

# EASTHAMPSTEAD PARK COMMUNITY SCHOOL

## Staff Code of Conduct



Based on “Guidance for safer working practice for those working with pupils and young people in education settings,” published by The Safer Recruitment Consortium, May 2019.

### 1. Introduction

Adults have a crucial role to play in the lives of pupils. This policy has been produced to help all adults at EPCS establish the safest possible learning and working environments which safeguard pupils and reduce the risk of them being falsely accused of improper or unprofessional conduct.

### 2. Underpinning Principles

- The welfare of the pupil is paramount
- Staff should understand their responsibilities to safeguard and promote the welfare of pupils
- Staff 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
- Staff should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded
- Staff should discuss and/or take advice promptly from their line manager if they have acted in a way which may give rise to concern
- Staff should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation
- Staff should not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect their ability to care for pupils
- Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure and Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the Teaching Regulation Agency (TRA)
- Staff and managers should continually monitor and review practice to ensure this guidance is followed
- Staff should be aware of and understand the school’s pupil protection policy, arrangements for managing allegations against staff, staff behaviour policy and whistle blowing procedure.

### 3. Responsibilities

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

All staff have a responsibility to keep pupils safe and to protect them from abuse (sexual, physical and emotional), neglect and contextual safeguarding concerns. Pupils have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure their safety and well-being. Failure to do so may be regarded as professional misconduct.

The safeguarding culture of a school is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by the adult that demonstrates integrity, maturity and good judgement.

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

Employers have duties towards their employees and others under Health and Safety legislation which requires them to take steps to provide a safe working environment for staff. Legislation also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings.

**This means that staff should:**

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

#### **4. Making professional judgements**

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

Adults should always consider whether their actions are warranted, proportionate, safe and applied equitably.

**This means that all staff should:**

- discuss the circumstances that informed their action, or their proposed action, with their line manager or, where appropriate, the school's designated safeguarding lead. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted.
- always discuss any misunderstanding, accidents or threats with the Head Teacher or Designated Safeguarding Lead
- always record discussions and actions taken with their justifications

#### **5. Power and positions of trust and authority**

As a result of their knowledge, position and/or the authority invested in their role, all those working with pupils in school are in a position of trust in relation to all pupils on the roll. The relationship between a person working with a pupil/ren is one in which the adult has a position of power or influence. It is vital for adults to understand this power; that the relationship cannot be one between equals and the responsibility they must exercise as a consequence. The potential for exploitation and harm of vulnerable pupils means that adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incident.

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

**This means that staff should NOT**

- use their position to gain access to information for their own advantage and/or a pupil's or family's detriment.
- use their power to intimidate, threaten, coerce or undermine pupils.
- use their status and standing to form or promote relationships with pupils which are of a sexual nature, or which may become so.

## 6. Confidentiality

The storing and processing of personal information is governed by the General Data Protection Regulations 2017 (GDPR) and Data Protection Act 2018. Employers should provide clear advice to staff about their responsibilities under this legislation so that, when considering sharing confidential information, those principles should apply.

Staff may have access to special category personal data about pupils and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the pupil. Records should only be shared with those who have a legitimate professional need to see them.

Staff should never use confidential or personal information about a pupil or her/his family for their own, or others advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the pupil. Confidential information should never be used casually in conversation or shared with any person 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.

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 responsibility to pass information on without delay, but only to those with designated safeguarding responsibilities or to statutory services.

If a pupil – or their parent / carer – makes a disclosure regarding abuse or neglect, the member of staff should follow the setting's procedures. The adult should not promise confidentiality to a pupil or parent, but should give reassurance that the information will be treated sensitively.

If a member of staff is in any doubt about whether to share information or keep it confidential, he or she should seek guidance from the Designated Safeguarding Lead. Any media or legal enquiries should be passed to senior management.

**This means that staff:**

- need to know the name of their Designated Safeguarding Lead and be familiar with MAP pupil protection procedures and guidance:
- are expected to treat information they receive about pupils and families in a discreet and confidential manner
- should seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them
- need to be clear about when information can/ must be shared and in what circumstances
- need to know the procedures for responding to allegations against staff and to whom any concerns or allegations should be reported

- need to ensure that where personal information is recorded electronically that systems and devices are kept secure

## 7. Standards of Behaviour

All staff 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 confidence and respect of the general public and those with whom they work.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own pupils, or pupils or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of pupils, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may also result in prohibition from teaching by the Teaching Regulation Agency (TRA) a bar from engaging in regulated activity, or action by another relevant regulatory body.

