

CODE OF CONDUCT POLICY



HAYDON SCHOOL

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1 Introduction

- 1.1 The Code sets out the professional standards expected and the duty upon adults to abide by it. All adults have a duty to keep students safe, promote their welfare and, to protect them from radicalisation (The Prevent Duty), abuse (sexual, physical and emotional), neglect and safeguarding concerns. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and students and behaviour by adults that demonstrates integrity, maturity and good judgement. Following this Code will help to safeguard adults from being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to students.
- 1.2 For the purposes of this Code the term and references to 'adults' means the following: Governing Body members, all teaching and other staff (whether or not paid or unpaid, employed or self-employed and whether or not employed directly by Haydon School, external contractors providing services to students on behalf of Haydon School, teacher trainees and other trainees/apprentices, volunteers and any other individuals who work for or provide services on behalf of or for Haydon School to include but not limited to all those detailed in the single central record (as amended). For the purposes of this Code 'young person/people', 'students' and 'child/ren' includes all those for whom Haydon School provides education or other services.
- 1.3 This Code takes account of guidance (statutory and non-statutory) set out in 'Keeping Children Safe in Education' Department of Education ('DfE') September 2018 (statutory), 'Working together to safeguard children' HM Government July 2018 (statutory) and 'Guidance for safer working practice for those working with children and young people in education settings' October 2015 (non statutory). This Code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for adults. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to the required professional standards. There will be occasions and circumstances in which adults have to make decisions or take action in the best interests of the student 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 students.
- 1.4 Any behaviour in breach of this Code by employees may result in action under our Disciplinary Procedure. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Governing Body will take a strict approach to serious breaches of this Code.
- 1.5 Safeguarding and Child Protection *Safeguarding Policy – November 2018*
Adults have a duty to act in accordance with the Safeguarding Policy - *Safeguarding Policy – November 2018* which is available from (*the Shared Area and the School Web site*) and report any safeguarding, child protection, welfare or radicalisation concerns about a student to the Designated Safeguarding Lead in person if urgent or via Cpoms.
- 1.6 Whistleblowing
Adults must raise concerns they have about the safeguarding or child protection practices by following the Whistleblowing Policy, which is available from the Shared Area and the School Web site. An adult who "whistle blows" or makes a public interest disclosure will have the protection of the relevant legislation.
- 1.7 Allegations of Abuse Against Teachers and Other Staff and Volunteers
Where it is alleged that an adult 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

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- behaved towards a child or children in a way that indicates s/he would pose a risk of harm to children then the Governing Body will follow Haydon School's Procedure for Dealing with Allegations of Abuse Against Teachers and Other Staff and Volunteers and the guidance set out in Part Four of Keeping Children Safe in Education DfE which is available from the Shared Area.

2 Expected Professional Standards

- 2.1 All adults as appropriate to the role and/or job description of the individual, must:
- place the well-being and learning of students at the centre of their professional practice
 - have high expectations for all students, be committed to addressing underachievement, and work to help students progress regardless of their background and personal circumstances
 - treat students 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 students, including 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 students, recognising the key role that parents and carers play in students' 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
 - ensure that the same professional standards are always applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
- 2.2 Teachers are required to comply with the [Teachers' Standards September 1st 2012](#), in particular Part 2 Personal and Professional Standards.
- 2.3 All adults must be familiar with and act in accordance with [Part 1 of Keeping Children Safe in Education DfE](#) September 2018 (statutory), [Working Together to Safeguard Children](#) March 2015 HM Government (statutory), [Prevent Duty Guidance](#) July 2015 HM Government (statutory), [The Prevent duty departmental advice for schools and childcare providers](#) DfE June 2015 and [Guidance for safer working practice for those working with children and young people in education settings](#) October 2015 (non statutory).
- 2.4 An employee who fails to bring a matter of concern to the attention of senior management and/or the relevant agencies is likely to be subject to disciplinary action.

