

# Shelton Junior School



## Staff Code of Conduct

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## Policy review dates and changes

Date	By whom	Summary of changes made
21/05/2021	JB	For clarity, section 2.1 changed "treat all pupils fairly and with respect" to "treat all pupils <b>and colleagues</b> fairly and with respect"

## Contents

Policy review dates and changes .....	2
1. Introduction .....	4
2. Expected Professional Standards.....	5
3. Confidentiality.....	5
4. Propriety, Behaviour and Appearance.....	6
Catering Staff .....	6
Site Staff.....	7
Lunchtime Staff.....	7
Physical Education .....	7
General Guidance for All Posts .....	7
5. Abuse of Trust.....	8
6. Gifts.....	9
7. Social Contact and Social Networking.....	9
8. Physical Contact and Personal Privacy.....	10
9. Behaviour Management and Physical Intervention .....	10
10. One to One Situations and Meetings with Pupils .....	11
11. Transporting Pupils .....	11
12. Educational Visits and School Clubs.....	12
13. Curriculum.....	12
14. Photography, Videos and other Creative Arts .....	12
15. Whistleblowing and Cyber-Bullying.....	12
16. Unacceptable Use of ICT Facilities and Monitoring.....	13
17. Reporting Concerns and Recording Incidents.....	14
18. Final Thoughts.....	14

# 1. Introduction

1.1 This Code of Conduct ('the Code') sets out the professional standards expected of all adults who come into contact with young people who attend Shelton Junior School. It is the duty upon staff, governors and volunteers to abide by it. All staff, governors and volunteers have a duty to keep pupils safe, promote their welfare and to protect them from sexual, physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrate integrity, maturity and good judgement. Following this Code will help to safeguard staff, governors and volunteers from being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to pupils and the required professional standards.

1.2 Staff, governors and volunteers must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection. Adults have a duty to report any child protection or welfare concerns to the designated member of staff in school (the Designated Safeguarding Lead). A member of staff who, in good faith, "whistleblows" or makes a public interest disclosure will have the protection of the relevant legislation.

1.3 This Code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for staff, governors or volunteers. However, it does highlight behaviour which is illegal, inappropriate or inadvisable in relation to the required professional standards. There will be occasions and circumstances in which staff, governors or volunteers have to make decisions or take action in the best interests of the pupil where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the pupils for which that individual is responsible.

1.4 Any member of staff who is found to have committed a breach of this Code will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Governors will take a strict approach to serious breaches of this Code. Governors and volunteers will also be subject to this approach.

1.5 Where an allegation of abuse is made against a member of staff, or where it is alleged that a member of staff, a governor or volunteer has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children;

the Governors will follow the school's procedures set out in:

- the Child Protection and Safeguarding Policy (Chapter 7);
- Derby and Derbyshire Safeguarding Children Procedures; Allegations against Staff, Carers and Volunteers;
- the guidance set out in Keeping Children Safe in Education (DfE 2020);

## **2. Expected Professional Standards**

2.1 All staff, governors and volunteers as appropriate to the role and/or job description of the individual, must:

- place the well-being and learning of pupils at the centre of their professional practice;
- have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances;
- treat all pupils and colleagues fairly and with respect. Take their knowledge, views, opinions and feelings seriously, and value diversity and individuality;
- model the characteristics they are trying to inspire in pupils, including spiritual development, enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people;
- respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education;
- seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of school;
- reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues;
- always apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity; and
- apply the above (where applicable) to professional relationships with colleagues.

2.2 Teachers are required to comply with the Teachers' Standards (DfE June 2013), in particular, Part 2 Personal and professional conduct.

2.3 All staff, governors and volunteers must be familiar with, and act in accordance with, Part 1 of Keeping Children Safe in Education (DfE 2020).

## **3. Confidentiality**

3.1 As data controllers, there is awareness and due regard to the obligations of the Data Protection Act 2018 and General Data Protection Regulations 2018 (GDPR) to ensure that personal information is processed fairly and lawfully and kept safe and secure and where appropriate is shared to support the safeguarding of children and individuals at risk. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

3.2 Members of staff and governors may have access to confidential information about pupils in order to undertake their responsibilities. In some circumstances the information may be sensitive and/or confidential. Confidential or personal information about a pupil or her/his family must never be disclosed to anyone other than on a need to know basis. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass the pupil.