The pupilcare (Disqualification) Regulations 2018 set out grounds for disqualification under the pupilcare Act 2006 where the person meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a pupil; been subject to a specified order relating to the care of a pupil; committed certain serious sexual or physical offences against an adult; been included on the DBS pupils's barred list; been made subject to a disqualification order by the court; previously been refused registration as a pupilcare provider or provider or manager of a pupils's home or had such registration cancelled. A disqualified person is prohibited from providing relevant early or later years pupilcare as defined in the pupilcare Act 2006 or being directly concerned in the management of such pupilcare. Schools and private pupilcare settings are also prohibited from employing a disqualified person in respect of relevant early or later years pupilcare.

The Disqualification under the pupilcare Act 2006 (Regulations 2018) state that schools should make clear their expectation that staff should disclose any relationship or association (in the real world or online) that may impact on the school's ability to safeguard pupils.

### **This means that staff should NOT:**

- behave in a manner which would lead any reasonable person to question their suitability to work with pupils or to act as an appropriate role model.
- make, or encourage others to make sexual remarks to, or about, a pupil
- use inappropriate language to or in the presence of pupils
- discuss their personal or sexual relationships with or in the presence of pupils
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean, discriminate or humiliate, or might be interpreted as such

### **This means that staff should:**

- inform the head/principal or specified person of any cautions, convictions, or relevant orders accrued during their employment, and / or if they are charged with a criminal offence
- be aware that behaviour by themselves, those with whom they have a relationship or association, or others in their personal lives, may impact on their work with pupils

## 8. Dress and appearance

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, staff should select a manner of dress and

appearance appropriate to their professional role and which may be necessarily different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be viewed as offensive or inappropriate will render themselves vulnerable to criticism or allegation.

**This means staff should wear clothing which:**

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

## **9. Gifts, rewards, favouritism and exclusion**

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 usually acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. Staff need to take care that they do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

Similarly, it is inadvisable to give such personal gifts to pupils or their families. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return.

Any reward given to a pupil should be in accordance with agreed practice, consistent with the school or setting's behaviour policy, recorded on ClassCharts and not based on favouritism.

Adults should exercise care when selecting pupils for specific activities, jobs or privileges in order to avoid perceptions of favouritism or injustice. Similar care should be exercised when pupils are excluded from an activity. Methods of selection and exclusion should always be subject to clear, fair, agreed criteria.

**This means that staff should:**

- be aware of and understand their organisation's relevant policies, e.g. rewarding positive behaviour
- ensure that gifts received or given in situations which may be misconstrued are declared and recorded
- only give gifts to a pupil as part of the school's agreed reward system
- where giving gifts other than as above, ensure that these are of insignificant value and given to all pupils equally
- ensure that all selection processes of pupils are fair and these are undertaken and agreed by more than one member of staff
- ensure that they do not behave in a manner which is either favourable or unfavourable to individual pupils

## **10. Infatuations and 'crushes'**

All staff need to recognise that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop a 'crush' or infatuation. They should make every effort to ensure that their own behaviour cannot be brought into question, does not appear to encourage this and be aware that such infatuations may carry a risk of their words or actions being misinterpreted.

Any member of staff who receives a report, overhears something, or otherwise notices any sign, however small or seemingly insignificant, that a young person has become or may be becoming infatuated with either themselves or a colleague, should immediately report this to the Head Teacher or most senior manager. In this way appropriate early intervention can be taken which can prevent escalation and avoid hurt, embarrassment or distress for those concerned.

The Head Teacher (or senior manager) should give careful thought to those circumstances where the staff member, pupil and their parents/carers should be spoken to and should ensure a plan to manage the situation is put in place. This plan should respond sensitively to the pupil and staff member and maintain the dignity of all. This plan should involve all parties, be robust and regularly monitored and reviewed.

**This means that staff should:**

- report any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff
- always maintain professional boundaries

## **11. Social contact outside of the workplace**

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

It is also important to recognise that social contact may provide other types of grooming such as for the purpose of sexual exploitation or radicalisation.

Staff should recognise that some types of social contact with pupils or their families could be perceived as harmful or exerting inappropriate influence on pupils, and may bring the setting into disrepute (e.g. attending a political protest, circulating propaganda).