3 Data Protection Obligations

- 3.1 As data controllers, all schools/academies are subject to the General Data Protection Regulation ("the GDPR") and the Data Protection Act ("DPA") 2018. In addition, teachers owe a common law duty of care to safeguard the welfare of their students. This duty is acknowledged in the provisions governing disclosure of information about students.
- 3.2 It is the responsibility of all employees to ensure the School's compliance with the data protection legislation. All employees must attend data protection training and must comply with their obligations under the GDPR, DPA 2018 and other data protection legislation. The

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data protection legislation prohibits the disclosure of personal data except in accordance with the set of strict rules called 'data protection principles' (please refer to the School's GDPR Policy for the detailed explanation). Failure to comply with the principles may leave the School open to substantial fines and other enforcement actions.

- 3.3 **The above does not overrule the duty to report child protection concerns to the appropriate channel where an employee believes a child is at risk of harm.** There are some circumstances in which an adult may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, adults have a duty to pass information on without delay to those with designated safeguarding responsibilities. See paragraph 19 below.
- 3.4 If a student or parent/carer makes a disclosure regarding abuse or neglect, the adult must follow Haydon School's procedures and the guidance as set out in Keeping Children Safe in Education DfE. Confidentiality must not be promised to the student or parent/carer however reassurance should be given that the information will be treated sensitively.
- 3.5 If an adult is in any doubt about the storage or sharing of information s/he must seek guidance from the Designated Safeguarding Lead and the School's Data Protection Officer (DPO). Any media or legal enquiries must be passed to senior management.
- 3.6 Staff are required to collect, maintain and dispose of sensitive or personal data (please refer to the School's GDPR Policy for definition) in a responsible manner. All employees must make sure the information is:
- used fairly, lawfully and transparently
 - used for specified, explicit purposes
 - used in a way that is adequate, relevant and limited to only what is necessary
 - accurate and, where necessary, kept up to date
 - only stored for the length of time necessary to discharge the task for which it is required
 - handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.
- 3.7 As a general rule, all information received in the course of employment should be regarded as sensitive and confidential. Personal information can relate to a variety of individuals, for example, students, parents, employees, agency workers, governors, job applicants, or the members of the general public and a variety of matters, for example, attendance, attainment, special needs, conduct and performance, health, pay, internal minutes etc. Personal data must only be used to assist an employee to carry out his/her work and used for a purpose that it was collected and intended for. Personal data must not be disclosed to people who have no right or need to see it.
- 3.8 Employees should have regard to potential difficulties which may arise as a result of discussions outside work. Employees should be cautious about discussing confidential and sensitive matters and should take steps to ensure that information is not passed on through casual conversation. In particular, employees need to understand the implications of discussions on **social networking sites**. Employees must not disclose information about the School, its students, parents or colleagues on social networking sites, even if on private spaces. Inappropriate disclosure of personal information will be treated as a breach of data protection and may be dealt with under the disciplinary procedure.
- 3.9 Within the course of daily operation, information held by the School may be requested by, supplied by, or passed to a range of people/ organisations. This might include parents, internal colleagues, students, governors, the Local Authority, and the DfE among others.

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Please refer to the relevant Privacy Policy and the School's GDPR Policy for the list of authorised disclosures. Advice should be sought prior to disclosure to ensure such disclosure is in accordance with the GDPR, the DPA 2018, The Education (Student Information) Regulations 2005 (maintained schools), The ICO 'Guide to Data Protection' and the ICO guide on 'How to Disclose Information Safely'.