3.3 There are some circumstances in which a member of staff may be expected to share information about a pupil. For example, when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated pupil protection responsibilities.

3.4 Confidential information about pupils must be held securely. Confidential information about pupils must not be held off the school site other than on security protected school equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.

3.5 If a member of staff is in any doubt about the storage or sharing of information s/he must seek guidance from a senior member of staff. Any media or legal enquiries must be passed to a member of the Senior Leadership Team.

## **4. Propriety, Behaviour and Appearance**

4.1 All adults working with children have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, pupils and the public in general. An individual's behaviour or actions, either in or out of the workplace, should not compromise her/his position within the work setting or bring the school into disrepute. The misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

4.2 Staff, governors and volunteers must ensure they are professionally dressed. For the purposes of this policy, adults are reminded that their clothing should be appropriate to their role and not likely to be viewed as offensive, revealing or sexually provocative and specifically should not distract, cause embarrassment or give rise to misunderstanding. Those who dress or appear in a manner which may be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.

### **Catering Staff**

4.3 All catering staff will be issued with protective uniform including aprons and gloves. Uniform issued to individuals must be freshly laundered for each shift. For hygiene reasons, colleagues must not travel to or from work in their uniform.

## Site Staff

4.4 All site cleaning staff will be issued with uniform. These must be worn for all shifts. It is essential that PPE specific to any job be worn.

## Lunchtime Staff

4.5 Tabards will be provided to all lunchtime supervisors and must be worn when on duty. Smart black leggings/trousers should also be worn.

## Physical Education

4.6 All teaching staff should wear an appropriate PE kit for all sporting activities. Sports shoes/trainers should also be worn.

## General Uniform Guidance for All Posts

4.7

- Denim is not considered professional attire for any post at Shelton Junior School.
- Appropriate footwear should be worn. Trainers, pumps or flip flops are not considered professional attire.
- It is not considered acceptable to expose items of underwear or to reveal bare midriffs.
- Whilst it is acceptable to ensure that clothing is suitable for the weather, it must remain formal and business like.
- Shorts are not appropriate professional wear.
- Hairstyles should remain professional.
- Tattoos / piercings should not detract from the professional image of the school.
- Jewellery must not impede work, nor pose a risk to self or others. Catering and Site staff are not permitted to wear jewellery for health and safety / hygiene reasons.
- Make up should be subtle and convey a professional image.
- Uniform remains the property of Shelton Junior School and must be returned at the end of employment.
- Shelton Junior School cannot be held responsible for injury sustained as a result of not adhering to this policy.
- Inset Days – Casual attire may be worn by staff.
- When attending school during school holidays, casual attire may be worn, appropriate to tasks being undertaken, but any health and safety requirements must also be taken into consideration.

4.8 Personal property which could be considered offensive must not be brought onto or stored on the school premises or on any school equipment.

## 5. Abuse of Trust

5.1 A relationship between an adult and a child or young person is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults should maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report any incident with this potential.

5.2 Any sexual behaviour or activity by a member of staff, governor or volunteer with or towards a child or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. These include:

- Having a sexual relationship with a child under 18 if in a position of trust (defined in Section 21 Sexual Offences Act 2003) in respect of that child (even if consensual) – see Sections 16-19 Sexual Offences Act 2003), it is an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity.
- ‘Grooming’ i.e. meeting a child under the age of 16 with intent to commit a relevant offence (see Section 15 Sexual Offences Act 2003)
- Other ‘grooming’ behaviour giving rise to concerns of a broader child protection nature e.g. inappropriate text/email messages or images, gifts, socialising
- Possession of indecent photographs/pseudo-photographs of children
- Inappropriate behaviour towards children and/or conduct (i.e. social media, domestic abuse)

5.3 Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children 2018', defines sexual abuse as 'forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children'.

5.4 Staff, governors and volunteers must not have inappropriate relationships with pupils, have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, texts, electronic mail, phone calls, social networking contact or physical contact. Staff, governors and volunteers should take care that their language or conduct does not give rise to comment or speculations. Attitudes, demeanour and language all require care and thought.