If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement. This also applies to social contacts made through outside interests or the staff member's own family.

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

**This means that staff should:**

- always approve any planned social contact with pupils or parents with senior colleagues, for example when it is part of a reward scheme
- advise senior management of any regular social contact they have with a pupil which could give rise to concern
- refrain from sending personal communication to pupils or parents unless agreed with senior managers
- inform senior management of any relationship with a parent where this extends beyond the usual parent/professional relationship
- inform senior management of any requests or arrangements where parents wish to use their

services outside of the workplace e.g. babysitting, tutoring

## 12. Communication with pupils (including the use of technology)

In order to make best use of the many educational and social benefits of new and emerging technologies, pupils need opportunities to use and explore the digital world. Online risks are posed more by behaviours and values than the technology itself.

Staff should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and acceptable use policies which detail how new and emerging technologies may be used.

Communication with pupils both in the 'real' world and through web based and telecommunication interactions should take place within explicit professional boundaries. This includes the use of computers, tablets, phones, texts, e-mails, instant messages, social media such as Facebook and Twitter, chat-rooms, forums, blogs, websites, gaming sites, digital cameras, videos, web-cams and other hand-held devices. (Given the ever-changing world of technology it should be noted that this list gives examples only and is not exhaustive.)

Staff should not request or respond to any personal information from pupils other than which may be necessary in their professional role. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour.'

Staff should not give their personal contact details to pupils for example, e-mail address, home or mobile telephone numbers, details of web-based identities. If pupils locate these by any other means and attempt to contact or correspond with the staff member, the adult should not respond and must report the matter to their manager. The pupil should be firmly and politely informed that this is not acceptable.

Staff should, in any communication with pupils, also follow the guidance in section 7 'Standards of Behaviour'.

Staff should adhere to their establishment's policies, including those with regard to communication with parents and carers and the information they share when using the internet.

### **This means that staff should:**

- not seek to communicate/make contact or respond to contact with pupils outside of the purposes of their work
- not give out their personal details
- follow the school's Acceptable Use Policy
- ensure that their use of technologies could not bring the school into disrepute
- not discuss or share data relating to pupils/ parents / carers in staff social media groups

## 13. Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, however, it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs and any agreed care plan.

Not all pupils feel comfortable about certain types of physical contact; this should be recognised and, wherever possible, adults should seek the pupil's permission before initiating contact and be sensitive to any signs that they may be uncomfortable or embarrassed. Staff should acknowledge that some pupils are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Staff should listen, observe and take note of the pupil's reaction or feelings and, so far as is possible, use a level of contact and/or form of communication which is acceptable to the pupil.

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.

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

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive, the incident and circumstances should be immediately reported to the line / senior manager and recorded. Where appropriate, the line / senior manager should consult with the Local Authority Designated Officer (the LADO).

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

A general culture of 'safe touch' should be adopted, where appropriate, to the individual requirements of each pupil. Pupils with special educational needs or disabilities may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, consistently applied and open to scrutiny.

**This means that staff should:**

- be aware that even well-intentioned physical contact may be misconstrued by the pupil, an observer or any person to whom this action is described
- never touch a pupil in a way which may be considered indecent
- always be prepared to explain actions and accept that all physical contact be open to scrutiny
- never indulge in horseplay or fun fights
- always allow/encourage pupils, where able, to undertake self-care tasks independently
- ensure the way they offer comfort to a distressed pupil is age appropriate
- always tell a colleague when and how they offered comfort to a distressed pupil
- establish the preferences of pupils
- consider alternatives, where it is anticipated that a pupil might misinterpret or be uncomfortable with physical contact
- always explain to the pupil the reason why contact is necessary and what form that contact will take
- report and record situations which may give rise to concern
- be aware of cultural or religious views about touching and be sensitive to issues of gender

#### **14. Other activities that require physical contact**

In certain curriculum areas, such as PE, dance, drama or music, staff may need to initiate some physical contact with pupils, for example, to demonstrate technique in the use of a piece of equipment, adjust



posture, or support a pupil so they can perform an activity safely or prevent injury. Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the pupil. Contact should be relevant to their age / understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

Guidance and protocols around safe and appropriate physical contact may be provided, for example, by sports governing bodies and should be understood and applied consistently. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the senior manager and parent or carer.