- 3.10 While it is often necessary to share personal information, in doing so, employees should consider the sensitivity of the information, the purpose and means of sharing, who is the information being copied to and why, whether restriction of access need to be applied, and the potential consequences of inappropriate communication. **Information should only be shared for a specific lawful purpose or when appropriate consent has been obtained.** In circumstances where the student'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 student.
- 3.11 It is an individual employee's responsibility to safeguard personal information in their possession. All school's employees should:
- attend data protection training on an annual basis
 - make sure filing cabinets are kept locked when unattended
 - make sure personal information is not left on desks or the photocopier/fax/printer
 - make sure that no confidential or sensitive information is recorded in the notebooks/school's planners as they are easily accessible if misplaced
 - make sure papers containing personal information related to the School are not left lying around at home or in the car. If confidential materials are taken away from the School, precautions must be taken to ensure they are not accessible to third parties. **Confidential information about students must not be held off the Haydon School site other than on security protected Haydon School equipment.** Please refer to the DPO's Guide on Data Protection for more information
 - make sure appropriate steps are taken to keep track of files/documentation which are passed on to the third parties i.e. a record of the date the request is received, sent and the recipient's name and position
 - make sure, if it is necessary to supply personal files through the external mail, these are sent by recorded delivery. The School's Transfer of Student Records Protocol must be followed
 - make sure steps are taken to ensure that private/confidential telephone calls/conversations are not overheard
 - make sure meetings where sensitive or confidential information is being discussed are held in a secure environment
 - make sure confidential paperwork is disposed of correctly either by shredding or using the confidential waste facility
 - ensure that personal information about students or colleagues is never used for their own or others advantage (including that of partners, friends, relatives or other organisations)
 - provide the School's DPO with full assistance in relation to School's obligations under the data protection legislation and any complaint, communication, or request made under the data protection law within the timeframe requested by the DPO
 - assist the School's DPO with his/her enquiries and investigations

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- follow the DPO's advice on data protection.
- 3.12 Employees also have a responsibility to make sure electronic data is used and stored securely. They should:
- lock computer screens when away from the desk
 - log out of printers when finished
 - when using e-mail, be aware of the less formal style of this form of communication and ensure that e-mails do not convey an inappropriate tone. It is imperative to remember that email is open to different types of vulnerability
 - be familiar with the security of email/internet systems
 - always check that the information is going to the correct person and is marked confidential where appropriate
 - use screen savers where appropriate when using computers/smartboards while accessing personal data where other individuals may have sight of such data
 - make sure any user IDs and passwords remain confidential. Please refer to the DPO's Guide on Data Protection for advice on using strong passwords
 - never allow visitors to use employees' log in details
 - make sure sensitive data is not stored on public folders
 - never use unsecured disks/memory sticks (**all disks/memory cards/sticks used must be encrypted and/or password protected**).
- 3.13 Remote access to the School's systems must adhere to all the policies that apply to their use. Family members or other non-employees must not be allowed to access the school's computer system or use the school's computer facilities. Whilst using their own personal device for school purposes, employees must do so responsibly and to comply with all applicable laws, School's eSafety Policy, the DPO's Guide on Data Protection, other relevant policies and procedures, including the provisions set out in this Code. The device must be kept securely and security protected so that it cannot be accessed by the third parties.
- 3.14 The School reserves the right to refuse staff permission to use their own personal devices to view and/or download personal data that the School holds.
- 3.15 Staff should refer any data protection concerns to the School's DPO. **Employees are required to notify the School's DPO immediately of any event that results or may result in unauthorised access to personal data held by the School, and/or actual or potential loss or destruction of personal data held by the School.** If an employee fails to disclose a data breach/suspected data breach, then that employee may be subject to disciplinary action up to and including dismissal.

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 students. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, students and the public in general. An adult's behaviour or actions, either in or out of the workplace, must not compromise her/his position within the work setting, or bring Haydon School into disrepute. Non-exhaustive examples of unacceptable behaviour are contained in our Disciplinary Procedure/Rules.

