equipment provided or authorised by the School;

60.6 the School may obtain and use photographs or images (including video recordings) of the pupil for: use in the School's promotional material such as the prospectus, the website or social media, press and media purposes or educational purposes as part of the curriculum or extra-curricular activities. The School may seek specific consent from the parents before using a photograph or video recording of the Pupil where the School considers that the use is more privacy intrusive;

60.7 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 name unless specific consent has been obtained.

60.8 all images of children should be stored securely and only accessed by those authorised to do so; and

60.9 images must not be taken secretively.

61 **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.

62 **Appropriate material:** The School recognises that many children have unlimited and unrestricted 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 mobile data, 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 DSL 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.

Gifts and rewards

63 **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 this Employment Manual.

64 **If a gift is received:** If you receive a gift from a pupil or parent you should:

64.1 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 £100. The Head may in their absolute discretion require you to decline the gift; and

64.2 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.

65 **Giving gifts and rewards:** Where you are thinking of giving a gift or reward:

65.1 it should only be provided as part of an agreed reward system;

65.2 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;

65.3 selection processes should be fair and where possible should be agreed by more than one member of Staff; and

65.4 gifts should be given openly and not based on favouritism.

65.5 Rewards/gifts should align with other school policies, such as sustainability, healthy eating and any other appropriate guidance

66 **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

67 **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**).

68 **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).

69 **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.

70 **"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.

71 **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.

72 **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.

73 **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.

74 **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

75 **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.

76 **Exit interviews**: All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with the School's polices (including the whistleblowing policy, the child protection and safeguarding policy and procedures and this Code). Safeguarding children is at the centre of the School's culture.

77 **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 a 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.

78 **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.

79 **Teaching Regulation Agency (TRA) (previously known as the National College for Teaching and Leadership):** 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.

Appendix 1

Policy Owner	Head of PP & EYFS
Approving Body	Board of Governors
Date Approved	February 2025
Effective Date	February 2025
Review date	November 2027

EYFS CODE OF CONDUCT FOR ALL STAFF, PARENTS, CARERS AND VOLUNTEERS

Underpinning principles

- The welfare of the child is paramount.
- All staff are responsible to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people.
- Staff who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work and be seen to work, in an open and transparent way.
- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
- Staff should continually monitor and review their practice and ensure they follow the guidance contained in this document.

Code of conduct examples

- All staff must recognise and respect the value and intrinsic worth of each child and family, regardless of economic or social background.
- All children and families deserve respect and understanding.
- Early years practitioners are responsible for nurturing and educating young children as well as providing information and support to parents.
- Early years practitioners should seek to improve their understanding of the development of young children through ongoing education and collaboration with colleagues.
- Early years practitioners have a responsibility to understand and adhere to current legislation and guidance that supports their role.
- All staff have a responsibility to contribute to the School's responsibility to protect children and encourage a safe environment.

"Children usually feel more confident and positive about themselves and their learning when Parents / Carers and Practitioners work together in an atmosphere of mutual respect"

EYFS – Effective Practice: Parents as Partners

At St Aubyn's we recognise that to make children feel valued and to enhance the learning and development of those who attend our setting, a positive and effective partnership with Parents / Carers is essential and so this is encouraged at all times.

"Successful relationships become partnerships when there is two way communication and parents and practitioners really listen to each other and value each other's views and support in achieving the best outcomes for each child"

We strive to provide a safe, welcoming and happy environment for all the children and families that access our service. We firmly believe that by working in partnership it will have long lasting and very beneficial effects on the children's learning and emotional wellbeing.

This policy is to be used as a guide for all staff who access our setting. We have a legal responsibility to provide a comfortable, safe and happy environment for all the children and staff, in which the rights of the child are considered at all times.