It is good practice that all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers and pupils informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

**This means that staff should:**

- treat pupils with dignity and respect and avoid contact with intimate parts of the body
- always explain to a pupil the reason why contact is necessary and what form that contact will take
- seek consent of parents where a pupil is unable to give this; e.g. because of age or disability
- consider alternatives, where it is anticipated that a pupil might misinterpret any such contact
- be familiar with and follow recommended guidance and protocols
- conduct activities where they can be seen by others
- be aware of gender, cultural and religious issues that may need to be considered prior to initiating physical contact.

## 15. Behaviour management

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

Staff should not use any form of degrading or humiliating treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is completely unacceptable.

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

Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan, including assessment of risk, will be drawn up and made available to all staff.

**This means that staff should:**

- not use force as a form of punishment
- try to defuse situations before they escalate e.g. by distraction
- keep parents informed of any sanctions or behaviour management techniques used
- be mindful of and sensitive to factors both inside and outside of the school or setting which may impact on a pupil's behaviour
- follow the school's behaviour management policy
- behave as a role model
- avoid shouting at pupils other than as a warning in an emergency/safety situation
- refer to national and local policy and guidance regarding Restrictive Physical Intervention (RPI)
- be aware of the legislation and potential risks associated with the use of isolation and seclusion
- comply with legislation and guidance in relation to human rights and restriction of liberty

## 16. The use of control and physical intervention

The law and guidance for schools states that adults may reasonably 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.

Great care must be exercised in order that adults do not physically intervene in a manner which could be considered unlawful.

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence. Where the school judges that a pupil's behaviour presents a serious risk to themselves or others, a robust risk assessment will be carried out which is reviewed regularly, and, where relevant, a physical intervention plan.

In all cases where physical intervention has taken place, this and the subsequent actions, should be recorded on CPOMS. Parents must also be informed. Similarly, where it can be anticipated that physical intervention is likely to be required, a plan should be put in place which the pupil and parents/carers are aware of and have agreed to. Parental consent does not permit the school to use unlawful physical intervention or deprive a pupil of their liberty.

**This means that staff should:**

- always seek to defuse situations and avoid the use of physical intervention wherever possible
- where physical intervention is necessary, only use minimum force and for the shortest time needed

**This means that staff should not:**

- use physical intervention as a form of punishment

## 17. Sexual conduct

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

Pupils are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding. This includes the prohibition of sexual activity with pupils by adults in a position of trust.

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

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

**This means that staff should:**

- not have any form of sexual contact with a pupil from the school or setting
- avoid any form of touch or comment which is, or may be considered to be, indecent
- avoid any form of communication with a pupil which could be interpreted as sexually suggestive, provocative or give rise to speculation e.g. verbal comments, letters, notes, by email or on social media, phone calls, texts, physical contact
- not make sexual remarks to or about a pupil
- not discuss sexual matters with or in the presence of pupils other than within agreed curriculum content or as part of their recognised job role

## 18. One to one situations

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

To safeguard both pupils and adults, a risk assessment in relation to the specific nature and implications of one to one work should always be undertaken. Each assessment should take into account the individual needs of each pupil and should be reviewed regularly.

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

### **This means that staff should:**

- ensure that wherever possible there is visual access and/or an open door in one to one situations
- avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy
- always report any situation where a pupil becomes distressed or angry
- consider the needs and circumstances of the pupil involved

## 19. Home visits

All work with pupils and parents should usually be undertaken in the school or setting or other recognised workplace. There are however occasions, in response to an urgent, planned or specific situation or job role, where it is necessary to make one-off or regular home visits.

A risk assessment should be undertaken prior to any planned home visit taking place. The assessment should include an evaluation of any known factors regarding the pupil, parents/carers and any others living in the household. Consideration should be given to any circumstances which might render the staff member becoming more vulnerable to an allegation being made e.g. hostility, pupil protection concerns, complaints or grievances. Specific thought should be given to visits outside of 'office hours' or in remote or secluded locations. Following the assessment, appropriate risk management measures should be put in place, before the visit is undertaken. In the unlikely event that little or no information is available, visits should not be made alone.

### **This means that staff should:**

- agree the purpose for any home visit with their manager
- adhere to agreed risk management strategies
- avoid unannounced visits wherever possible
- ensure there is visual access and/or an open door in one to one situations
- always make detailed records including times of arrival and departure

## 20. Transporting pupils

In certain situations, staff or volunteers may be required or offer to transport pupils as part of their work. As for any other activity undertaken at work, the employer has a duty to carry out a risk assessment covering the health and safety of their staff and to manage any known risks.