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- 4.2 Adults are required to notify Haydon School immediately of any allegation/s of misconduct that are of a safeguarding nature made against them (or implicating them), by a child or adult in relation to any outside work or interest (whether paid or unpaid) and, of any arrest or criminal charge whether child related or not. Where employees fail to do so, this will be treated as a serious breach of this Code and dealt with under our Disciplinary Procedure.
- 4.3 Individuals should not behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model; make, or encourage others to make sexual remarks to, or about, a student; use inappropriate language to or in the presence of students; discuss their personal or sexual relationships with or in the presence of students; make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such. Behaving in an unsuitable way towards children may result in disqualification from childcare under the Childcare Act 2006, prohibition from teaching by the NCTL, a bar from engaging in regulated activity, or action by another relevant regulatory
- 4.4 A person's dress and appearance are matters of personal choice, self-expression, religious and cultural customs. However adults must maintain an appropriate standard of dress and personal appearance at work which promotes a positive and professional image. All staff must adhere to the staff dress code (staff handbook). Clothing and footwear must be safe and clean and take account of health and safety considerations. Adults must ensure they are dressed in ways which are 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, should be religious and culturally sensitive and free of any political or otherwise contentious slogans, and not considered to be discriminatory. Adults who dress or appear in a manner which may be considered as inappropriate could render themselves vulnerable to criticism or, where the adult is an employee, allegations of misconduct that may lead to action under our Disciplinary Procedure.
- 4.5 Personal property of a sexually explicit nature or property which might be regarded as promoting radicalisation or otherwise inappropriate such as books, magazines, CDs, DVDs or such material on any electronic media including links to such material must not be brought into or stored on Haydon School premises or on any Haydon School equipment.

5 Sexual Contact with Children and Young People and Abuse of Trust

- 5.1 A relationship between an adult and a child or young person is not a relationship between equals; the adult has a position of power or influence. There is potential for exploitation and harm of children or vulnerable young people and all adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Adults must not use their status or position to form or promote relationships with children (whether current students or not), that are of a sexual nature, or which may become so. 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, whether homosexual or heterosexual, by an adult with or towards a child/student 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. Where a person aged 18 or over is in a specified position of trust with a child or young person under 18 years, the Sexual Offences Act 2003 makes it 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.

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- 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' *Appendix A* 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..."
- 5.4 Adults must not have sexual relationships with students or have any form of communication with a child, 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. The adult should not make sexual remarks to, or about, a child or discuss their own sexual relationships with or in the presence of students. Adults 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. Adults should be aware that conferring special attention without good reason or favouring a student has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

6 Infatuations and Crushes

- 6.1 A child or young person may develop an infatuation with an adult who works with them. An adult, who becomes aware (may receive a report, overhear something, or otherwise notice any sign no matter how small or seemingly insignificant) that a student has become or may be becoming infatuated with him/herself or a colleague, must report this without delay to the Headteacher/Designated Safeguarding Lead or the most senior manager so that appropriate action can be taken to avoid any hurt, distress or embarrassment. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the student. It should also be recognised that careless and insensitive reactions may provoke false accusations.
- 6.2 Examples of situations which must be reported are given below:
- Where an adult is concerned that he or she might be developing a relationship with a student which could have the potential to represent an abuse of trust
 - Where an adult is concerned that a student is becoming attracted to him or her or that there is a developing attachment or dependency
 - Where an adult is concerned that actions or words have been misunderstood or misconstrued by a student such that an abuse of trust might be wrongly suspected by others
 - Where an adult is concerned about the apparent development of a relationship by another adult, or receives information about such a relationship.

7 Gifts, Rewards, Favouritism and Exclusion

- 7.1 It is against the law for public servants to take bribes. Adults 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 students or parents/carers wish to pass small tokens of appreciation to adults 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.

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- 7.2 Personal gifts must not be given to students or their families/carers. This could be misinterpreted as a gesture either to bribe or groom. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a student should be consistent with Haydon School's behaviour or rewards policy, recorded, and not based on favouritism.
- 7.3 Care should be taken when selecting children for specific activities, jobs, privileges and when students are excluded from an activity in order to avoid perceptions of favouritism or injustice. Methods of selection and exclusion should be subject to clear, fair and agreed criteria.