St Aubyn's place great value on:

- The physical and emotional well-being of children, meeting the individual needs of all children lies at the heart of the EYFS. We will, in close partnership with Parents / Carers, strive to deliver personalised learning, development and care to help all our children have the best possible start in life.
- Providing an open and welcoming environment where everyone's contribution is not only valued and respected but positively encouraged.
- Promoting positive attitudes to diversity and difference within all children, helping them to learn and to value different aspects of their own and other people's lives.
- Encouraging Parents and Carers to support and participate in the day to day activities which we provide for the children.
- Providing a safe and secure environment, in which children will thrive, staff will feel supported and valued and families will feel that their views and opinions are important.

To ensure the smooth running of the setting, due regard is given to the following:

- **Health and Safety.** Our policies and procedures are accessible on our website. New staff read the policies as part of their induction prior to starting employment.
- **Medicines.** EYFS staff are not permitted to bring any medicines (including over the counter remedies) into the EYFS setting.
- **Mobile Telephones**. EYFS staff must lock mobile telephones in a secure area and are not permitted to use a mobile telephone whilst in the EYFS setting or elsewhere with EYFS pupils.
- **Communication.** This is key to avoiding misunderstandings and potentially volatile situations. We encourage a culture of polite consideration towards others using acceptable verbal and nonverbal language. At no time will aggressive or offensive language be accepted from anyone whatever the circumstances may be.
- **Connections.** Building positive connections with the children is an essential part of our classroom community. Staff will spend time fostering positive relationships and connections with the children so that their emotional and learning needs can be catered for effectively.
- **Behaviour Policy.** Children's behaviour is dealt with in line with our policy at all times.
- **Respect.** We are an inclusive setting and we celebrate diversity. Everyone is valued and respected and we aim to promote positive attitudes to diversity and difference within all people.

- **Confidentiality.** This is paramount and everyone is expected to comply with our confidentiality policy. Please respect the confidential nature of information gained or behaviour observed in relation to other children and adults.

St Aubyn's will endeavour to:

- Abide by the standards of conduct as set out in this policy.
- Make this policy available to everyone.
- Ensure all staff have copies of this.
- Review this policy at least annually or more if required with the involvement and inclusion of staff.

The staff will endeavour to:

- Abide by the standards set out in this policy.
- Respect individual needs and value the cultural practices and beliefs of the children and families that use our service.
- Work with colleagues, management and families to provide an environment that encourages positive communication and feedback.
- Act as positive role models at all times.

Parents will endeavour to:

- Abide by the standards set out in this policy.
- Respect the policies and procedures of the School.
- Treat the Senior Management Team, Teachers, administration, maintenance and all other staff with respect.
- Act as positive role models for their children.
- Value the ethos of the School.
- Establish a positive partnership with the School.

Breach of this code of conduct:

Any breach of the code of conduct will be treated promptly and taken very seriously. The management will endeavour to determine the appropriate course of action which are outlined in the Staff Handbook.

Appendix 2 Dealing with Allegations Made and/or Concerns Raised Against Members of Staff, Supply Staff, Volunteers and Contractors

1 The School's procedures

1.1 The School promotes an open and transparent culture in which all concerns about all members of staff working in or behalf of the School, in a paid or unpaid capacity, including supply staff, volunteers and contractors are dealt with promptly and appropriately, whether they are low level concerns or constitute an allegation that the person poses a risk of harm.

1.2 By doing this, it aims to identify any concerning, problematic or inappropriate behaviour early, in order to minimise the risk of abuse, support everyone affected and to inform members of staff, supply staff, volunteers and contractors of any behaviour which is or could be deemed inappropriate or to cross acceptable professional boundaries and help them to reflect, manage and learn from this.

1.3 The School has procedures for dealing with two levels of allegations made and/or concerns raised about staff, supply staff, volunteers and contractors.

These cover:

1.3.1 allegations / concerns that do not meet the harms threshold, otherwise known as 'low level concerns'; and

1.3.2 allegations that may meet the harms threshold;

2 Low level concerns

2.1.1 The School encourages everyone affected by its operation to report any concern, even if no more than one which causes a sense of unease or a "nagging doubt", they may have that a member of staff, supply staff, volunteer or contractor working in or on behalf of the School may have acted in a way that is inconsistent with expected professional standards and / or the staff code of conduct to the Head, so that the appropriate action can be taken.