5.5 There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person, and manipulate that relationship so that sexual abuse can take place. Staff, governors and volunteers should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

## **6. Gifts**

6.1 It is against the law for public servants to take bribes. Staff, governors and volunteers need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

6.2 Personal gifts must not be given to pupils. Any reward given to a pupil should be consistent with the school's behaviour or rewards policy and be distributed publicly, for example, in Rewards' Assemblies.

## **7. Social Contact and Social Networking**

7.1 Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as Learning Platforms (for example: Teams, ClassDojo), mobile phones, text messaging, emails, digital cameras, videos, web-cams, websites and blogs. Staff and volunteers should not share any personal information with pupils. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. If a pupil seeks to establish social contact, or if this occurs coincidentally, the adult should exercise his or her professional judgment in making a response and should ensure that all communications are transparent and open to scrutiny.

7.2 Staff and volunteers must not give their personal contact details such as home/mobile phone number; home or personal e-mail address or social networking details to pupils.

7.3 It is recommended that staff ensure that all possible privacy settings are activated to prevent pupils from making contact on personal profiles and to prevent students from accessing photo albums or other personal information which may appear on social networking sites.

7.4 Staff must not have any pupils or any ex-pupils under the age of 18 as friends on their social networking sites. Staff are advised not to have any online friendships with any young people under the age of 18, unless they are family members or close family friends. Staff are advised not to have online friendships with parents or carers of pupils, or members of the Board of Governors. Where such online friendships exist, staff must ensure that appropriate professional boundaries are maintained.

7.5 Staff are personally responsible for what they communicate in social media and must bear in mind that what is published might be readily available to others, (such as pupils, the general public, future employers and friends and family) for a long time. Staff must ensure that their online profiles are consistent with the professional image discussed at 4.1 and should not post material which damages the reputation of the school or which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct which may be dealt with under the school's disciplinary procedure. Even where it is made clear that the writer's views on such topics do not represent those of Shelton Junior School, such comments are inappropriate.

## **8. Physical Contact and Personal Privacy**

8.1 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. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, culture and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.

8.2 Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If a member of staff or volunteer believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible to the Headteacher.

8.3 There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

## **9. Behaviour Management and Physical Intervention**

9.1 All pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Staff and volunteers must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils or adults is not acceptable in any situation. Deliberately intimidating pupils or adults by shouting aggressively, hectoring or overbearing physical presence is not acceptable in any situation. Any sanctions or rewards used should be part of the Behaviour Management policy. Any member of staff who feels intimidated by a colleague should report the incident to the Headteacher. Or, if the offending person is the Headteacher, to the Chair of Governors.

9.2 Physical intervention can only be justified in exceptional circumstances. Non-statutory guidance is available from the Department of Education website. See 'Behaviour and discipline in schools Advice for headteachers and school staff' (DfE 2016) and 'Use of reasonable force Advice for headteachers, staff and governing bodies' (DfE 2013). Staff may legitimately intervene to prevent a

pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others. Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence.

9.3 All schools must have trained first aiders/appointed persons. Staff must have had the appropriate training before administering first aid or medication except in an emergency.

## **10. One to One Situations and Meetings with Pupils**

10.1 Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met. Where such a meeting is necessary, it is advisable to avoid remote or secluded areas of the school and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any arrangements should be reviewed on a regular basis.

10.2 Pre-arranged meetings with pupils away from the school premises or on the school site when the school is not in session are not permitted unless written approval is obtained from their parent/ carer and the Headteacher or other senior colleague with delegated authority.

10.3 No child or young person should be in or invited into, the home of an adult who works with them, unless the reason for this has been established and agreed with parents/carers and a senior manager/Headteacher.

## **11. Transporting Pupils**

11.1 In certain situations e.g. out of school activities, staff, governors or volunteers may agree to transport pupils. Transport arrangements should be made in advance by a designated member of staff. Wherever possible and practicable transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.

11.2 Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded

11.3 It is inappropriate for staff to offer lifts to a pupil outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with parents/carers.

11.4 There may be occasions where a pupil requires transport in an emergency situation or where not to give a lift may place a pupil at risk. Such circumstances must always be recorded and reported to a member of the Leadership Team and parents/carers.