8 Social Contact and Social Networking

- 8.1 Communication between students and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, tablets, text messages, emails, instant messages, websites, social media such as Facebook, Twitter, Instagram, chat-rooms, forums, blogs, apps such as Whatsapp, gaming sites, digital cameras, videos, web-cams and other hand held devices. Adults should not share any personal information with students and 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. They should ensure that all communications are transparent and avoid any communication that could be interpreted as 'grooming behaviour'.
- 8.2 Adults must not give their personal contact details such as home/mobile phone number; home or personal e-mail address or social networking details to students unless the need to do so is agreed in writing with senior management. If, for example, a student attempts to locate an adult's personal contact details and attempts to contact or correspond with him/her, the adult should not respond and must report the matter to his/her manager.
- 8.3 It is recommended that adults ensure that all possible privacy settings are activated to prevent students 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.
- 8.4 Adults are personally responsible for what they communicate in social media and must bear in mind that what is published might be read by us, students, parents and carers, the general public, future employers and friends and family for a long time. Adults must ensure that their on-line profiles are consistent with the professional image expected by us and must not post material which damages the reputation of Haydon 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, in the case of an employee, allegations of misconduct which may be dealt with under the Disciplinary Procedure. Even where it is made clear that the writer's views on such topics do not represent those of the Haydon School, such comments are inappropriate.
- 8.5 Adults 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. Adults are advised not to have online friendships with parents or carers of students, or members of the governing body/trustees. Where such on line friendships exist, adults must ensure that appropriate professional boundaries are maintained.
- 8.6 It is acknowledged that adults may have genuine friendships and social contact with parents or carers of students, independent of the professional relationship. Adults should, however, inform senior management of any relationship with a parent/carer where this extends beyond the usual parent/carer/professional relationship; advise senior management of any

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regular social contact they have with a student or parent/carer, which could give rise to concern; inform senior management of any requests or arrangements where parents/carers wish to use their services outside of the workplace e.g. babysitting, tutoring; and adults should always approve any planned social contact with students or parents/carers with senior colleagues, for example when it is part of a reward scheme. If a parent/carer seeks to establish social contact, or if this occurs coincidentally, the adult should exercise his or her professional judgment and should ensure that all communications are transparent and open to scrutiny.

- 8.7 Some employees may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the employee 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.

9 Physical Contact, Personal Privacy and Personal Care

- 9.1 There are occasions when it is entirely appropriate and proper for employees to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role and in relation to the student's individual needs and any agreed care plan. When physical contact is made with students 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. Employees must use their professional judgement at all times. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one student in one set of circumstances may be inappropriate in another, or with a different student.
- 9.2 Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. Adults should never touch a student in a way which may be considered indecent. If an adult believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible to the Designated Safeguarding Lead and recorded On the Serious Incident Record (Appendix 1 of the Care and Control Policy).
- 9.3 Physical contact, which occurs regularly with a student or students, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to students with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the student's permission before initiating contact. Adults should listen, observe and take note of the student's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the student for the minimum time necessary.
- 9.4 There may be occasions when a distressed student needs comfort and reassurance. This may include age-appropriate physical contact. Adults should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. Adults should always tell a colleague when and how they offered comfort to a distressed student.
- 9.5 Where an adult has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a senior manager.
- 9.6 Some employees, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with students in order to support a student so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the student's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in a safe and open environment. Adults should remain sensitive to any discomfort expressed verbally or non-verbally by the student.

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- 9.7 All parties should clearly understand from the outset what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers informed of the extent and nature of any physical contact may also prevent allegations of misconduct arising. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the Designated Safeguarding Lead and parent/carer.
- 9.8 Students are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the students concerned and sensitive to the potential for embarrassment. Adults who are required as part of their role to attend changing rooms should announce their intention of entering any student changing rooms and only remain in the room where the student/s needs require this.
- 9.9 Employees with a job description which includes intimate care duties will have appropriate training and written guidance including a written care plan for any student who could be expected to require intimate care. No other adult should be involved in intimate care duties except in an emergency. A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, include times left and returned. Employees should not assist with personal or intimate care tasks which the student is able to undertake independently.