2.1.2 All members of staff, supply staff, volunteers and contractors are themselves encouraged to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and / or on reflection they believe they have behaved in such a way that they consider may fall below the expected standards.

2.1.3 The Head will approach all Low Level Concerns in line with the Low Level Concerns Policy.

2.1.4 The School considers that all concerns about members of staff, supply staff, volunteers and contractors should be shared responsibly with the right person, that they should be recorded and that they should be dealt with appropriately. In most cases that will involve some form of investigation and a discussion with the person raising the concern and the person about whom the concerns have been raised. The information collected will help to categorise the type of behaviour and determine what further action may need to be taken. This should be recorded along with the context, the rationale for the decisions made and action taken. This information should be kept confidential and stored securely. The name of individuals sharing concerns should also be noted, but a wish to remain anonymous should be respected as far as reasonably possible.

2.1.5 The Head will consider whether reports about supply staff and contractors should be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

2.1.6 Low level concerns should not be included in staff, supply staff, volunteer and contractor references unless they relate to issues which would normally be included e.g. misconduct or poor performance. Those that relate exclusively to safeguarding should not be referred unless they meet the threshold for referral to the Designated Officer(s) and are found to be substantiated.

3 Allegations that may meet the harms threshold

3.1.1 Allegations that may meet the harms threshold are those that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in the school, for example where the member of staff, supply staff, volunteer or contractor has:

3.1.2 behaved in a way that has harmed a child, or may have harmed a child; and/or

3.1.3 possibly committed a criminal offence against or related to a child; and/or

3.1.4 behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children; and/or

3.1.5 behaved or may have behaved in a way that indicates they may not be suitable to work with children. This includes behaviour that may have happened outside school and creates a transferable risk.

3.2 The School should consider whether any allegations not meeting these should be dealt with as low level concerns - see paragraph 10 below. Advice from the local authority Designated Officer(s) will be sought in borderline cases.

3.3 All such allegations must be dealt with as a priority without delay.

3.4 The local authority has designated a particular officer, or team of officers, to be involved in the management and oversight of allegations against people that work with children (Designated Officer(s)). The Designated Officer(s) will be informed immediately and in any event within one working day of all allegations that come to the School's attention and appear to meet the criteria in paragraph 1.3.1 above.

3.5 Allegations against a teacher who is no longer teaching and historical allegations will be referred to the police and may also be discussed with the Designated Officer.

4 Reporting an allegation

4.1 Where an allegation or complaint is made against any member of staff (other than the Head), including the DSL, the matter should be reported immediately to the Head. The allegation will be discussed immediately with the Designated Officer(s) before further action is taken. Where appropriate, the Head will consult with the DSL.

4.2 Where an allegation or complaint is made against the Head, the matter should be reported immediately to the Chair of Governors or the Nominated Safeguarding Governor, without first notifying the Head. The allegation will be discussed immediately with the Designated Officer(s) before further action is taken. The Chair of Governors will consult the Nominated Safeguarding Governor, and vice versa.

4.3 Where an allegation is made against any Governor, the matter should be reported immediately to the Chair of Governors or the Nominated Safeguarding Governor. If either the Chair of Governors or the Nominated Safeguarding Governor are the subject of an allegation, the matter should be reported to the other. The allegation will be discussed immediately with

the Designated Officer(s) before further action is taken. Where appropriate, the Chair of Governors will consult the Nominated Safeguarding Governor, and vice versa.

4.4 If it is not possible to report to the Head or Chair of Governors or Nominated Safeguarding Governor in the circumstances set out above, a report should be made immediately to the DSL. The DSL will take action in accordance with these procedures and will as soon as possible inform the Head or, where appropriate, the Chair of Governors and the Nominated Safeguarding Governor.