Consideration must be given to the potential distraction of the driver and the supervision of the passengers. A judgement should be made about the likely behaviour and individual needs of the pupil/ren. If any of them may require close supervision, then another adult should travel in the vehicle so that the driver is not distracted or compromised.

Staff should not offer lifts to pupils unless the need for this has been agreed by a manager. A designated member of staff should be appointed to plan and provide oversight of all transport arrangements and respond to any concerns that may arise.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles and with at least one adult additional to the driver acting as an escort.

It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so.

### **This means that staff should:**

- plan and agree arrangements with all parties in advance
- respond sensitively and flexibly where any concerns arise
- take into account any specific or additional needs of the pupil
- have an appropriate licence/permit for the vehicle
- ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive
- ensure that if they need to be alone with a pupil this is for the minimum time
- be aware that the safety and welfare of the pupil is their responsibility until this is safely passed over to a parent/carer
- report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures
- ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven
- ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified
- refer to Local and National guidance for Educational visits

## 21. Educational visits

Staff responsible for organising educational visits should be familiar with the Department for Education's advice on Health and Safety available at <https://www.gov.uk/government/publications/healthand-safety-on-educational-visits>

The Management of Health and Safety at Work Regulations (1999) impose a duty on employers to produce suitable and sufficient risk assessments. This would include assessment of any risks to employees, pupils or others during an educational visit, and the measures that should be taken to minimise these risks. For regular activities, such as taking pupils to a local swimming pool, the risks should be considered under the school's general arrangements and a check to make sure that the precautions remain suitable is all that is required. For annual or infrequent activities, a review of an existing assessment may be all that is needed. For new higher-risk activities or trips, a specific assessment of the significant risks should be carried out.

Staff should take particular care when supervising pupils in the less formal atmosphere of an educational visit where a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Where out of school or setting activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Pupils, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings should pay careful attention to ensuring there is a safe staff/pupil ratio and suitable gender mix of staff.

**This means that staff should:**

- adhere to the school's educational visits guidance
- always have another adult present on visits, unless otherwise agreed with senior staff
- undertake risk assessments
- have the appropriate consents in place (e.g. medical)
- ensure that their behaviour remains professional at all times
- never share beds with a pupil/pupil
- never share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with Head Teacher, parents and pupils
- refer to local and national guidance for educational visits, including exchange visits (both to the UK and abroad)

## **22. First Aid and Medication**

All settings should have an adequate number of qualified first-aiders. Parents should be informed when first aid has been administered.

Any member of school staff may be asked to become a qualified first-aider or to provide support to pupils with medical conditions, including the administering of medicines, but they cannot be required to do so unless this forms part of their contract of employment.

Staff should receive sufficient and suitable training and achieve the necessary level of competency before they take on responsibility to support pupils with medical conditions. Advice on managing medicines is included in the statutory guidance on supporting pupils at school with medical conditions.

In circumstances where a pupil needs medication regularly, this would usually be recorded in their individual healthcare plan. This provides details of the level and type of support a pupil needs to manage effectively their medical condition in school and should include information about the medicine to be administered, the correct dosage and any storage requirements.

After discussion with parents, pupils who are competent should be encouraged to take responsibility for managing their own medicines and procedures. This could include for example, the application of any ointment or sun cream, or use of inhalers or Epipens.

If a member of staff is concerned or uncertain about the amount or type of medication being given to a pupil this should be discussed with the Designated Safeguarding Lead.

Adults taking medication which may affect their ability to care for pupils should seek medical advice regarding their suitability to do so and providers should ensure that they only work directly with pupils if that advice confirms that the medication is unlikely to impair their ability to look after pupils. Employers are also

responsible for managing the performance of their employees and for ensuring they are suitable to work with pupils.

Risk assessment is likely to recommend that staff medication on the premises must be securely stored and out of reach of pupils at all times.

**This means staff should:**

- be aware of those trained first aiders in school
- undertake first aid training as directed by the school
- have regard to pupils' individual healthcare plans
- always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities
- explain to the pupil what is happening.
- always act and be seen to act in the pupil's best interest
- make a record of all medications administered
- not work with pupils whilst taking medication unless medical advice confirms that they are able to do so

### **23. Photography, videos and other images / media**

Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity. Photographs should only be taken by authorised members of staff for agreed purposes (recording learning outcomes, recording and celebrating achievements, events and trips etc.). Staff must only take photographs on approved devices. Under no circumstances should staff be expected or allowed to use their personal equipment to take images of pupils at or on behalf of the school or setting. Data should not be kept long-term on cameras, devices and portable storage; rather they should be moved to a secure storage location.