10 Behaviour Management and Physical Intervention

- 10.1 All students have a right to be treated with respect and dignity. Adults must not use any form of degrading treatment to punish a student. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation. Deliberately intimidating students by shouting aggressively, hectoring or overbearing physical presence is not acceptable in any situation. Any sanctions or rewards used should be part of our Relationship Charter.
- 10.2 Physical intervention can only be justified in exceptional circumstances. Non-statutory guidance is available from the Department of Education website. See 'Use of reasonable force - advice for Head Teachers, Staff and Governing Bodies'. July 2013. Adults may legitimately intervene to prevent a student 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. Adults should have regard to the health and safety of themselves and others. It is always unlawful to use force as a punishment. The use of unwarranted physical force is likely to constitute a criminal offence.
- 10.3 Where a student has specific needs in respect of particularly challenging behaviour, a positive handling plan, including a risk assessment, should be put in place and agreed by all parties. Where it is judged that a student's behaviour presents a serious risk to themselves or others, a robust risk assessment that is regularly reviewed and a physical intervention plan, where relevant, must be put in place. All incidents and subsequent actions should be recorded and reported to a manager and the student's parents/carers. Where it can be anticipated that physical intervention is likely to be required, a plan should be put in place that the student and parents/carers are aware of and have agreed to. Parental consent does not permit the use of unlawful physical intervention or deprive a student of their liberty. Haydon School has separate policies on a Relationship Charter and Care and Control Incorporating Positive Physical Interventions.

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11 First Aid and Medication

- 11.1 Haydon School has a separate policy on supporting students with a medical condition. Employees should have regard to the statutory guidance 'Supporting students at school with medical conditions' DfE December 2015, which includes advice on managing medicines. All settings must have an adequate number of qualified first aiders/appointed persons. Employees must have had the appropriate training and achieved the necessary level of competency before administering first aid or medication, or taking on responsibility to support students with medical conditions. If an adult is concerned or uncertain about the amount or type of medication being given to a student this should be discussed with the Designated Safeguarding Lead.
- 11.2 Adults taking medication that may affect their ability to care for children should seek medical advice regarding their suitability to do so and should not work with students whilst taking medication unless medical advice confirms that they are able to do so. Adult medication on the premises must be securely stored out of the reach of children.

12 One to One Situations and Meetings with Students

- 12.1 One to one situations have the potential to make children/young persons more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with students may also be more vulnerable to unjust or unfounded allegations being made against them. Adults must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both adults and students are met. Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each adult and student, which should be reviewed regularly. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas 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.
- 12.2 Pre-arranged meetings with students away from the premises or on the Haydon 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.
- 12.3 No student should be in or invited into, the home of an adult who works with them, unless they are family members or close family friends, in which case adults are advised to notify their line manager. Students must not be asked to assist adults with jobs or tasks at or in their private accommodation or for their personal benefit.
- 12.4 There are occasions during exam periods when timetables clash and arrangements need to be made to preserve the integrity of the of the examination process and in these circumstances exam boards may allow candidates to take an exam the following morning, including Saturdays. The examination board requires the centre to determine a method of supervision on journeys to and from the centre and overnight, which ensures the candidate's wellbeing. This supervision may be undertaken by a parent/carer or, employees may be asked to volunteer to supervise students, which may with prior approval be in their own home.
- 12.5 Other than in an emergency, an adult must not enter a student's home if the parent/carer is absent. Always make detailed records including times of arrival and departure and ensure any behaviour or situation that gives rise to concern is discussed with a senior manager/Headteacher. A risk assessment should be undertaken and appropriate risk management measures put in place prior to any planned home visit taking place. In the unlikely event that little or no information is available, home visits should not be made alone.

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13 Transporting Students

- 13.1 In certain situations e.g. out of school activities, adults may agree to transport students. Transport arrangements should be made in advance by a designated employee who will be responsible for planning and overseeing all transport arrangements and respond to any concerns that may arise. 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.
- 13.2 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. It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so. The driver should be aware of the current legislation concerning the use of car seats for younger children where applicable. It is illegal to drive using hand-held phones or similar devices and the driver must ensure that they adhere to all driving regulations.
- 13.3 It is inappropriate for adult to offer lifts to a student, unless the need has been agreed with a manager and, if this falls outside their normal working duties, has been agreed with parents/carers.
- 13.4 There may be occasions where a student requires transport in an emergency situation or where not to give a lift may place a student at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

14 Educational Visits and School Clubs

- 14.1 Adults should take particular care when supervising students in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Adults remain in a position of trust and the same standards of conduct apply. Please refer to the Haydon School's policy on educational visits and the Health and Safety policy.