11.5 Parent volunteer drivers must complete the paperwork provided by Shelton Junior School prior to transporting young people.

## **12. Educational Visits and School Clubs**

12.1 Staff, and volunteers should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply.

## **13. Curriculum**

13.1 Many areas of the curriculum can include or raise subject matter which is explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan.

13.2 Please refer to the School's policy on sex and relationships education.

## **14. Photography, Videos and other Creative Arts**

14.1 Please refer to the school's guidance on the use of images and the consent forms therein.

14.2 Many school activities involve the taking or recording of images. This may be undertaken as part of the curriculum, extra curriculum activities, for publicity, or to celebrate achievement. This is positively encouraged. The Data Protection Act 1998 and GDPR affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child before any images are made (such as those used for school web sites, notice boards, productions or other purposes). Staff will be made aware (by the admin department) of any pupils whose images cannot be used for these purposes.

14.3 Adults should only use equipment provided or authorised by the school to make/take images and should not use personal mobile telephones or any other similar personal devices to make/take images.

14.4 The following guidance must be followed:

- if a photograph is used, avoid naming the pupil
- if the pupil is named, avoid using the photograph
- photographs/images must be securely stored and used only by those authorised to do so
- be clear about the purpose of the activity and about what will happen to the photographs/images when the lesson/activity is concluded
- ensure that all photographs/images are available for scrutiny in order to screen for acceptability
- be able to justify the photographs/images made

## **15. Whistleblowing and Cyber-Bullying**

15.1 Staff who have concerns about any alleged abuse or inappropriate use of digital resources, virtual learning environments, camera/recording equipment, telephony, social networking sites, email or internet facilities or inappropriate communications, whether by pupils, parents, carers or staff, or others should alert the Headteacher. Where a concern relates to the Headteacher this should be reported to the Chair of Governors. If a matter concerns child protection it should also be reported to the Designated Safeguarding Lead.

15.2 Cyber-bullying can be experienced by staff as well as pupils. Staff should notify the Headteacher if they are subject to cyber-bullying. The School will endeavour to protect staff and stop any inappropriate conduct.

## **16. Unacceptable Use of Digital Facilities and Monitoring**

16.1 Posting, creating, accessing, transmitting, downloading, uploading or storing any of the following material (unless it is part of an authorised investigation) is likely to amount to gross misconduct and result in summary dismissal (this list is not exhaustive):

- pornographic or sexually suggestive material or images of children or adults which may be construed as such in the circumstances (that is, writing, texting, pictures, films and video clips of a sexually explicit or arousing nature);
- any other type of offensive, obscene or discriminatory material or criminal material or material which is liable to cause distress or embarrassment to the School or others.

16.2 The contents of the school's computing and digital resources and communications systems are the school's property. Therefore, staff should have no expectation of privacy in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on the school's electronic information and communications systems.

16.3 The school reserves the right to monitor, intercept and review, without further notice, staff usage of digital resources and communications systems, including but not limited to telephone, e-mail, messaging, voicemail, CCTV, internet and social media postings and activities, to ensure that the rules are being complied with and for the following purposes:

- to monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this Code:
  - to assist in the investigation of alleged wrongful acts; or
  - to comply with any legal obligation

16.4 Staff consent to monitoring by acknowledgement of this Code and the use of the school's resources and systems. We may store copies of data or communications for a period of time after they are created, and may delete such copies from time to time without notice. If necessary information may be handed to the police in connection with a criminal investigation.

## **17. Reporting Concerns and Recording Incidents**

17.1 All staff, governors and volunteers must report concerns and incidents in accordance with the school whistleblowing policy and/or the managing allegations of abuse policy. The following is a non-exhaustive list of behaviours which would be a cause for concern:

An adult who:

- Allows a pupil/young person to be treated badly; pretends not to know it is happening
- Gossips/shares information inappropriately
- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way which is inappropriate for the job role
- Does not treat pupils fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses his/her position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a pupil or pupils
- Seems to seek out unnecessary opportunities to be alone with a pupil

## **18. Final Thoughts**

18.1 This Code has been written to reflect the right of each individual member to work in a professional environment. It applies in large parts to relationships at all levels, not just teacher to pupil. It is the expectation that we work in a harmonious and caring environment which allows every person to fulfil their talents.