4.5 The person taking action in accordance with the procedures in this Appendix is known as the "Case Manager".

5 Disclosure of information

5.1 The Case Manager will inform the accused person of the allegation as soon as possible after the Designated Officer(s) has been consulted.

5.2 The Parents or carers of the child / children involved will be informed of the allegation as soon as possible if they do not already know of it. They may also be kept informed of the progress of the case, only in relation to their child- no information can be shared regarding the staff member. The timing and extent of disclosures, and the terms on which they are made, will be dependent upon and subject to the laws on confidence and data protection and the advice of external agencies.

5.3 Where the Designated Officer(s) advises that a strategy discussion is needed, or the police or children's social care need to be involved, the case manager will not inform the accused or the parents or carers until these agencies have been consulted and it has been agreed what information can be disclosed.

5.4 The reporting restrictions preventing the identification of a teacher who is the subject of such an allegation in certain circumstances will be observed.

6 Further action to be taken by the School

6.1 A school has a duty of care towards its employees and as such, it must ensure that effective support is provided for anyone facing an allegation. The School will take action in accordance with Part four of KCSIE and the School's employment procedures.

6.2 Where the School is not an employer of an individual about whom safeguarding concerns are raised with the School, it will still have responsibility to ensure allegations are dealt with appropriately and will liaise with relevant parties. This includes supply staff, volunteers and contractors. Any action taken will be in accordance with Part 4 of KCSIE. As stated above, reports about supply staff and contractors which do not meet the referral threshold, should be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

6.3 Early Years Foundation Stage (EYFS)

6.3.1 The School will inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children on the premises of the EYFS provision (whether that allegation relates to harm or abuse committed on the premises or elsewhere), and will provide details of the action taken in respect of those allegations.

6.3.2 These notifications will be made as soon as reasonably practicable, but in any event within 14 days of the allegations being made.

7 Ceasing to use staff

7.1 If the School ceases to use the services of a member of staff or volunteer because they are unsuitable to work with children, a settlement agreement will not be used and a referral to the Disclosure and Barring Service (DBS) 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 Proprietor without delay. The School may also need to consider a

referral to the DBS if a member of staff is suspended, or deployed to another area of work that is not regulated activity.

7.2 If a member of staff or volunteer tenders his or her resignation, or ceases to provide his or her services, any child protection allegations will still be followed up by the School in accordance with this policy and a referral to the Disclosure and Barring Service will be made promptly if the criteria for referral are met.

7.3 Separate consideration will be given as to whether a referral to the Teaching Regulation Agency (TRA) should be made where a teacher has been dismissed, or would have been dismissed had he / 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.

7.4 When an allegation is made, an investigation should be carried out to gather enough evidence to establish if it has foundation, and employers should ensure they have sufficient information to meet the referral duty criteria explained in the DBS referral guidance.

8 Malicious allegations

8.1 Where an allegation by a pupil is shown to have been deliberately invented or malicious, the Head will consider whether to take disciplinary action in accordance with the School's behaviour and discipline policy.

8.2 Where a parent has made a deliberately invented or malicious allegation the Head will consider whether to require that parent to withdraw their child or children from the School on the basis that they have treated the School or a member of staff unreasonably.

8.3 Whether or not the person making the allegation is a pupil or a parent (or other member of the public), the School reserves the right to contact the police to determine whether any action might be appropriate.

9 Record keeping

9.1 Details of allegations found to be malicious will be removed from personnel records.

9.2 For all other allegations, full details will be recorded on the confidential personnel file of the person accused.

9.3 An allegation proven to be false, unsubstantiated or malicious will not be referred to in employer references. In accordance with KCSIE, a history of repeated concerns or allegations which have all been found to be false, unfounded, unsubstantiated or malicious will also not be included in any reference. Substantiated allegations should be included in references provided that the information is factual and does not include opinions.

9.4 The School will retain all safeguarding records and relevant personnel records for so long as reasonably required.