15 Curriculum

- 15.1 Some areas of the curriculum can include or raise subject matter which is sexually explicit, of a political, cultural, religious or 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. This plan should highlight particular areas of risk and sensitivity.
- 15.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political, cultural, religious or otherwise sensitive nature. Responding to students' questions can require careful judgement and adults must take guidance in these circumstances from the Designated Safeguarding Lead. Adults must not enter into or encourage inappropriate discussion about sexual, political or religious activity or behaviour or, discussions which may offend or harm others. Adults should take care to protect children from the risk of radicalisation and should act in accordance with advice given under Part 1 of Keeping Children Safe in Education DfE and accordingly must not express any prejudicial views or, attempt to influence or impose their personal values, attitudes or beliefs on students.
- 15.3 Please refer to the Haydon School's policy on sex and relationships education (SRE) and, the policy on spiritual, moral, social and cultural development (SMSC).

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16 Photography, Videos and other Creative Arts

- 16.1 Working with students may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and well-being of students. Please refer to the Haydon School's guidance on e-safety, the use of images and the consent forms therein. Adults should have regard to the ICO CCTV code of practice and the guidance 'Taking Photographs in Schools'.
- 16.2 It is likely that the School will use photographs and images of students in some circumstances where consent to use/display these images is not needed. For example, it appears to be established practice that photographs of students are kept on a school's management information system so that staff can ensure that a record relates to the correct student or as a way of helping staff to identify students with allergies. In addition, staff may take photographs or videos of students as part and parcel of providing an education, for example, to celebrate achievements, document school trips, record school activities, identify team captains or prefects and for other educational purposes. In such circumstances, consent would not be needed if such photographs are used in and around the School.
- 16.3 The School will need to obtain consent from data subjects (students, parents, visitors and staff) in order to publish photographs or images such as videos which contain personal data of data subjects on the School's website, social media, school prospectus, marketing material and other publications. Under data protection law, the School needs the consent of a parent/carer to use photographs or video images of students usually until students reach the age of 13. From the age of 13, the School will normally approach students directly for their consent where the School is satisfied that students are able to understand what it means. If there is a disagreement between a parent and a student about whether the photo or image should be used, the safest approach for the School is to not use the photo. **Aside from any data protection considerations, there can sometimes be safeguarding reasons why a student's photograph should not be published.**
- 16.4 In addition, adults should take a common sense approach to using photographs as it may sometimes be appropriate to liaise with parents or students before displaying photos in certain circumstances, for example, purely as a matter of courtesy / consideration, to avoid anyone being taken by surprise or if the context is such that a parent might complain about the school's use of a photo.
- 16.5 Adults need to be aware of the potential for such images to be taken and/or misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. There should be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them. The images should be held in accordance with the DPA 2018 guidelines and the School's Data Retention Guide.
- 16.6 Adults should remain sensitive to any student who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.
- 16.7 Before publishing photographs or images of students in School publications, website or social media platforms please contact the School's DPO who will carry out necessary checks. Photos cannot be used or passed on outside the School without prior consultation with the DPO.
- 16.8 The School's policy is to use the School equipment to make/take images where practical. Photos may be taken on personal devices with permission of the Headteacher but they must be stored securely, transferred onto School's network drives as soon as practical and

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deleted from the personal device immediately after the upload. When taking pictures of students using personal devices adults must ensure that an automatic cloud back up feature is disabled. The pictures must be deleted from the personal device BEFORE the backup feature is enabled/reversed. Location tracking should be disabled on the adult's device before taking a photograph. Adults must take all sensible measures to prevent unauthorised access to their devices, including but not limited to the use of a PIN, pattern or password, and ensuring that the device auto-locks if inactive for a period of time. Adults must ensure that appropriate security software is installed on their mobile devices and must keep the software and security settings up-to-date. Please refer to the DPO's Guide to Data Protection for more guidance.

16.9 The School reserves the right to refuse staff permission to use their own personal devices to take photo and/or video images.