Photo consents are stored in SIMS. Staff must pay careful attention to the different consents for use of images on social media and the school website. All pupils should additionally be given the opportunity verbally to opt out of being photographed at the time the photograph is being taken. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the setting have access.

Pupils who have been previously abused in a manner that involved images may feel particularly threatened by the use of photography, filming etc. Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation.

For the protection of pupils, it is recommended that when using images for publicity purposes that the following guidance should be followed:

- if the image is used, avoid naming the pupil, (or, as a minimum, use first names rather than surnames)
- if the pupil is named, avoid using their image
- schools and settings should establish whether the image will be retained for further use, where and for how long
- images should be securely stored and used only by those authorised to do so.

Parents and visitors should not take photographs on their own devices while on school premises.

At the Head Teacher's discretion, parents and visitors may take photographs in school on their own devices on special occasions such as school plays, trips or sports day for their own personal or household use. The school recognises that we are not the data controller and as the photographs have been taken for personal

or household use, GDPR does not apply. Ownership and copyright of the photographs belong to the person who took the photographs.

**This means staff should:**

- adhere to our school policy
- only publish images of pupils where they and their parent/carer have given explicit written consent to do so
- only take images where the pupil is happy for them to do so
- only retain images when there is a clear and agreed purpose for doing so
- store images in an appropriate secure place in the school or setting
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
- be able to justify images of pupils in their possession
- avoid making images in one to one situations

**This means staff should NOT:**

- take images of pupils for their personal use
- display or distribute images of pupils unless they are sure that they have parental consent to do so (and, where appropriate, consent from the pupil)
- take images of pupils using personal equipment
- take images of pupils in a state of undress or semi-undress
- take images of a pupil's injury, bruising or similar (e.g. following a disclosure of abuse) even if requested by pupils's social care
- make audio recordings of a pupil's disclosure
- take images of pupils which could be considered as indecent or sexual

## **24. Exposure to inappropriate images**

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

There are no circumstances that will justify adults: making, downloading, possessing or distributing indecent images or pseudo-images of pupils (pupil abuse images). Accessing these images, whether using the setting's or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

If indecent images of pupils are discovered at the establishment or on the school or setting's equipment an immediate referral should be made to the DSL and the police contacted if relevant. The images/equipment should be secured and there should be no attempt to view or delete the images as this could jeopardise necessary criminal action. If the images are of pupils known to the school, a referral should also be made to pupils's social care in line with local arrangements.

Under no circumstances should any adult use school or setting equipment to access pornography. Personal equipment containing pornography or links to it should never be brought into or used in the workplace. This will raise serious concerns about the suitability of the adult to continue working with pupils and young people.

Staff should keep their passwords confidential and not allow unauthorised access to equipment. In the event of any indecent images of pupils or unsuitable material being discovered on a device the equipment should not be tampered with in any way. It should be secured and isolated from the network, and the DSL contacted without delay. Adults should not attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility that they will be at risk of prosecution themselves.

**This means that staff should:**

- abide by the school's acceptable use and e-safety policies
- ensure that pupils cannot be exposed to indecent or inappropriate images
- ensure that any films or material shown to pupils are age appropriate

## 25. Passwords

All staff (and other adult users) have responsibility for the security of their usernames and passwords. All new or reset passwords are temporary and must be changed when next logging into the accounts by creating a 'strong' password as follows:

- Aim for at least 10 characters long, maybe using 4-5 random words;
- Include upper and lower-case letters, a number, a special character;
- Must not contain proper names nor common 'weak' passwords such as password, 123456, qwerty etc, or any personal information that might be known by others.
- Change passwords as a minimum every 6 months

Passwords should be different for different accounts, and never the same as those passwords used outside of school. User accounts will be 'locked out' following six successive incorrect log-on attempts.

Users should never allow any other users to access the systems using your log on details and immediately report any suspicion or evidence that there has been a breach of security to a senior manager.

**This means that staff should:**

- Set strong passwords, in keeping with the guidance above.
- Change their passwords as a minimum every 6 months
- Use different passwords to those used on accounts outside of school
- Never share your password or allow another person to access your account.