16.10 The following guidance should be followed:

- if a photograph is used, avoid naming the student
- if the student 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
- only retain images when there is a clear and agreed purpose for doing so
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
- ensure that all photographs/images are available for scrutiny in order to screen for acceptability
- be able to justify the photographs/images made
- do not take images of students for personal use. The photographs/ video images must not be stored in the designated personal area on the network server
- only take images where the student consents to this
- do not take photographs in one to one situations
- only publish images of students where they or their parent/carer (where applicable) have given explicit consent to do so. See paragraph 16.3 above
- do not take images of students in a state of undress or semi-undress
- do not take images of students which could be considered as indecent or sexual.

17 Unacceptable Use of ICT Facilities and Monitoring

17.1 This section should be read in conjunction with Haydon School's Acceptable use of ICT facilities policy/E-Safety Policy. 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 (where the adult is employed) in summary dismissal (this list is not exhaustive):

- a) pseudo-images of children (child abuse images), pornographic or sexually suggestive material or images of children or adults which may be construed as such in the

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circumstances (that is, writing, texting, pictures, films and video clips of a sexually explicit or arousing nature),

- b) any other type of offensive, obscene or discriminatory material, criminal material or material which is liable to cause distress or embarrassment to Haydon School or others.

17.2 If indecent images of children are discovered at the premises or on the Haydon School's equipment/devices, an immediate referral should be made to Haydon School's Designated Safeguarding Lead and Head Teacher (unless he or she is implicated) and the external Designated Officer (DO) and, if relevant, the police contacted. The images/equipment should be secured, should not be used by others and should be isolated from the network. There should be no attempt to view, tamper with or delete the images as this could jeopardise any necessary criminal investigation. If the images are of children who are known to Haydon School, a referral should also be made to children's social care in accordance with local arrangements.

17.3 The contents of our ICT resources and communications systems are our property. Therefore, adults 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 our electronic information and communications systems.

17.4 We reserve the right to monitor, intercept and review, without prior notification or authorisation from adults. Usage of our IT resources and communications systems, including but not limited to telephone, e-mail, messaging, voicemail, CCTV, internet and social media postings and activities is monitored to ensure that our rules are being complied with and for the following purposes:

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

17.5 Adults consent to monitoring by acknowledgement of this Code and the use of our 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.

17.6 A CCTV system monitors Haydon School 24 hours a day. This data is recorded and may be used as evidence of any alleged wrong doing.

17.7 Cyber-bullying can be experienced by adults as well as students. Adults should notify their line manager if they are subject to cyber-bullying. Haydon School will endeavour to protect adults and stop any inappropriate conduct.

18 Reporting Concerns and Recording Incidents

18.2 All adults must report concerns and incidents in accordance with the guidance set out in Keeping Children Safe in Education DfE and/or the Managing Allegations of Abuse Against Staff and Volunteers Policy. In the event of an allegation being made, or incident being witnessed, the relevant information should be immediately recorded and reported to the Headteacher, Senior Manager or Designated Safeguarding Lead as appropriate. An

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employee who fails to bring a matter of concern to the attention of senior management and/or the relevant agencies will be subject to disciplinary action.

18.3 In addition to behaviours outlined elsewhere in this Code and, the types of abuse and neglect set out in Keeping Children Safe in Education DfE, the following is a non-exhaustive list of some further behaviours which would be a cause for concern:

An adult who:

- Allows a student/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 students 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 student or students
- Appears to have special or different relationships with a student or students
- Seems to seek out unnecessary opportunities to be alone with a student

19 Monitoring and Review

19.2 The Headteacher is responsible for monitoring the implementation, use and effectiveness of this policy and will report on these matters annually or more frequently if necessary.

19.3 This policy will be reviewed by the Governing Body/Personnel Committee as necessary.

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History

Date	Issue	Status	Comments
March 2016	1	Update from EPM	To Personnel Committee 21.04.16. Approved. To FGB for information only 12.07.16
April 2019	2	Update	To Personnel Committee 02.05.19.Approved. To FGB for information only