## 26. Clear desk and screen practices

Desks and other work surfaces shall be left clear and tidy at the end of the working day, or when leaving a work area for extended periods, with paper work and digital devices secured, filed or disposed of as appropriate:

- All paper, documents or media that include personal or sensitive information, or that are classed as private/confidential, shall be stored in secure/lockable storage as available (desk drawers, filing cabinets, cupboards);
- Other documents shall be filed away as appropriate;
- Information that is no longer needed, in either paper or electronic form, shall be securely disposed of, or archived, in line with the school's retention policy.

Personal and sensitive information, or that classified as private or confidential, shall not be left unattended for any length of time without taking precautions as appropriate:

- Information shall be removed from view;
- Internal doors shall be locked if the work area is left unoccupied;
- Private/confidential information shall be secured/locked away, even if the room is locked, if others with access to the area do not have authorisation to view it.



Cupboards, filing cabinets and desk pedestals holding private or confidential information shall be kept locked by default and always when working areas are unattended and at the end of the working day.

All internal doors shall be closed/locked when working areas are unattended and at the end of the working day, and windows also closed/locked.

Passwords and other security codes/encryption keys shall not be left on sticky notes posted on or under a computer, nor written down in another nearby, accessible location.

All printers, photocopiers and fax machines shall be cleared of printed material as soon as they are used to ensure private and confidential documents are not left in trays/on scanners for the wrong person to pick up.

The clear desk policy shall encourage disposal of all documents no longer needed. Personal and sensitive documents should be shredded using a suitable shredder or placed in locked confidential waste bins.

Computer workstation/laptop screens shall be locked when left unattended and the device switched off at the end of the working day.

PC/Laptop screens shall be positioned so they cannot be viewed by visitors.

Screens shall be cleared or locked when talking to unauthorised persons.

All computer terminals shall have the auto screen saver set to activate when there is no activity for a period of 5 minutes.

Class lists, seating plans and other personal data shall be kept in folders and stored away securely when not in use. If seating plans include sensitive information such as SEN information, these must be stored in a locked cabinet when not in use.

Open shelves and unlocked cupboards/cupboard tops can be used to neatly store exercise books and curriculum/lesson plans, except for information/files that are personal or sensitive (confidential). This shall be locked securely away at the end of the day.

**This means that staff should:**

- Leave their desk clear at the end of each day.
- Lock their computer if leaving their work station.
- Lock their office/classroom when they are not present.
- Secure hard copies of sensitive data in a locked cabinet after use.
- Never download/save copies of sensitive data locally on laptops/home computers. Always work securely in the cloud, using Google Docs
- Not leave filing cabinets/cupboards containing sensitive data unlocked.
- Be mindful to dispose of hard copies of confidential data securely (shredding)
- Be mindful of the school's data retention schedule. Not retain data unnecessarily beyond the period of time for which it is required.

## **27. Work out of school**

When working from home, where possible staff must access files in the cloud via Google Drive, rather than working with data on paper or stored locally on a laptop computer. As far as possible, staff must avoid downloading documents to their home IT equipment. If they have no choice but to download a document to work on, once they have completed and uploaded the document, they must delete it from their home device and empty the recycle bin as well.

Where transportation of hard copy data, or a device with data stored locally is unavoidable, the laptop/paper documents must always be kept secure and in the possession of the user. No devices or files will be left unattended in a vehicle or other unsecure location during transit.

Staff working at home must ensure the confidentiality and security of any information they are required to work with in the home, in accordance with the Data Protection Policy. They will ensure sensitive information is not accessible to family or other visitors.

At a minimum if using their own IT equipment to work on school resources, staff must ensure minimum standards are met for anti-virus, malware and operating system updates and security patches. Wherever possible, the use of USB sticks/portable hard drives should be avoided. Such devices should never be used for transportation of sensitive data.

**This means that staff should:**

- Avoid transporting sensitive data, either in hard copy or stored locally on a laptop, wherever possible.
- If unavoidable, never leave sensitive data/a school device in a car or unattended.
- Wherever possible, always work on data in the cloud (Google Drive)
- If downloading data is essential, once you have finished working, ensure it is uploaded to the cloud, and the local copy deleted, and empty your deleted items.
- Ensure school resources are kept confidentially, and not accessible to other family members of visitors.
- Ensure school devices are used for official work purposes only, and certainly not used by other family members.
- If working on home IT equipment, make sure your internet security is kept up to date.

## **28. Personal living accommodation**

Generally, staff should not invite any pupils into their living accommodation unless the reason to do so has been firmly established and agreed with their manager and the pupil's parents/carers.

Under no circumstances should pupils be asked to assist adults with jobs or tasks, either for or without reward, at or in their private accommodation.

**This means that staff should:**

- be vigilant in maintaining their privacy
- be mindful of the need to avoid placing themselves in vulnerable situations
- be mindful of the need to maintain appropriate personal and professional boundaries
- not ask pupils to undertake jobs or errands for their personal benefit

## **29. Overnight supervision and examinations**

There are occasions during exam periods when timetables clash and arrangements need to be made to preserve the integrity of the examination process. In these circumstances, examination boards may allow candidates to take an examination the following morning, including Saturdays.

The supervision of a candidate on journeys to and from the centre and overnight may be undertaken by the candidate's parent/carer or centre staff. The examination board requires the centre to determine a method of supervision which ensures the candidate's wellbeing. As a result, in some circumstances staff may be asked to volunteer to supervise pupils perhaps in their own homes.

The overriding consideration should be the safeguarding of both the pupil and staff; therefore many local authorities, professional associations and unions do not endorse the practice of staff supervising candidates overnight in their own homes. Some schools employ alternatives such as a 'sleep-over' on the school premises.

Where arrangements are made for a staff member to supervise a pupil overnight then all necessary safeguards should be in place.

**Where staff do supervise candidates overnight:**

- a full health and safety risk assessment should have been undertaken
- all members of the household should have had appropriate vetting including, where eligible, DBS and barred list checks
- all arrangements should be made in partnership and agreement with the pupil and parents/carers
- arrangements involving one to one supervision should be avoided wherever possible.
- as much choice, flexibility and contact with 'the outside world', should be incorporated into any arrangement so far as is consistent with appropriate supervision
- whenever possible, independent oversight of arrangements should be made
- any situation which gives rise to complaint, disagreement or misunderstanding should be reported
- staff should have regard to any local and national guidance

### 30. Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or 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. This can be supported by developing ground rules with pupils to ensure sensitive topics can be discussed in a safe learning environment. This plan should highlight particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied e.g. drama.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political or otherwise sensitive nature. Responding to pupils questions requires careful judgement and staff should take guidance in these circumstances from the Designated Safeguarding Lead.

Care should be taken to comply with the school's policy on spiritual, moral, social, cultural (SMSC) which promotes fundamental British values and be rigorously reviewed to ensure it is lawful and consistently applied. Staff should also comply at all times with the policy for relationships and sex education (RSE). It should be noted that parents have the right to withdraw their pupils from all or part of any sex education provided but not from the National Curriculum for Science.

**This means staff should:**

- clearly plan lessons, in accordance with the agreed scheme of work.
- take care when encouraging pupils to use self-expression, not to overstep personal and professional boundaries
- be able to justify all curriculum materials and relate these to clearly identifiable lessons plans.

**This means that staff should not:**

- enter into or encourage inappropriate discussions which may offend or harm others
- undermine fundamental British values
- express any prejudicial views
- attempt to influence or impose their personal values, attitudes or beliefs on pupils

### 31. Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. EPCS has a clear and accessible whistleblowing policy that meets the terms of the Public Interest Disclosure Act 1998. Staff who use whistle blowing procedures will have their employment rights protected.

Staff must recognise their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies and that to not do so may result in charges of serious neglect on their part where the welfare of pupils may be at risk.

**This means that staff should:**

- escalate their concerns if they believe a pupil or pupils are not being protected
- report any behaviour by colleagues that raises concern
- report allegations against staff to their manager, or registered provider, or where they have concerns about the manager's response report these directly to the Designated Officer (Matt Hall)

### 32. Sharing concerns and recording incidents

All staff should be aware of the school's safeguarding procedures, including the procedures for dealing with allegations against staff and volunteers.

In the event of an allegation being made, by any person, or incident being witnessed, the relevant information should be immediately recorded and reported to the headteacher, senior manager or LADO as appropriate.

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

In order to safeguard and protect pupils and colleagues, where staff have any concerns about someone who works with pupils they should immediately report this to the Head Teacher, or LADO.

**This means that staff should:**

- be familiar with their establishment's arrangements for reporting and recording concerns and allegations
- know how to contact the LADO and Ofsted/regulatory body directly if required
- take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the school or setting